



World Consumer Protection Map

Contribution by
PANAMA

Page 2: Contact of respondent

Q1 Name of responding member State **Panama**

Q2 Name of responding authority/agency:

Autoridad de Protección al Consumidor y Defensa de la Competencia

Page 3: Consumer protection legislation

Q7 Does your country's Constitution contain a provision on consumer protection? **Yes**

Q8 If you do, please provide de following details:

Text of constitutional norm with reference to consumer protection

Artículo 49 de la Constitución Política de la República de Panamá

URL link

<http://ministeriopublico.gob.pa/wp-content/multimedia/2016/09/constitucion-politica-con-indice-analitico.pdf>

Consumer Protection Survey

Q9 Does your country have have specific law(s) on consumer protection ? **Yes**

Q10 If you do, when was the main specific law first enacted? Date **07/11/2007**

Q11 If your main specific law on consumer protection has been revised, when was the date of its latest revision? Date **21/02/2018**

Q12 Please provide the following details of the current specific law(s):

1- Name of law	Ley 45 de 31 de octubre de 2007, Que dicta normas sobre protección al consumidor y defensa de la competencia y otra disposición.
1- URL link	https://www.gacetaoficial.gob.pa/pdfTemp/25914/7277.pdf
2- Name of law	Decreto Ejecutivo 46 de 23 de junio de 2009, Por el cual se reglamenta el Título II de Protección al Consumidor, el artículo 100, numeral 2 del Título III de la Autoridad de Protección al Consumidor y Defensa de la Competencia y el Título V de Procedimiento Administrativo de la Ley 45 de 31 de octubre de 2007 que dicta normas sobre protección al consumidor y defensa de la competencia.
2- URL link	https://www.gacetaoficial.gob.pa/pdfTemp/26311/18362.pdf
3- Name of law	Ley 31 de 18 de junio de 2010, Que establece el Régimen de Propiedad Horizontal.
3- URL link	https://www.gacetaoficial.gob.pa/pdfTemp/26558_A/28179.pdf
4- Name of law	Ley 34 de 2 de agosto de 2016, Que modifica y adiciona disposiciones a la Ley 45 de 2007, sobre protección al consumidor y defensa de la competencia.
4- URL link	https://www.gacetaoficial.gob.pa/pdfTemp/28088_A/57318.pdf
5- Name of law	Ley 14 de 20 de febrero de 2018, Que modifica artículos de la Ley 45 de 2007, sobre protección al consumidor y defensa de la competencia.
5- URL link	https://www.gacetaoficial.gob.pa/pdfTemp/28469_B/66178.pdf

Consumer Protection Survey

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) ,
Dispute resolution,
Redress,
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

No contamos con información al respecto.

Electronic commerce

Ley 51 de 22 de julio de 2008, Que define y regula los documentos electrónicos y las firmas electrónicas y la prestación de servicios de almacenamiento tecnológico de documentos y de certificación de firmas electrónicas y adopta otras disposiciones para el desarrollo del comercio electrónico.

<https://www.gacetaoficial.gob.pa/pdfTemp/26090/12199.pdf> , Ley 82 de 9 de noviembre de 2012. Modifica la Ley 51 de 2008.

<https://www.gacetaoficial.gob.pa/pdfTemp/27160/39632.pdf> , Decreto Ejecutivo 24 de 29 de marzo de 2019, Por medio del cual se reglamenta la Ley No. 51 de 22 de julio de 2008 en materia de comercio electrónico y almacenamiento tecnológico de documentos.

https://www.gacetaoficial.gob.pa/pdfTemp/28764_B/72614.pdf ,

Food distribution

No contamos con información al respecto.

Consumer Protection Survey

Water	<p>Ley 66 de 10 de noviembre de 1947: Aprueba el Código Sanitario de la República. Decreto Ley 35 del 22 de septiembre de 1966: Uso de las Aguas. Decreto Ley 2 de 7 de enero de 1997: Marco Regulatorio e Institucional para la prestación de los servicios de Agua Potable y Alcantarillado Sanitario. Reglamento Técnico DGNTI-COPANIT 23-395-99. Agua potable. Establecer requisitos físicos, químicos, biológicos y radiológicos que debe cumplir el agua potable. Ley 22 de 27 de junio de 2006: Regula las Licitaciones Públicas. Decreto Ejecutivo 366 de 28 de diciembre de 2006. Reglamenta la Ley 22 de 2006 que regula las licitaciones públicas. Ley 41 de 10 de julio de 2008: Modifica la Ley 22 de 2006 que regula las licitaciones públicas. Decreto Ejecutivo No. 59 de 16 de marzo de 2000: Reglamenta el proceso de Evaluación de Impacto Ambiental. Ley 44 de 5 de agosto de 2002: Régimen Administrativo especial para el manejo, protección y conservación de las Cuencas Hidrográficas de la República de Panamá. , URL: https://www.asep.gob.pa/?page_id=15260 URL: https://www.idaan.gob.pa/regimen-juridico/</p>
Pharmaceuticals	<p>Ley 1 de 10 de enero de 2001, Sobre Medicamentos y otros Productos para la Salud Humana. URL: http://gacetas.procuraduria-admon.gob.pa/24218_2001.pdf , Decreto Ejecutivo 40 de 13 de febrero de 2019, Que reglamenta la Ley 1 de 10 de enero de 2001, Sobre Medicamentos y otros Productos para la Salud Humana. URL: https://www.gacetaoficial.gob.pa/pdfTemp/28715/71553.pdf</p>
Energy	<p>Legislación de la Autoridad de los Servicios Públicos de Panamá. URL: https://www.asep.gob.pa/?page_id=12751</p>
Public utilities	<p>Legislación de la Autoridad de los Servicios Públicos de Panamá. URL: https://www.asep.gob.pa/?page_id=11773</p>
Tourism	<p>Autoridad de Turismo de Panamá. URL: http://www.atp.gob.pa/leyes-de-incentivos-para-inversion-turistica</p>

Data protection and privacy

Ley 24 de 22 de mayo de 2002, Que regula el servicio de información sobre historial de crédito de los consumidores o clientes. URL: http://gacetas.procuraduria-admon.gob.pa/24559_2002.pdf

Ley 14 de 18 de mayo de 2006, Que modifica y adiciona artículos a la Ley 24 de 2002, que regula el servicio de información sobre historial de crédito de los consumidores o clientes. URL: http://gacetas.procuraduria-admon.gob.pa/25549_2006.pdf

Ley 81 de 26 de marzo de 2019, Sobre Protección de Datos Personales. URL: https://www.gacetaoficial.gob.pa/pdfTemp/28743_A/72148.pdf

Financial services

Legislación de la Superintendencia de Bancos de Panamá, Superintendencia del Mercados de Valores y demás leyes. Decreto Ejecutivo 52 de 30 de abril de 2008, Ley Bancaria – Texto Único. URL: <https://www.superbancos.gob.pa/es/leyes-y-reg/ley-bancaria>

Decreto Ley 1 de 8 de julio de 1999, Que regula el Mercado de valores en Panamá. URL: <http://www.supervalores.gob.pa/reglamentacion/ley-de-valores>

Ley 81 de 31 de diciembre de 2009, Que tutela los derechos de los usuarios de las tarjetas de crédito y otras tarjetas de financiamiento. URL: https://www.gacetaoficial.gob.pa/pdfTemp/26438_B/24788.pdf

Consumer Protection Survey

Q15 Please indicate the URL Link of the relevant law(s) to each field:

Voluntary codes for businesses	No contamos con información al respecto.
Electronic commerce	URL: https://www.gacetaoficial.gob.pa/pdfTemp/26090/12199.pdf , URL: https://www.gacetaoficial.gob.pa/pdfTemp/27160/39632.pdf , URL: https://www.gacetaoficial.gob.pa/pdfTemp/28764_B/72614.pdf
Food distribution	No contamos con información al respecto.
Water	URL: https://www.asep.gob.pa/?page_id=15260 URL: https://www.idaan.gob.pa/regimen-juridico/
Pharmaceuticals	URL: http://gacetas.procuraduria-admon.gob.pa/24218_2001.pdf , URL: https://www.gacetaoficial.gob.pa/pdfTemp/28715/71553.pdf
Energy	URL: https://www.asep.gob.pa/?page_id=12751
Public utilities	URL: https://www.asep.gob.pa/?page_id=11773
Tourism	URL: http://www.atp.gob.pa/leyes-de-incentivos-para-inversion-turistica
Data protection and privacy	URL: http://gacetas.procuraduria-admon.gob.pa/24559_2002.pdf , URL: http://gacetas.procuraduria-admon.gob.pa/25549_2006.pdf , URL: https://www.gacetaoficial.gob.pa/pdfTemp/28743_A/72148.pdf
Financial services	URL: https://www.superbancos.gob.pa/es/leyes-y-reg/ley-bancaria , URL: http://www.supervalores.gob.pa/reglamentacion/ley-de-valores , URL: https://www.gacetaoficial.gob.pa/pdfTemp/26438_B/24788.pdf

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Q16 Name of Ministry responsible for consumer protection:

N/A

Q17 URL link of responsible Ministry for consumer protection:

N/A

Q18 Year when consumer protection was assumed by the current responsible ministry:

N/A

Page 6: Consumer protection institutions

Q19 Do you have a main consumer protection authority/agency? **Yes**

Q20 Name of main consumer protection authority/agency:

AUTORIDAD DE PROTECCIÓN AL CONSUMIDOR Y DEFENSA DE LA COMPETENCIA (ACODECO)

Q21 URL of main consumer protection authority/agency:

www.acodeco.gob.pa/acodeco/portada.php

Q22 Year of creation:

1996

Q23 Annual budget: (in USD)

Respondent skipped this question

Q24 Total number of staff:

509

Q25 Total number of staff directly affected to consumer protection:

Respondent skipped this question

Q26 Do you have a law/decreed that governs the main consumer protection authority/agency?

Yes

Q27 If you do, please provide the following details:

Reference of the law/decreed

Ley 45 de 31 de octubre de 2007, Que dicta normas sobre protección al consumidor y defensa de la competencia y otra disposición.

URL to law/decreed

<https://www.gacetaoficial.gob.pa/pdfTemp/25914/7277.pdf>

Q28 Does your main consumer protection authority/agency have POLICY MAKING powers over any of the following fields?

Respondent skipped this question

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Consumer Protection Survey

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:

Consumer rights/legitimate needs	Asamblea de Diputados o el Órgano Ejecutivo
Access by consumers to essential goods and services	Asamblea de Diputados o el Órgano Ejecutivo
Protection of vulnerable and disadvantaged consumers	Asamblea de Diputados o el Órgano Ejecutivo
Physical safety	Asamblea de Diputados o el Órgano Ejecutivo
Product quality	Asamblea de Diputados o el Órgano Ejecutivo
Terms and conditions	Asamblea de Diputados o el Órgano Ejecutivo
Promotional marketing and sales practices (including misleading advertisement)	Asamblea de Diputados o el Órgano Ejecutivo
Voluntary codes for businesses	Asamblea de Diputados o el Órgano Ejecutivo
Restrictive business practices(competition/antitrust)	Asamblea de Diputados o el Órgano Ejecutivo
Electronic commerce	Asamblea de Diputados o el Órgano Ejecutivo
Financial services	Asamblea de Diputados o el Órgano Ejecutivo
Promotion of sustainable consumption	Asamblea de Diputados o el Órgano Ejecutivo
Food distribution	Asamblea de Diputados o el Órgano Ejecutivo
Water	Asamblea de Diputados o el Órgano Ejecutivo
Pharmaceuticals	Asamblea de Diputados o el Órgano Ejecutivo
Energy	Asamblea de Diputados o el Órgano Ejecutivo
Public utilities	Asamblea de Diputados o el Órgano Ejecutivo
Tourism	Asamblea de Diputados o el Órgano Ejecutivo
Data protection and privacy	Asamblea de Diputados o el Órgano Ejecutivo
Dispute resolution	Asamblea de Diputados o el Órgano Ejecutivo
Redress	Asamblea de Diputados o el Órgano Ejecutivo
Consumer education	Asamblea de Diputados o el Órgano Ejecutivo
Consumer information	Asamblea de Diputados o el Órgano Ejecutivo

Consumer Protection Survey

Q30 URL Link of the relevant authority/agency to each field:

Consumer rights/legitimate needs	https://www.asamblea.gob.pa/
Access by consumers to essential goods and services	https://www.asamblea.gob.pa/
Protection of vulnerable and disadvantaged consumers	https://www.asamblea.gob.pa/
Physical safety	https://www.asamblea.gob.pa/
Product quality	https://www.asamblea.gob.pa/
Terms and conditions	https://www.asamblea.gob.pa/
Promotional marketing and sales practices (including misleading advertisement)	https://www.asamblea.gob.pa/
Voluntary codes for businesses	https://www.asamblea.gob.pa/
Restrictive business practices(competition/antitrust)	https://www.asamblea.gob.pa/
Electronic commerce	https://www.asamblea.gob.pa/
Financial services	https://www.asamblea.gob.pa/
Promotion of sustainable consumption	https://www.asamblea.gob.pa/
Food distribution	https://www.asamblea.gob.pa/
Water	https://www.asamblea.gob.pa/
Pharmaceuticals	https://www.asamblea.gob.pa/
Energy	https://www.asamblea.gob.pa/
Public utilities	https://www.asamblea.gob.pa/
Tourism	https://www.asamblea.gob.pa/
Data protection and privacy	https://www.asamblea.gob.pa/
Dispute resolution	https://www.asamblea.gob.pa/
Redress	https://www.asamblea.gob.pa/
Consumer education	https://www.asamblea.gob.pa/
Consumer information	https://www.asamblea.gob.pa/

Consumer Protection Survey

Q31 Does your main consumer protection authority/agency have ENFORCEMENT powers over any of the following fields?

Consumer rights/legitimate needs,
Protection of vulnerable and disadvantaged consumers
,
Physical safety,
Product quality,
Terms and conditions ,
Promotional marketing and sales practices (including misleading advertisement)
,
Voluntary codes for businesses ,
Restrictive business practices (competition/antitrust) ,
Electronic commerce,
Promotion of sustainable consumption ,
Food distribution,
Dispute resolution,
Redress,
Consumer education,
Consumer information

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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:

Access by consumers to essential goods and services	Ministerio de Comercio e Industrias de la República de Panamá
Financial services	Dirección Nacional de Financieras - Ministerio de Comercio e Industrias de la República de Panamá / Superintendencia de Bancos de Panamá
Water	Autoridad Nacional de los Servicios Públicos (ASEP)
Pharmaceuticals	Ministerio de Salud (MINS)
Energy	Autoridad Nacional de los Servicios Públicos (ASEP)
Public utilities	N/A
Tourism	Autoridad de Turismo de Panamá
Data protection and privacy	Autoridad Nacional de Transparencia y Acceso a la Información

Consumer Protection Survey

Q33 URL Link of the relevant authority/agency to each field:

Access by consumers to essential goods and services	https://www.mici.gob.pa/
Financial services	https://www.mici.gob.pa/ . https://www.superbancos.gob.pa/
Water	https://www.asep.gob.pa/
Pharmaceuticals	http://www.minsa.gob.pa/
Energy	https://www.asep.gob.pa/
Public utilities	n/a
Tourism	http://www.atp.gob.pa/
Data protection and privacy	http://www.antai.gob.pa/

Q34 Regarding enforcement, how many infringement cases does your authority/agency handle on average per year? Respondent skipped this question

Q35 Has your authority/agency imposed sanctions and/or other measures for breaches of consumer protection law(s)? Yes

Q36 Maximum amount for sanction/measure allowed by consumer protection law(s): (in USD) Respondent skipped this question

Q37 Record highest amount for any sanction/measure imposed: (in USD) Respondent skipped this question

Q38 Please detail if necessary, what kind of sanctions and/or other measures are available in your jurisdiction

Verbal, escrita, otros.

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Q39 Are there any non-governmental consumer organizations/associations in your country? Yes

Q40 Do you have a law/decree that governs consumer organizations/associations? Yes

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

Reference of the law/decree	Ley 45 de 31 de octubre de 2007, Que dicta normas sobre protección al consumidor y defensa de la competencia y otra disposición.
URL to law/decree	https://www.gacetaoficial.gob.pa/pdfTemp/25914/7277.pdf

Consumer Protection Survey

Q42 Do consumer organizations/associations fulfil any of the following functions? **Consumer education,**
Consumer information,
Consumer publications

Q43 Do consumer groups/associations receive public funding? **Yes**

Q44 Name the three largest non-governmental consumer organizations/associations in your jurisdiction:

1- Name	Unión Nacional de Consumidores y Usuarios de la República de Panamá - UNCUREPA
1- Website	n/a
2- Name	Instituto Panameño de Derecho de Consumidores y Usuarios IPADECU
2- Website	http://ipadecu.org/consumers/

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Q45 Can consumers obtain redress through judicial channels? **Yes**

Q46 Is there a specialized judicial mechanism for consumer complaints? **Yes**

Q47 If there is, please provide the following details

Name	Ley 45 de 31 de octubre de 2007
URL Link	http://ipadecu.org/consumers/

Q48 Do you have collective redress/class actions for consumer complaints? **Yes**

Q49 Who can represent consumer interests in court? **Lawyers**

Q50 What is the highest damages award following a collective redress/class action?

Name of case	N/A
Year of case	N/A
Total amount in USD	N/A

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Consumer Protection Survey

Q51 Regarding out-of-court/alternative consumer dispute resolution, are there any of the following?

Mediation/ Conciliation

Q52 If there are any of the above, please provide the following details:

Respondent skipped this question

Q53 Are there any CROSS-BORDER out-of-court/alternative consumer dispute resolution initiatives?

No

Q54 If there are, please provide the following details:

Respondent skipped this question

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Q55 Are there any self-regulation initiatives from businesses?

Yes

Q56 Please provide (up to) 4 examples of the self-regulation initiatives from businesses:

1- Name of initiative

Programa Corporativo de Conformidad

1- URL link

http://www.acodeco.gob.pa/acodeco/uploads/pdf/legislacion_normativas/ResolucionA-008-PCC-18Ene2018.01_29_2018_11_02_25_a.m..pdf

Q57 Are there any co-regulation initiatives between businesses and public entities?

Yes

Q58 Please provide (up to) 4 examples of the co-regulation initiatives between businesses and public entities:

Respondent skipped this question

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

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Consumer Protection Survey

Q60 What kind and how many international cooperation agreement(s) on consumer protection does your authority/agency participate in?

	Bilateral	Multilateral/Regional
Formal (treaties)	10+	
Informal (memoranda of understanding)		

Q61 Please provide name and URL link of formal bilateral agreements (treaties):

En el siguiente enlace se encuentran los convenios/acuerdos firmados entre La Autoridad de Protección al Consumidor y Defensa de la Competencia y agencias homologas de otros países. <http://www.acodeco.gob.pa/acodeco/view.php?arbol=2&sec=6&pagi=0>

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:

En el siguiente enlace se encuentran los convenios/acuerdos firmados entre La Autoridad de Protección al Consumidor y Defensa de la Competencia y agencias homologas de otros países. <http://www.acodeco.gob.pa/acodeco/view.php?arbol=2&sec=6&pagi=0>

Q64 Please provide name and URL link of informal multilateral/regionals agreements (memoranda of understanding) that address consumer protection:

Respondent skipped this question

Consumer Protection Survey

Q65 Do cooperation agreements on consumer protection (be those formal/informal/bilateral/regional) cover any of the following fields?

Judicial cooperation,
Enforcement,
Consumer rights/legitimate needs,
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 ,
Food distribution,
Dispute resolution,
Redress,
Consumer education,
Consumer information

Q66 Does your consumer protection enforcement authority/agency have any of the following powers regarding cross-border fraudulent and deceptive commercial practices affecting consumers?

Respondent skipped this question

Q67 Do you have any experience in cross-border cooperation on enforcement?

Yes

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?

	Bilaterally	Through an international organization/network
As a recipient	Yes	Yes
As a donor	Yes	Yes

Consumer Protection Survey

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

1- Name of programme/project

Escuela Indecopi a través de UNCTAD Compal

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,

Environmental protection,

Financial services,

Sustainable consumption

Other (please specify):

Campañas de información a los consumidores en el uso de bolsas reutilizables amigables al medio ambiente, en base a la Ley 1 de 19 de enero de 2018, que adopta medidas para promover el uso de bolsas reutilizables en establecimientos comerciales. Adicionalmente, queda prohibido el uso de bolsas de polietileno en los supermercado, autoservicios, almacenes o comercios en general para transporte de productos o mercaderías.

Q73 Does your authority/agency provide specific education and information initiatives for vulnerable and disadvantaged consumers?

Respondent skipped this question

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

Consumer Protection Survey

Q76 If consumer organizations/associations do, please provide the following details:

1- Name of consumer organization/association	Instituto Panameño de Derecho de Consumidores y Usuarios - IPADECU
1- URL link of initiative	ipadecu.org/consumers/
2- Name of consumer organization/association	Unión Nacional de Consumidores y Usuarios de la República de Panamá (UNCUREPA)

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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:

1- Main area of work	Investigación
2- Main area of work	Dirección Nacional de Protección al Consumidor y Dirección Nacional de Libre Competencia

Q79 Do other organizations/associations conduct research and analysis on consumer protection? **Yes**

Q80 If other organizations/associations do, please provide the following details: **Respondent skipped this question**
