



World Consumer Protection Map

Contribution by
Botswana

Page 2: Contact of respondent

Q1

Botswana

Name of responding member State

Q2

Name of responding authority/agency:

Competition and Consumer Authority

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

Consumer Protection Act 2018

URL link

<https://www.competitionauthority.co.bw/>

Q9

Yes

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

Q10

Date

01/01/1998

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

Q11

Date

02/12/2018

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

Consumer Protection Act 2018

1- URL link

<https://www.competitionauthority.co.bw/about-us>

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),**
 - Promotion of sustainable consumption,**
 - Food distribution,**
 - Data protection and privacy,**
 - Dispute resolution,**
 - Redress,**
 - Consumer education,**
 - Consumer information**
-

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):

Water	Waterworks Act, https://www.ecolex.org/details/legislation/water-utilities-corporation-act-
Pharmaceuticals	MEDICINES AND RELATED SUBSTANCES ACT, 2013
Energy	Botswana Energy Regulatory Authority
Tourism	Tourism Act

Q15

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

Water	https://www.wuc.bw/wuc-publications-list/id/11/acts/
Pharmaceuticals	https://botswanalaws.com/StatutesActpdf/2013Actpdf/MEDICINES%20AND
Tourism	https://www.ecolex.org/details/legislation/tourism-act-chapter-4209-lex-faoc091749

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Q16

Name of Ministry responsible for consumer protection:

Ministry of Investment Trade and Industry

Q17

URL link of responsible Ministry for consumer protection:

<https://www.gov.bw/ministries/ministry-investment-trade-and-industry>

Q18

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

1998

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Q19

Yes

Do you have a main consumer protection authority/agency?

Q20

Name of main consumer protection authority/agency:

Competition and Consumer Authority

Q21

URL of main consumer protection authority/agency:

<https://www.competitionauthority.co.bw/about-us>

Q22

Year of creation:

2019

Q23

Annual budget: (in USD)

4000

Q24

Total number of staff:

63

Q25

Total number of staff directly affected to consumer protection:

18

Q26

Yes

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

Q27

If you do, please provide the following details:

Reference of the law/decreed

Consumer Protection Act of 2018

URL to law/decreed

<https://www.competitionauthority.co.bw/about-us>

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)
 ,
 Voluntary codes for businesses,
 Restrictive business practices(competition/antitrust),
 Financial services,
 Food distribution,
 Dispute resolution,
 Redress,
 Consumer education,
 Consumer information**

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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:

Water	Water Utilities Corporation
Pharmaceuticals	Botswana Medicines Regulatory Authority (BoMRA)
Energy	Botswana Energy Regulatory Authority
Tourism	Botswana Tourism Board
Data protection and privacy	Data Protection Act

Q30

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

Water	https://www.wuc.bw/
Pharmaceuticals	https://www.bomra.co.bw/
Energy	https://www.bomra.co.bw/
Tourism	https://www.botswanatourism.co.bw/
Data protection and privacy	https://www.bocra.org.bw/data-protection-act

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)
- ,
- Voluntary codes for businesses,
- Restrictive business practices (competition/antitrust),
- 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:

Water	Water Utilities Corporation
Pharmaceuticals	Medicines and Related Substances Act of 2013
Energy	Botswana Energy Regulatory Authority
Tourism	Botswana Tourism Board
Data protection and privacy	Data Protection Act

Q33

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

Financial services	Non-Bank Financial Institutions Regulatory Authority Act of 2006 and Banking Act
Water	https://www.wuc.bw/
Pharmaceuticals	https://www.bomra.co.bw/
Energy	http://www.bera.co.bw/
Tourism	https://www.botswanaturism.co.bw/
Data protection and privacy	https://www.bocra.org.bw/data-protection-act

Q34

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

425

Q35

No

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

Q36

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

50000

Q37

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

0

Q38

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

Mediation cease and desist, sanctions

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Q39

Yes

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

Q40

No

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

N/A

URL to law/decree

N/A

Q42

Do consumer organizations/associations fulfil any of the following functions?

**Consumer education,
Consumer information**

Q43

Yes

Do consumer groups/associations receive public funding?

Q44

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

1- Name

BOCARO

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Q45

Yes

Can consumers obtain redress through judicial channels?

Q46

Yes

Is there a specialized judicial mechanism for consumer complaints?

Q47

If there is, please provide the following details

Name

COMPETITION AND CONSUMER TRIBUNAL

Q48

Yes

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

Q49 Who can represent consumer interests in court?
**Consumers individually,
Lawyers,
Consumer protection enforcement authority/agency**

Q50 What is the highest damages award following a collective redress/class action?
Respondent skipped this question

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Q51 Regarding out-of-court/alternative consumer dispute resolution, are there any of the following?
**Mediation/ Conciliation,
Arbitration,
Comments:
Cases were through mediation. Its only this year that the new Act allows for enforcement**

Q52 If there are any of the above, please provide the following details:
1- Name **<https://www.competitionauthority.co.bw/about-us>**

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?
No

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

Q57

No

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

Respondent skipped this question

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

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Q60

Respondent skipped this question

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

Q61

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

Competition Commission of South Africa

Q62

Respondent skipped this question

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

Q63

Respondent skipped this question

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

Q64

Respondent skipped this question

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

Q65

Respondent skipped this question

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

Q66

Pursue,
Share information and evidence

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

Q67

No

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

Q68

Respondent skipped this question

If you do, please provide a short description

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

Q70

Respondent skipped this question

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

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Q71

Yes

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

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,
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?

No

Q76

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

Respondent skipped this question

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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:

Respondent skipped this question

Q79

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

No

Q80

Respondent skipped this question

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