



## **World Consumer Protection Map**

Contribution by  
GUATEMALA

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Page 2: Contact of respondent

**Q1** Name of responding member State **Guatemala**

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**Q2** Name of responding authority/agency:

Dirección de Atención y Asistencia al Consumidor -DIACO-

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Page 3: Consumer protection legislation

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

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**Q8** If you do, please provide de following details:

Text of constitutional norm with reference to consumer protection

**Constitución Política de la República de Guatemala**

URL link

**[http://www.minfin.gob.gt/images/downloads/dcp\\_marco\\_legal/bases\\_legales/Constitucion\\_politica\\_de\\_la\\_republica\\_de\\_guatemala.pdf](http://www.minfin.gob.gt/images/downloads/dcp_marco_legal/bases_legales/Constitucion_politica_de_la_republica_de_guatemala.pdf)**

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## 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

**18/02/2003**

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

**Respondent skipped this question**

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

1- Name of law

**Ley de Protección al Consumidor y Usuario**

1- URL link

**[www.diaci.gob.gt](http://www.diaci.gob.gt)**

**Q13** Please check all the fields that your consumer protections law(s) cover.

**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)**

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**Electronic commerce,**

**Promotion of sustainable consumption** ,

**Water,**

**Pharmaceuticals,**

**Energy,**

**Dispute resolution,**

**Redress,**

**Consumer education,**

**Consumer information**

## Consumer Protection Survey

**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):

|                                                     |                                                              |
|-----------------------------------------------------|--------------------------------------------------------------|
| Access by consumers to essential goods and services | <b>Constitución Política de la República de Guatemala</b>    |
| Food distribution                                   | <b>Ley de Sistema de Seguridad Alimentaria y Nutricional</b> |
| Tourism                                             | <b>Ley Orgánica del Instituto Guatemalteco de Turismo</b>    |
| Data protection and privacy                         | <b>Ley de Acceso a la Información Pública</b>                |
| Financial services                                  | <b>Ley de Bancos y Grupos Financieros</b>                    |

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

|                                                     |                                                                                |
|-----------------------------------------------------|--------------------------------------------------------------------------------|
| Access by consumers to essential goods and services | <b><a href="https://www.congreso.gob.gt/">https://www.congreso.gob.gt/</a></b> |
| Food distribution                                   | <b><a href="http://www.sesan.gob.gt">www.sesan.gob.gt</a></b>                  |
| Tourism                                             | <b><a href="https://www.congreso.gob.gt/">https://www.congreso.gob.gt/</a></b> |
| Data protection and privacy                         | <b><a href="https://www.congreso.gob.gt/">https://www.congreso.gob.gt/</a></b> |
| Financial services                                  | <b><a href="https://www.congreso.gob.gt/">https://www.congreso.gob.gt/</a></b> |

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Page 5: Consumer protection institutions

**Q16** Name of Ministry responsible for consumer protection:

Ministerio de Economía

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**Q17** URL link of responsible Ministry for consumer protection:

[www.mineco.gob.gt](http://www.mineco.gob.gt)

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

1995

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Page 6: Consumer protection institutions

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

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**Q20** Name of main consumer protection authority/agency:

Dirección de Atención y Asistencia al Consumidor -DIACO-

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**Q21** URL of main consumer protection authority/agency:

[www.diaco.gob.gt](http://www.diaco.gob.gt)

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## Consumer Protection Survey

**Q22** Year of creation:

1995

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**Q23** Annual budget: (in USD)

Respondent skipped this question

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**Q24** Total number of staff:

166

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**Q25** Total number of staff directly affected to consumer protection:

120

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

Yes

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**Q27** If you do, please provide the following details:

Reference of the law/decreed

**Ley de Protección al Consumidor y Usuario**

URL to law/decreed

**[www.diacogob.gt](http://www.diacogob.gt)**

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## Consumer Protection Survey

**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) ,  
Electronic commerce,  
Promotion of sustainable consumption ,  
Water,  
Pharmaceuticals,  
Energy,  
Dispute resolution,  
Redress,  
Consumer education,  
Consumer information

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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:

|                                                       |                                                            |
|-------------------------------------------------------|------------------------------------------------------------|
| Restrictive business practices(competition/antitrust) | Dirección de Competencia del Ministerio de Economía        |
| Financial services                                    | Superintendencia de Bancos                                 |
| Food distribution                                     | Secretaría de Seguridad Alimentaria y Nutricional - SESAN- |
| Tourism                                               | Instituto Guatemalteco de Turismo -INGUAT-                 |

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

|                                                       |                                                                                           |
|-------------------------------------------------------|-------------------------------------------------------------------------------------------|
| Restrictive business practices(competition/antitrust) | <a href="http://www.mineco.gob.gt">www.mineco.gob.gt</a>                                  |
| Financial services                                    | <a href="https://www.sib.gob.gt/web/sib/inicio">https://www.sib.gob.gt/web/sib/inicio</a> |
| Food distribution                                     | <a href="http://www.sesan.gob.gt">www.sesan.gob.gt</a>                                    |
| Tourism                                               | <a href="http://www.inguat.gob.gt">www.inguat.gob.gt</a>                                  |

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## Consumer Protection Survey

**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 ,  
Product quality,  
Terms and conditions ,  
Promotional marketing and sales practices (including misleading advertisement) ,  
Electronic commerce,  
Promotion of sustainable consumption ,  
Water,  
Pharmaceuticals,  
Energy,  
Dispute resolution,  
Redress,  
Consumer education,  
Consumer information

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### 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:

|                                                        |                                                     |
|--------------------------------------------------------|-----------------------------------------------------|
| Restrictive business practices (competition/antitrust) | Dirección de Competencia del Ministerio de Economía |
| Food distribution                                      | Secretaría de Seguridad Alimentaria y Nutricional   |
| Tourism                                                | Instituto Guatemalteco de Turismo -INGUAT-          |

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

|                                                        |                                                          |
|--------------------------------------------------------|----------------------------------------------------------|
| Restrictive business practices (competition/antitrust) | <a href="http://www.mineco.gob.gt">www.mineco.gob.gt</a> |
| Food distribution                                      | <a href="http://www.sesan.gob.gt">www.sesan.gob.gt</a>   |
| Tourism                                                | <a href="http://www.inguat.gob.gt">www.inguat.gob.gt</a> |

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**Q34** Regarding enforcement, how many infringement cases does your authority/agency handle on average per year?

900

## Consumer Protection Survey

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

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

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

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

Apercibimiento Escrito  
Apercibimientos Públicos  
Multa y  
Publicación en el Diario de mayor circulación

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### Page 9: Consumer protection institutions

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

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

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

Reference of the law/decree **Ley de Protección al Consumidor y Usuario**  
URL to law/decree **[www.diaco.gob.gt](http://www.diaco.gob.gt)**

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

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**Q43** Do consumer groups/associations receive public funding? **No**

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## Consumer Protection Survey

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

|            |                                                                                                                                                                                                                                                                      |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1- Name    | <b>Liga del Consumidor -LIDECON-</b>                                                                                                                                                                                                                                 |
| 1- Website | <b><a href="https://es-la.facebook.com/pages/category/Nonprofit-Organization/Liga-del-Consumidor-LIDECON-Guatemala-111036258918337/">https://es-la.facebook.com/pages/category/Nonprofit-Organization/Liga-del-Consumidor-LIDECON-Guatemala-111036258918337/</a></b> |
| 2- Name    | <b>Asociación de Consumidores y Usuarios de Guatemala –ACUSGUA-</b>                                                                                                                                                                                                  |
| 2- Website | <b><a href="http://acusgua.blogspot.com/">http://acusgua.blogspot.com/</a></b>                                                                                                                                                                                       |

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Page 10: Consumer protection institutions

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

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**Q46** Is there a specialized judicial mechanism for consumer complaints? **No**

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**Q47** If there is, please provide the following details **Respondent skipped this question**

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**Q48** Do you have collective redress/class actions for consumer complaints? **No**

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

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

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Page 11: Consumer protection institutions

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

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

|             |                                                                                 |
|-------------|---------------------------------------------------------------------------------|
| 1- Name     | <b>Dirección de Atención y Asistencia al Consumidor</b>                         |
| 1- URL Link | <b><a href="http://www.diaco.gob.gt">www.diaco.gob.gt</a></b>                   |
| 2- Name     | <b>Centro de Arbitraje y Conciliación de la Camara de Comercio de Guatemala</b> |
| 2- URL Link | <b><a href="http://ccg.com.gt/web-ccg/">http://ccg.com.gt/web-ccg/</a></b>      |

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## Consumer Protection Survey

**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**

Page 12: Consumer protection institutions

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

**No**

**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)

**Respondent skipped this question**

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**

## Consumer Protection Survey

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

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**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**

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**Q67** Do you have any experience in cross-border cooperation on enforcement? **Respondent skipped this question**

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**Q68** If you do, please provide a short description **Respondent skipped this question**

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**Q69** Do you engage in technical cooperation or capacity building activities on consumer protection? **Respondent skipped this question**

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**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**

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### Page 14: Consumer protection policies

**Q71** Does your authority/agency carry out information and education initiatives? **No**

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**Q72** Do information and education initiatives carried out by your authority/agency cover any of the following fields? **Respondent skipped this question**

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**Q73** Does your authority/agency provide specific education and information initiatives for vulnerable and disadvantaged consumers? **No**

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**Q74** If your authority/agency does, please provide the following details: **Respondent skipped this question**

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**Q75** Do consumer organizations/associations provide education and information initiatives? **No**

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**Q76** If consumer organizations/associations do, please provide the following details: **Respondent skipped this question**

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### Page 15: Consumer protection policies

## Consumer Protection Survey

**Q77** Does your authority/agency conduct research and analysis on consumer protection issues? **No**

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**Q78** If your authority/agency does, please provide the following details: **Respondent skipped this question**

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**Q79** Do other organizations/associations conduct research and analysis on consumer protection? **No**

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

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