



World Consumer Protection Map

Contribution by
Dominican Republic

Page 2: Contact of respondent

Q1

Dominican Republic

Name of responding member State

Q2

Name of responding authority/agency:

ProConsumidor

Page 3: Consumer protection legislation

Q7

Yes

Does your country's Constitution contain a provision on consumer protection?

Q8

If you do, please provide de following details:

Text of constitutional norm with reference to consumer protection

link Artículo 53.- Derechos del consumidor. Toda persona tiene derecho a disponer de bienes y servicios de calidad, a una información objetiva, veraz y oportuna sobre el contenido y las características de los productos y servicios que use o consuma, bajo las previsiones y normas establecidas por la ley. Las personas que resulten lesionadas o perjudicadas por bienes y servicios de mala calidad, tienen derecho a ser compensadas o indemnizadas conforme a la ley.

URL link

<http://dominicana.gob.do/index.php/pais/2014-12-16-20-52-13>

Consumer Protection Survey

Q9

Yes

Does your country have have specific law(s) on consumer protection ?

Q10

Date

09/09/2005

If you do, when was the main specific law first enacted?

Q11

Respondent skipped this question

If your main specific law on consumer protection has been revised, when was the date of its latest revision?

Q12

Please provide the following details of the current specific law(s):

1- Name of law

La Constitución de la República Dominicana

1- URL link

file:///C:/Users/AppData/Local/Temp/Constituci%C3%B3n%20Dominicana%202015.p df

2- Name of law

Ley General de Protección de los Derechos del consumidor o usuario No.358-05

2- URL link

<http://proconsumidor.gob.do/transparencia/index.php/leyes.html>

3- Name of law

Reglamento de aplicación a la ley No.358-05

3- URL link

<http://proconsumidor.gob.do/transparencia/index.php/leyes.html>

4- Name of law

Ley 107-13 que regula los derechos y deberes de las personas en su relación con la Administración Pública

4- URL link

<http://proconsumidor.gob.do/transparencia/index.php/leyes.html>

Q13

Please check all the fields that your consumer protections law(s) cover.

- Consumer rights/legitimate needs,
- Access by consumers to essential goods and services,
- Protection of vulnerable and disadvantaged consumers,
- Physical safety,
- Product quality,
- Terms and conditions,
- Promotional marketing and sales practices (including misleading advertisement)
- ,
- Restrictive business practices (competition/antitrust),
- Electronic commerce,
- Promotion of sustainable consumption,
- Water,
- Dispute resolution,
- Consumer education,
- Consumer information

Page 4: Consumer protection legislation

Q14

From your previous answer, your specific consumer protection law(s) do(es) not cover the following field(s). Please name the relevant law(s) covering this/these field(s):

Voluntary codes for businesses	Ley General de Protección de los derechos del consumidor o usuario No.358-05
Food distribution	Ley General de Protección de los derechos del consumidor o usuario No.358-05
Pharmaceuticals	Ley General de Protección de los derechos del consumidor o usuario No.358-05
Energy	Ley General de Protección de los derechos del consumidor o usuario No.358-05
Public utilities	Ley General de Protección de los derechos del consumidor o usuario No.358-05
Tourism	Ley General de Protección de los derechos del consumidor o usuario No.358-05
Data protection and privacy	Ley General de Protección de los derechos del consumidor o usuario No.358-05
Financial services	Ley General de Protección de los derechos del consumidor o usuario No.358-05

Q15

Please indicate the URL Link of the relevant law(s) to each field:

Voluntary codes for businesses	Ley General de Protección de los derechos del consumidor o usuario No.358-05
Food distribution	Ley General de Protección de los derechos del consumidor o usuario No.358-05
Pharmaceuticals	Ley General de Protección de los derechos del consumidor o usuario No.358-05
Energy	Ley General de Protección de los derechos del consumidor o usuario No.358-05
Public utilities	Ley General de Protección de los derechos del consumidor o usuario No.358-05
Financial services	Ley General de Protección de los derechos del consumidor o usuario No.358-05

Page 5: Consumer protection institutions

Q16

Name of Ministry responsible for consumer protection:

ProConsumidor

Q17

URL link of responsible Ministry for consumer protection:

<http://proconsumidor.gob.do>

Q18

Year when consumer protection was assumed by the current responsible ministry:

2005

Page 6: Consumer protection institutions

Q19

Yes

Do you have a main consumer protection authority/agency?

Q20

Name of main consumer protection authority/agency:

Instituto Nacional de Protección de los Derechos del Consumidor (Pro Consumidor).

Q21

URL of main consumer protection authority/agency:

<https://proconsumidor.gob.do>

Q22

Year of creation:

2005

Q23

Respondent skipped this question

Annual budget: (in USD)

Q24

Respondent skipped this question

Total number of staff:

Q25

Respondent skipped this question

Total number of staff directly affected to consumer protection:

Q26

Yes

Do you have a law/decree that governs the main consumer protection authority/agency?

Q27

If you do, please provide the following details:

Reference of the law/decree

Ley de Protección de los Derechos del Consumidor y Usuarios No. 358-05.

URL to law/decree

Ley General de Protección de los derechos del consumidor o usuario No.358-05

Q28

Does your main consumer protection authority/agency have POLICY MAKING powers over any of the following fields?

- Consumer rights/legitimate needs,
- Access by consumers to essential goods and services,
- Protection of vulnerable and disadvantaged consumers,
- Physical safety,
- Product quality,
- Terms and conditions,
- Promotional marketing and sales practices (including misleading advertisement)
- ,
- Restrictive business practices(competition/antitrust),
- Electronic commerce,
- Financial services,
- Promotion of sustainable consumption,
- Food distribution,
- Water,
- Dispute resolution,
- Consumer education,
- Consumer information

Page 7: Consumer protection institutions

Q29

From your previous answer, your main authority/agency does not have POLICY MAKING powers over the following fields. Please name the relevant authorities/agencies with powers over these fields:

Respondent skipped this question

Q30

URL Link of the relevant authority/agency to each field:

Respondent skipped this question

Q31

Does your main consumer protection authority/agency have ENFORCEMENT powers over any of the following fields?

- Consumer rights/legitimate needs,
- Access by consumers to essential goods and services,
- Protection of vulnerable and disadvantaged consumers,
- Physical safety,
- Product quality,
- Terms and conditions,
- Promotional marketing and sales practices (including misleading advertisement)
- ,
- Restrictive business practices (competition/antitrust),
- Electronic commerce,
- Financial services,
- Promotion of sustainable consumption,
- Food distribution,
- Water,
- Dispute resolution,
- Consumer education,
- Consumer information

Page 8: Consumer protection institutions

Q32

From your previous answer, your main consumer protection authority/agency does not have ENFORCEMENT powers over the following fields. Please name the relevant authorities/agencies with powers over these fields:

Respondent skipped this question

Q33

URL Link of the relevant authority/agency to each field:

Respondent skipped this question

Q34

Regarding enforcement, how many infringement cases does your authority/agency handle on average per year?

300

Q35

Has your authority/agency imposed sanctions and/or other measures for breaches of consumer protection law(s)?

Respondent skipped this question

Q36 Respondent skipped this question

Maximum amount for sanction/measure allowed by consumer protection law(s): (in USD)

Q37 Respondent skipped this question

Record highest amount for any sanction/measure imposed: (in USD)

Q38 Respondent skipped this question

Please detail if necessary, what kind of sanctions and/or other measures are available in your jurisdiction

Page 9: Consumer protection institutions

Q39 Yes

Are there any non-governmental consumer organizations/associations in your country?

Q40 Yes

Do you have a law/decree that governs consumer organizations/associations?

Q41
In case you have a law/decree that governs consumer organizations, please provide the following details:

Reference of the law/decree	Ley Nacional de Protección de los Derechos de los Consumidores No.358-05.
-----------------------------	--

Q42 Do consumer organizations/associations fulfil any of the following functions?	<p>Consultation in policy making,</p> <p>Legal advice to consumers,</p> <p>Consumer education,</p> <p>Consumer information,</p> <p>Consumer publications,</p> <p>Enforcement powers,</p> <p>Legal representation of consumers' individual interests before courts</p> <p>,</p> <p>Legal representation for consumer collective actions</p>
---	---

Consumer Protection Survey

Q43 **Yes**

Do consumer groups/associations receive public funding?

Q44 **Respondent skipped this question**

Name the three largest non-governmental consumer organizations/associations in your jurisdiction:

Page 10: Consumer protection institutions

Q45 **Yes**

Can consumers obtain redress through judicial channels?

Q46 **No**

Is there a specialized judicial mechanism for consumer complaints?

Q47 **Respondent skipped this question**

If there is, please provide the following details

Q48 **Yes**

Do you have collective redress/class actions for consumer complaints?

Q49 **Consumers individually,
Lawyers,
Consumer protection enforcement authority/agency,
Consumer associations**

Who can represent consumer interests in court?

Q50 **Respondent skipped this question**

What is the highest damages award following a collective redress/class action?

Page 11: Consumer protection institutions

Q51 **Mediation/ Conciliation**

Regarding out-of-court/alternative consumer dispute resolution, are there any of the following?

Q52

If there are any of the above, please provide the following details:

1- Name	Ley General de Protección de los derechos del consumidor o usuario No.358-05
---------	--

Q53

Yes

Are there any CROSS-BORDER out-of-court/alternative consumer dispute resolution initiatives?

Q54

If there are, please provide the following details:

1- Name	Mecanismo de conciliación por Internet (PRO CONCILIA)
---------	---

1- URL Link	Mecanismo de conciliación por Internet (PRO CONCILIA)
-------------	---

Page 12: Consumer protection institutions

Q55

Yes

Are there any self-regulation initiatives from businesses?

Q56

Respondent skipped this question

Please provide (up to) 4 examples of the self-regulation initiatives from businesses:

Q57

Yes

Are there any co-regulation initiatives between businesses and public entities?

Q58

Respondent skipped this question

Please provide (up to) 4 examples of the co-regulation initiatives between businesses and public entities:

Q59

Do self-regulation and/or co-regulation initiatives cover any of the following issues? (Please relate to UNGCP Guideline 11)

Fair and equitable treatment,
Responsible commercial behaviour,
Education and awareness-raising,
Protection of privacy,
Consumer complaints and disputes

Page 13: Consumer protection institutions

Q60

What kind and how many international cooperation agreement(s) on consumer protection does your authority/agency participate in?

Respondent skipped this question

Q61

Please provide name and URL link of formal bilateral agreements (treaties):

Respondent skipped this question

Q62

Please provide name and URL link of informal bilateral agreements (memoranda of understanding):

Respondent skipped this question

Q63

Please provide name and URL link of formal multilateral/regionals agreements (treaties) that address consumer protection:

Respondent skipped this question

Q64

Please provide name and URL link of informal multilateral/regionals agreements (memoranda of understanding) that address consumer protection:

Respondent skipped this question

Q65

Do cooperation agreements on consumer protection (be those formal/informal/bilateral/regional) cover any of the following fields?

Respondent skipped this question

Q66

Does your consumer protection enforcement authority/agency have any of the following powers regarding cross-border fraudulent and deceptive commercial practices affecting consumers?

**Investigate,
Pursue,
Obtain redress**

Q67

Do you have any experience in cross-border cooperation on enforcement?

No

Q68

If you do, please provide a short description

Respondent skipped this question

Q69

Do you engage in technical cooperation or capacity building activities on consumer protection?

Respondent skipped this question

Q70

If you have engaged in technical cooperation or capacity building activities on consumer protection as a recipient/as donor and/or through an international organization/network, please provide the following details for each initiative

Respondent skipped this question

Page 14: Consumer protection policies

Q71

Does your authority/agency carry out information and education initiatives?

Yes

Q72

Do information and education initiatives carried out by your authority/agency cover any of the following fields?

Health, nutrition, prevention of food-borne diseases and food adulteration
,
Product hazard,
Product labelling,
Legislation, dispute resolution,
Weight and measures, prices and quality,
Environmental protection,
Electronic commerce,
Financial services,
Efficient use of materials, energy, water,
Sustainable consumption

Q73

Does your authority/agency provide specific education and information initiatives for vulnerable and disadvantaged consumers?

Yes

Q74

If your authority/agency does, please provide the following details:

Respondent skipped this question

Q75

Do consumer organizations/associations provide education and information initiatives?

Yes

Q76

If consumer organizations/associations do, please provide the following details:

Respondent skipped this question

Page 15: Consumer protection policies

Q77

Does your authority/agency conduct research and analysis on consumer protection issues?

Yes

Q78

If your authority/agency does, please provide the following details:

Respondent skipped this question

Q79

Yes

Do other organizations/associations conduct research and analysis on consumer protection?

Q80

Respondent skipped this question

If other organizations/associations do, please provide the following details:
