

Global Regulations,
Institutional Development,
and Market Authorities
Perspective Toolkit
(GRIDMAP)

**Consumer
Protection Module**

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Finance, Competitiveness & Innovation

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CHAPTER 1. CONSUMER PROTECTION

I. GRIDMAP¹ Consumer Protection Module Objectives

The GRIDMAP, Global Regulations, Institutional Development and Market Authorities Perspective Consumer Protection Module, aims to develop consumer trust in markets by providing a toolkit to build fair, secure, and contestable markets that enable all consumers to make informed choices.

Countries and their Consumer Protection Authorities (CPAs) can use this toolkit and its findings to improve their economies' legal framework, institutional arrangements, implementation, and enforcement actions. The World Bank and its development partners can use this toolkit to identify potential gaps rapidly, and develop customized recommendations and support for policy makers and CPAs.



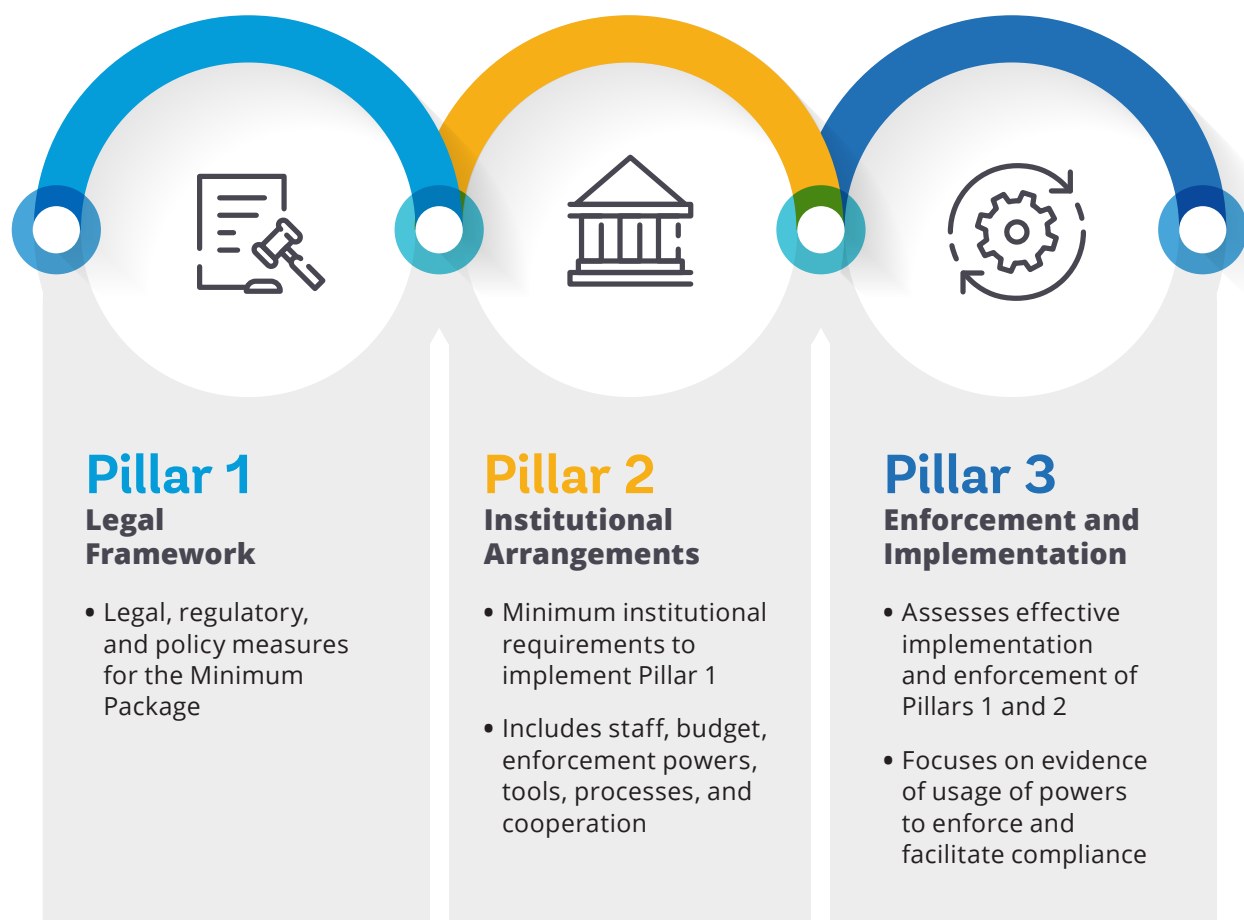
¹ Global Regulations, Institutional Development, and Market Authorities Perspective

II. GRIDMAP General Context

GRIDMAP identifies the Minimum Package of policies and practices that emerging markets and developing economies (EMDEs) can use to build trustworthy and safe contestable markets. The Minimum Package comprises essential regulatory provisions, institutional arrangements and implementation and enforcement actions that are the cornerstone of a market that stakeholders can trust.

GRIDMAP is divided into different modules, focusing on several regulatory areas that impact markets. Each module of GRIDMAP covers three pillars that set out a Minimum Package for: the legal framework (Pillar 1); the institutional arrangements (Pillar 2); and implementation and enforcement (Pillar 3). The content of the Minimum Package for each Pillar is based on World Bank experience and international and regional good practices.

FIGURE 1. GRIDMAP FRAMEWORK PILLARS



Source: GRIDMAP Framework, 2024.



III. Consumer Protection Module Motivation

For years, the World Bank has worked with market authorities dealing with competition policy and consumer protection, particularly in the financial sector. The Bank's support has centered on improving regulatory frameworks and institutional arrangements, and strengthening financial consumer protection. As markets grow global and digital, demand has steadily increased for the World Bank to strengthen its support in other areas of consumer protection, especially those relating to digital markets.

Improved regulatory frameworks and enforcement in consumer protection can strengthen consumer trust, positively impacting market development, productivity, innovation, and economic growth overall. The European Parliament (2019) developed an in-depth meta-analysis of the economic benefits and costs of general and sector-specific European consumer protection regulations. Although the quantitative evidence was relatively scarce, other data showed that individual regulations related to European consumer protection had, in many cases, a positive economic impact. Gardner et al (2022) point out that consumer protection can enhance efficiency, productivity, and economic growth.

An effective consumer protection legal framework can reduce financial losses, time losses, and direct damage to consumers, freeing up resources so they can be spent more efficiently. OECD (2022) estimated that consumers in its member countries lost at least USD 22 billion in 2020 from e-commerce problems, considering only the most serious problems consumers had encountered that year. OECD (2024) also calculates that a low estimate of the value of consumer detriment in OECD countries was 1.1% of GDP in 2023, and this is without taking into account detriment arising from product safety issues. Part of this cost could have been avoided through more effective consumer protection.

Consumer policy can also play an important role in driving sustainable economic growth and development in the digital and green transitions by protecting consumers from problems arising in complex digital markets, such as unfair online advertising, fake ratings and reviews, and inappropriate consumer data practices, and by raising consumer demand for sustainable products and lowering barriers for making sustainable purchasing decisions. Provisions guaranteeing consumers have reliable information regarding energy efficiency, product durability, and recyclability of products can help them make informed choices with environmental impact. As pointed out by UNEP (2024), sustainable consumption and production can contribute substantially to poverty alleviation and the transition towards low-carbon and green economies.

Consumer protection can also strengthen competition (Gardner et al 2022), and increase consumer welfare and economic efficiency by providing consumers with the benefits of competitive markets including lower prices, higher quality, and variety in goods and services. High quality, accessible information can enable consumers to make informed decisions on the purchase of products and services and give them more opportunities to switch their provider if they wish to do so. This, in turn, can incentivize businesses to improve the value offered to consumers through innovation, professionalization, and productivity growth.



For consumers to help stimulate competition, however, it is necessary for them to have clear, timely, accurate, accessible, and transparent information.

As Vickers (2021) and Gardner et al (2022) observe, consumers may make imperfect choices. This imperfection arises from the difficulty of assessing the vast amount of available information on products, suppliers, prices, deals, consequences of consumption, as well as from deceptive or manipulative practices. This complexity may be enhanced in digital markets that provide vast amounts of (not always accurate nor easy to compare) information. In some cases, imperfection in consumer choice may give rise to weak competition among firms, as firms exploit consumers' lack of engagement in the market and increase search and switching costs. These cases call for competition policy interventions. However, there are also cases in which imperfection in consumer choice may take place even in markets with healthy competition among businesses. In digital markets, for example, the use of algorithmic systems and complex or misleading user interfaces may lead to manipulation or bias, limiting consumers' ability to make optimal purchasing decisions (APEC 2024). Accordingly, consumer protection regulation, in alignment with competition policy, is necessary for efficient and trustworthy markets to flourish. Indeed, effective consumer protection not only requires frameworks that protect consumers from unfair and deceptive business practices but also needs to provide effective means for dispute resolution, redress, and enforcement, for consumers to be able to successfully exercise their rights. These conditions clearly fall within the jurisdiction of consumer protection and are considered in detail in the Minimum Package of the Consumer Protection Module of GRIDMAP.

Improvements in consumer protection that can help increase consumer trust and confidence can also positively impact innovation. Improved regulatory frameworks and enforcement in consumer protection also promote innovation and facilitate the emergence of new market opportunities for entrepreneurs and small and medium enterprises (SMEs). When consumers have confidence in the overall environment, they may be more willing to patronize new firms, products, and services. As Gardner et al (2022) point out, consumers may be reluctant to do so if they are not confident of the reliability of the information provided to them and the protection they may receive if something goes wrong. If this happens, new players will have limited incentives to enter the market and firms to innovate and develop new products and services.

The GRIDMAP Toolkit is designed to support EMDEs in improving legal frameworks, institutional arrangements, and enforcement and implementation actions to achieve these larger goals.



IV. Module Construction

The construction of the Consumer Protection Module proceeded in five steps, following the GRIDMAP Module construction methodology. Annex IV contains additional information about the five steps.

The GRIDMAP Assessment provides CPAs with a standardized evaluation of the three Pillars that contribute to their overall consumer protection framework: (1) the legal framework; (2), institutional arrangements; and (3) implementation and enforcement actions. Its goal is to help countries identify areas of strength as well as areas for improvement, not to rank them on performance. The GRIDMAP Assessment enables countries to benchmark their results to the Minimum Package, and to gauge their progress in relation to average results of other countries in their region and income groups.

The aim is for countries to meet at least the Minimum Package for each Pillar and to have a balanced result among the three Pillars. Although most countries have made some progress in adopting the Minimum Package, there are opportunities for improvement in all regions. A sample of 53 countries and four regions shows that all regions have gaps in achieving the Minimum Package (Figure 2). Generally, when considering averages by income level groupings, the GRIDMAP Assessment shows that low-income countries have the largest gaps in attaining the Minimum Package. When considering averages by region, the largest gaps are observed in Sub-Saharan Africa (AFR).

The data indicates that countries across all regions and income groups are closer to reaching the Minimum Package for Pillars 1 and 2 than they are for Pillar 3. While there has been important progress in defining a legal framework and institutional arrangements, many countries face challenges in implementing laws and programs and enforcing rules against noncompliant businesses.

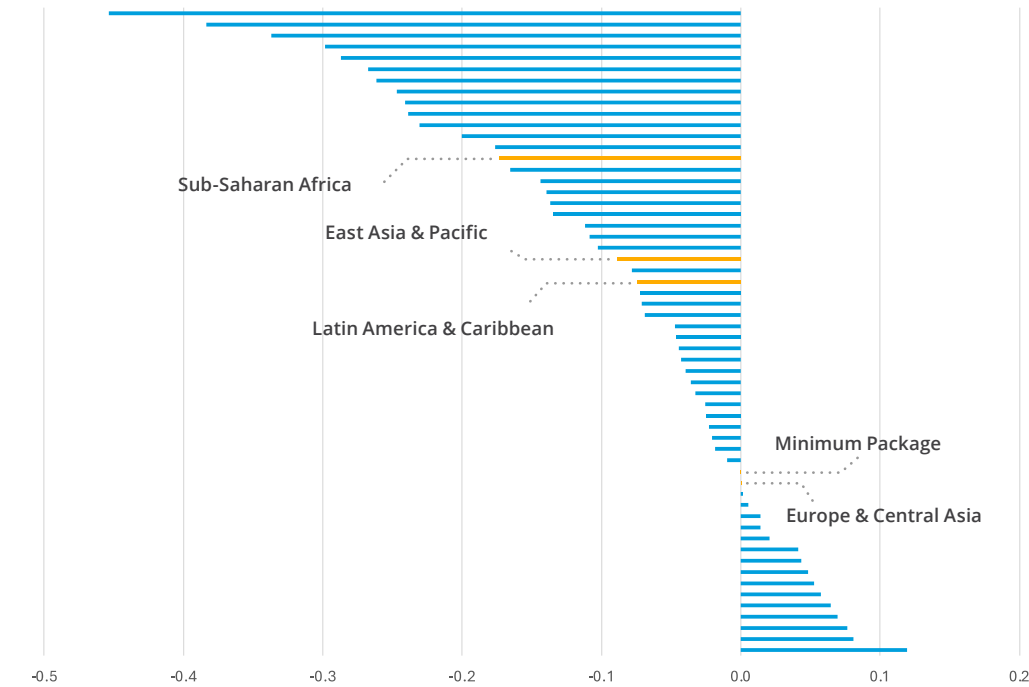


FIGURE 2. GAPS WITH RESPECT TO THE OVERALL MINIMUM PACKAGE

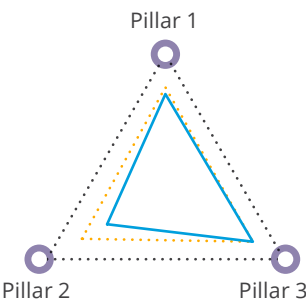
Description

- ▶ In the first figure, each horizontal bar reflects the gap a specific country has with respect to the score for the Minimum Package in the Overall GRIDMAP Assessment. Highlighted bars reflect the average gap for all the countries in each of the regions considered in the analysis.
- ▶ Radars show the average score by Pillar, comparing the maximum possible score for each (i.e. the Minimum Package upper range), and the score that would be obtained if a country attained exactly the Minimum Package (i.e. the Minimum Package lower range).
- ▶ Gaps between a region's or income group's average and the Minimum Package, can be identified as the distance between the line for the "Minimum Package" and the regional score.

Gap with respect to Minimum Package, GRIDMAP Assessment

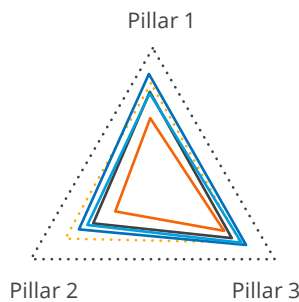


GRIDMAP Assessment, all respondents



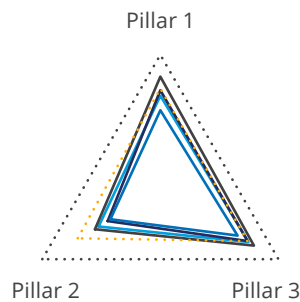
- All respondents
- Minimum Package lower range
- Minimum Package upper range

GRIDMAP Assessment, by income level



- High-income
- Upper-middle income
- Lower-middle income
- Low-income
- Minimum Package lower range
- Minimum Package upper range

GRIDMAP Assessment, by region



- Latin America & Caribbean
- Europe & Central Asia
- East Asia & Pacific
- Sub-Saharan Africa
- Minimum Package lower range
- Minimum Package upper range

Source: GRIDMAP, Consumer Protection Module Minimum Package Assessment system, First wave – 2024.



CHAPTER 2. PILLAR 1 – LEGAL FRAMEWORK

I. Introduction

A. Consumer Protection Pillar 1 - Legal Framework

This chapter sets forth a Minimum Package of legal, regulatory, and policy measures, that countries can use to develop and implement an overarching legal framework for building trustworthy and safe contestable markets for consumers.² This Minimum Package, which forms the first Pillar of this toolkit, is complemented by the Minimum Package for Pillar 2, on institutional arrangements, and by Pillar 3, on enforcement and implementation.

Pillar 1 is based on previous work by the World Bank,³ core principles established in existing high-level guidelines such as the Guidelines for Consumer Protection (United Nations 2016) and the Recommendation on Consumer Protection in E-commerce (OECD 2016), and – most importantly – new research conducted by the World Bank with CPAs and other regulators in different regions.

The sections immediately following set out the background for the Pillar 1 components, and provide an overview of the World Bank's research. The chapter then delves into the Pillar 1 components, providing detailed information on the rationale for including them in the Minimum Package and summarizing the related survey results. It also provides examples of Minimum Package provisions adopted by the countries surveyed (See Annex III).

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² The term “consumer” or “digital consumer” as used in this toolkit refers to a natural person who purchases online from a business, products, or services, including digital content, for their personal or family use or consumption. Although the digital economy offers consumers new ways to engage in transactions with each other, including through online marketplaces and the production of user generated content, consumer law’s core focus lies in protecting the interests and rights of individuals when transacting with businesses. Accordingly, this toolkit and the underlying research did not inquire into business-to-business transactions or directly address issues relating to consumer-to-consumer transactions.

³ GTMI <https://www.worldbank.org/en/programs/govtech/gtmi>; FINDEX <https://www.worldbank.org/en/publication/globalindex>; lending operations by the World Bank in the Philippines, Republic of Congo, Uruguay, Rwanda among others; Juni Spiky report, Xavi FAT; Digital Development Toolkits, <https://www.worldbank.org/en/topic/digitaldevelopment/brief/digital-development-toolkits>; also Consumer Affairs Section of Digital Regulation Platform, <https://digitalregulation.org/category/consumer-affairs/>.



BOX 1. OECD PRINCIPLES

Fair business and advertising online practices to protect digital consumers from unfair, misleading, or aggressive online sales and online marketing practices to foster free choices.

Transparent, appropriate, and timely disclosures online to enhance informed choices of consumers.

Effective processes for ensuring online transaction confirmation and payment.

Measures to address privacy and security risks to online consumers.

Ensuring product safety standards in e-commerce transactions to enhance safety.

Meaningful access to effective mechanism to resolve disputes.

B. Background and Information Sources

The first Pillar survey has several sources, including the **Toolkit for Protecting Digital Consumers** (OECD 2018), which distilled the OECD E-commerce Guidelines into six high-level principles (Box 1).

The OECD prepared its toolkit for G20 policy makers to use in **developing a global digital consumer protection framework**, recognizing that “issues relating to consumer trust are moving to the frontlines, especially with the arrival of hundreds of millions of new middle-class consumers from emerging countries. It aimed to provide practical guidance on “well-tailored and context-appropriate consumer protections [to] build the trust needed to further grow and develop e-commerce markets for the economic benefit of consumers and businesses alike” (OECD 2018).

C. The Survey for Pillar 1 - Categories and Components

With this background, the World Bank’s research for the **Consumer Protection Module consisted of a self-assessment survey by governmental entities in charge of consumer protection, and validation from independent sources**. The survey was divided into five categories, each with several components. Each component contained corresponding weighted questions and a menu of answer options. To formulate the Minimum Package, the World Bank assigned maximum points for each of the five categories of Pillar 1 and their components, and the questions contained therein. It then calculated scores for each participating government based on their answers to the questions. The World Bank also supplemented the survey with examples obtained from legal research to illustrate how provisions look when the Minimum Package provisions are present in the legal framework of a country (See Annex III).

The first part of the survey responses and supplemental research form the core of Pillar 1’s Minimum Package of consumer protection laws, regulations, and other policy measures that can protect consumers in the digital economy.⁴Categories 1 to 4 of Pillar 1 reflect the six principles in the OECD’s Toolkit for Protecting Digital Consumers, while Category 5 covers emerging topics relating to platforms and online marketplaces, and the role of consumers in the “green transition”⁵ (Table 1). Annex II presents a copy of the complete survey for the three pillars.

4 The reference to policy measures encompasses a wide variety of alternative approaches to traditional regulation, such as flexible variants on traditional regulation (like performance-based or incentive-driven models), collaborative co-regulation and self-regulation frameworks, and incentive and market-oriented tools (e.g., tax incentives and tradeable permits) intended to encourage compliance by businesses. These approaches sometimes overlap with each other – and with traditional governmental regulation – as they are not mutually exclusive.

5 The World Bank Group has recognized the importance of integrating digital tools to advance climate objectives and sustainably close the digital divide (World Bank 2023).



The analysis of survey responses and supplementary research from a wide range of countries allowed the World Bank to make comparisons between mature digital economies and emerging and developing digital economies, in addition to comparisons among economies at similar levels of economic development. It also showed the diversity of approaches – often rooted in the core legal systems and traditions – that countries have used to implement underlying principles of the Minimum Package. Ultimately, the research allowed the World Bank to identify the legal, regulatory, and policy measures for the Minimum Package.

TABLE 1. PILLAR 1 CATEGORIES AND COMPONENTS

Category	Components	
Fair business and advertising practices	Prohibition of unfair and deceptive business practices	
	Integrity of online endorsements, ratings and reviews	
	Control unsolicited commercial communications	
Appropriate disclosures	Online seller accessible information	
	Products or services information	
	Transparent and clear terms and conditions	
	Clear and complete pricing	
Transaction, privacy, and safety	Transactions confirmation	
	Secure payments ^a	
	Protect personal information ^b	
	Provide data security measures	
	Prevent distribution of banned and regulated products	
Dispute resolution and redress	Post-sales consumer services	
	Alternative dispute resolution mechanisms	
	Effective Redress	
Emerging topics	Liability of Intermediaries such as, apps, social networks, and marketplace platforms	
	Sustainable Consumption	

Similar regulation for offline and online selling

Common regulation for offline and online, plus online specific regulation

Online selling specific regulation

Notes: a. Payments are covered at the Good Practices for Financial Consumer Protection (2017, WB-FCI); b. Privacy issues will be covered in depth in GRIDMAP Module 2 (Data market).



II. Main Takeaways and Recommendations - Pillar 1

A. Overview

The Minimum Package of laws and regulations that comprise Pillar 1 of the legal framework regarding consumer protection contains five categories and seventeen components in total. Countries need to achieve at least some components in each category in their legal framework to meet the Minimum Package for this Pillar.

Overall, the research suggested that the legal frameworks of many jurisdictions, particularly in less mature countries, but also in some high-income countries, are still incomplete.⁶

Surprisingly, there is room for improvement at all income levels and in all of the categories, even for requirements that may seem basic. One example, is the requirement for online sellers to disclose their contact information to facilitate consumers contacting them in case of need. The legal frameworks of 16% of high-income countries and 28% of upper-middle income countries do not require this.

Regarding more complex issues, the emerging topics category offers a particular opportunity for growth. This category provides a sense of some of the issues for consumers' green and digital transitions, showing that regional approaches can be powerful in moving countries towards convergence, but still leave room for improvement. For instance, rules on the liability of online intermediaries, present in international discussions for many years, are still not covered in many legal frameworks.

While many countries have made progress in implementing the Minimum Package, there are still opportunities for improvement in all regions. Except for Europe and Central Asia (ECA) (Figure 3) the rest of the surveyed regions have gaps in reaching the Minimum Package. Generally, countries in the low-income group and countries in the AFR region show the largest gaps in attaining the Minimum Package for Pillar 1.

.....
⁶ This comports with a previous mapping initiative by UNCTAD of online consumer protection legislation (UNCTAD 2024a). Out of 142 countries for which data was available, 115 have adopted legislation on consumer protection related to e-commerce. That share varies from 78% in Europe to 52% in Africa and 71% in the Americas. UNCTAD was not able to obtain data for 52 countries.

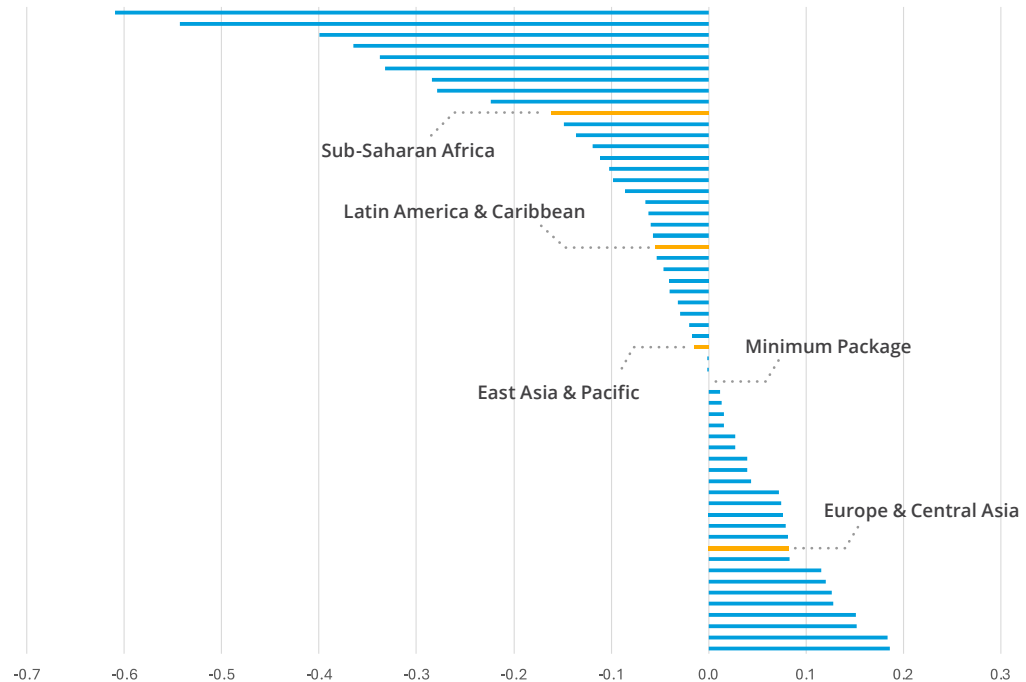


FIGURE 3. GAPS WITH RESPECT TO THE LEGAL FRAMEWORK MINIMUM PACKAGE

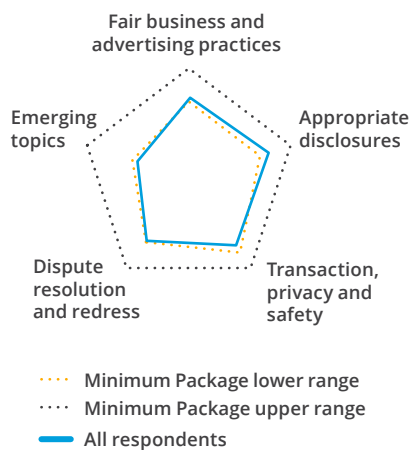
Description

- ▶ Radars show the average score by category, comparing the maximum possible score for each (Minimum Package upper range) and the score that would be obtained if a country attained exactly the Minimum Package (Minimum Package lower range).
- ▶ Gaps between a region's or income group's average and the Minimum Package can be identified as distances between the line for the Minimum Package and the regional score.

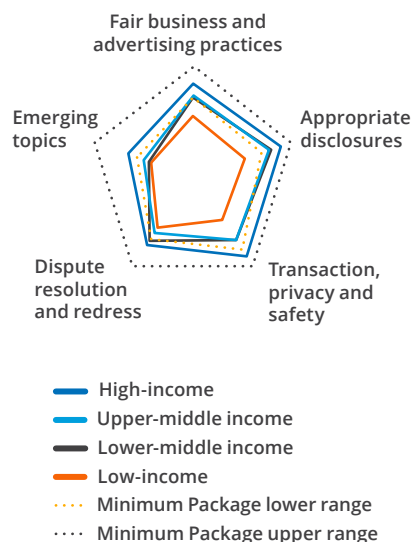
Gap with respect to Minimum Package - Pillar 1



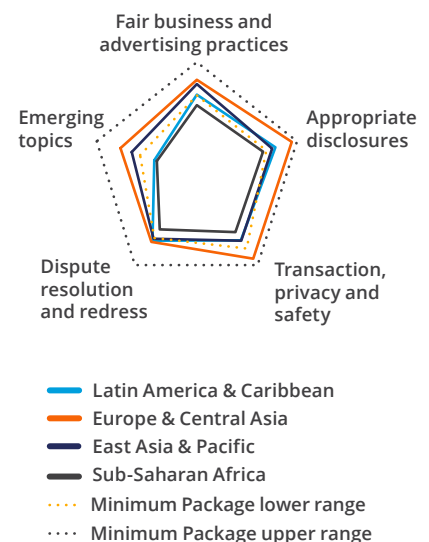
Pillar 1 Categories, all respondents



Pillar 1 Categories, by income level



Pillar 1 Categories, by region



Source: GRIDMAP, Consumer Protection Module Minimum Package Assessment system, First wave – 2024.



B. Findings⁷

Notwithstanding opportunities for improvement across all income levels, low and middle-income countries have a more significant gap in attaining the Minimum Package for the legal framework.

The findings from the World Bank survey, presented in Table 2, provide a sense of the potential for improvement under each category. A more detailed analysis of the research can be found in Section III of this chapter.

TABLE 2. PILLAR 1 – LEGAL FRAMEWORK SELF-ASSESSMENT SURVEY FINDINGS

CATEGORY	FINDINGS
1. Fair business and advertising practices	▶ Prohibition of unfair and deceptive business practices is prevalent in most countries, but there is still room for improvement across some income levels to protect special categories of consumers. ▶ Integrity of online endorsements, ratings, and reviews is not widely regulated, with only 53% of countries prohibiting fake or misleading online ratings and reviews. ▶ Control of unsolicited commercial communications is not uniformly addressed, with only 70% of countries regulating unsolicited commercial communications.
2. Appropriate disclosures	▶ Online seller accessible information is required in 85% of countries, but there are still gaps in implementation at all income levels. ▶ Products or services information disclosure is not universal, and nine percent of upper-middle and lower-middle income countries lack this requirement, a number that jumps to 33% among low-income countries. ▶ Clear and complete pricing information is not mandated in 13% of countries, including high-income and upper-middle income countries.

⁷ Findings presented throughout the report correspond to fifty-three countries that submitted their responses to the Self-Assessment Survey in the First Wave, carried out during 2024. As described in detail in Annex IV, the team carried out a validation process of the survey data received and updated the survey results based on a thorough analysis of public information when this was necessary. The complete list of countries considered in the Findings is included in Annex V.



3. Transactions, privacy, and safety

- ▶ ECA has the highest adoption of transaction record requirements for digital transactions, while Latin America and the Caribbean (LAC) has the lowest adoption.
- ▶ Secure payments protection is not fully implemented, with seven percent of high- income and 14% of upper-middle income countries lacking protection from fraudulent and unauthorized charges, while low-income countries have the lowest adoption levels.
- ▶ ECA countries have the highest adoption of laws covering personal data, while other regions have lower levels of adoption.
- ▶ Provision of data security measures is not fully adopted, with seven percent of high- income countries and 32% of upper-middle income countries not having such a requirement.
- ▶ East Asia and the Pacific (EAP) has the highest adoption of product safety measures, such as prohibitions for offering, advertising, or marketing risky goods or services, to ensuring product safety across e-commerce supply chains.

4. Dispute resolution and redress

- ▶ Post-sale warranties are not equally addressed in all regions. Disparity across regions may be partially explained by the fact that minimum warranties and options to repair or return faulty or defective products do not carry the same weight in markets where second-hand products are more commonplace.
- ▶ The option to a refund is not provided in 33% of low-income countries. The option to return is not provided by around 17% of upper-middle, lower-middle, and low-income countries.
- ▶ Online alternative dispute resolution mechanisms are offered by a narrower majority of surveyed countries in comparison to their offline counterparts across all income levels. No low-income respondents offer online alternative dispute resolution mechanisms.

5. Emerging topics

- ▶ Liability of Online intermediaries in the digital marketplace is a complex and evolving topic that needs to be addressed by the legal framework to protect online consumers without excessively hindering online intermediaries' activities. Findings show that there are opportunities for improvement across all income levels. 36% of high-income, upper-middle income, and low-middle income do not address liability of intermediaries.
- ▶ Sustainable consumption demand-side provisions based on labeling for energy efficiency, product durability, and recyclability of products can help consumers make informed choices regarding the environmental impact of their consumption decisions. In the current sample, approaches to labeling are driven by regional approaches, rather than by income.



C. Overall Recommendations to Advance Consumer Protection Legal Frameworks

Figure 4 summarizes the overall recommendations to advance Consumer Protection legal frameworks for countries to meet the Minimum Package for Pillar 1.

FIGURE 4. OVERALL RECOMMENDATIONS TO ADVANCE CONSUMER PROTECTION LEGAL FRAMEWORKS





III. Minimum Package and Findings - Pillar 1

This section goes in-depth into each of the five categories and their components for the Minimum Package for Pillar 1, describing them and including the relevant survey and analysis findings for each.

Fair Business and Advertising Practices Minimum Package

The legal framework includes provisions that prohibit unfair, misleading, or deceptive business and advertising practices, including aggressive and/or manipulative marketing practices, to foster consumer freedom of choice.

Category 1 - Fair Business and Advertising Practices

Fair, truthful, and ethical business and advertising practices are a cornerstone for consumer protection as they promote informed and free choices. *Fairness* requirements, or corresponding prohibitions against unfair practices, ensure that businesses consider the interests of consumers, act in accordance with good faith, and avoid practices that are detrimental to them. *Truthful* assures that consumers know they can rely on the statements by the sellers to evaluate whether a product or service is appropriate for them, and that they will not be misled or deceived. This is particularly relevant in the digital economy, where consumers cannot physically inspect a product or engage in an in-person discussion with a service provider. *Ethical* means that businesses engage in affirmative conducts that instill consumer trust and confidence, and refrain from manipulative, aggressive, or non-transparent practices. Provisions under this category include general obligations and prohibitions, and specific ones to address specific consumer issues. This category also addresses invasive online marketing practices and assesses frameworks for providing consumers with mechanisms to control unsolicited commercial communications.

Components of Category 1 Fair Business and Advertising Practices

1. Prohibition of unfair and deceptive business practices

Background: This component focuses on provisions that prohibit unfair and deceptive business practices to foster trust, consumer-informed decisions, and freedom of choice. A classical approach for this component is for the legal framework to offer an umbrella provision that prohibits unfair, misleading, and deceptive business practices. This can be found in countries such as the United States⁸ and Malaysia.⁹ Many countries build on this approach, complementing general prohibitions against unfair practices with lists of specific prohibited practices. Some countries offer special protections for certain categories of vulnerable consumers such as children or the elderly, as is the case with MERCOSUR member states.¹⁰ Some legal frameworks also implement this component by prohibiting claims not backed on scientific evidence, including false environmental claims, and requiring that sellers should be able to substantiate their claims.

8 Section 5(a) of the Federal Trade Commission (FTC) Act of the United States of America

9 Article 9 of the Consumer Protection Act of Malaysia

10 Resolution 11/2021 of the Southern Common Market (MERCOSUR)



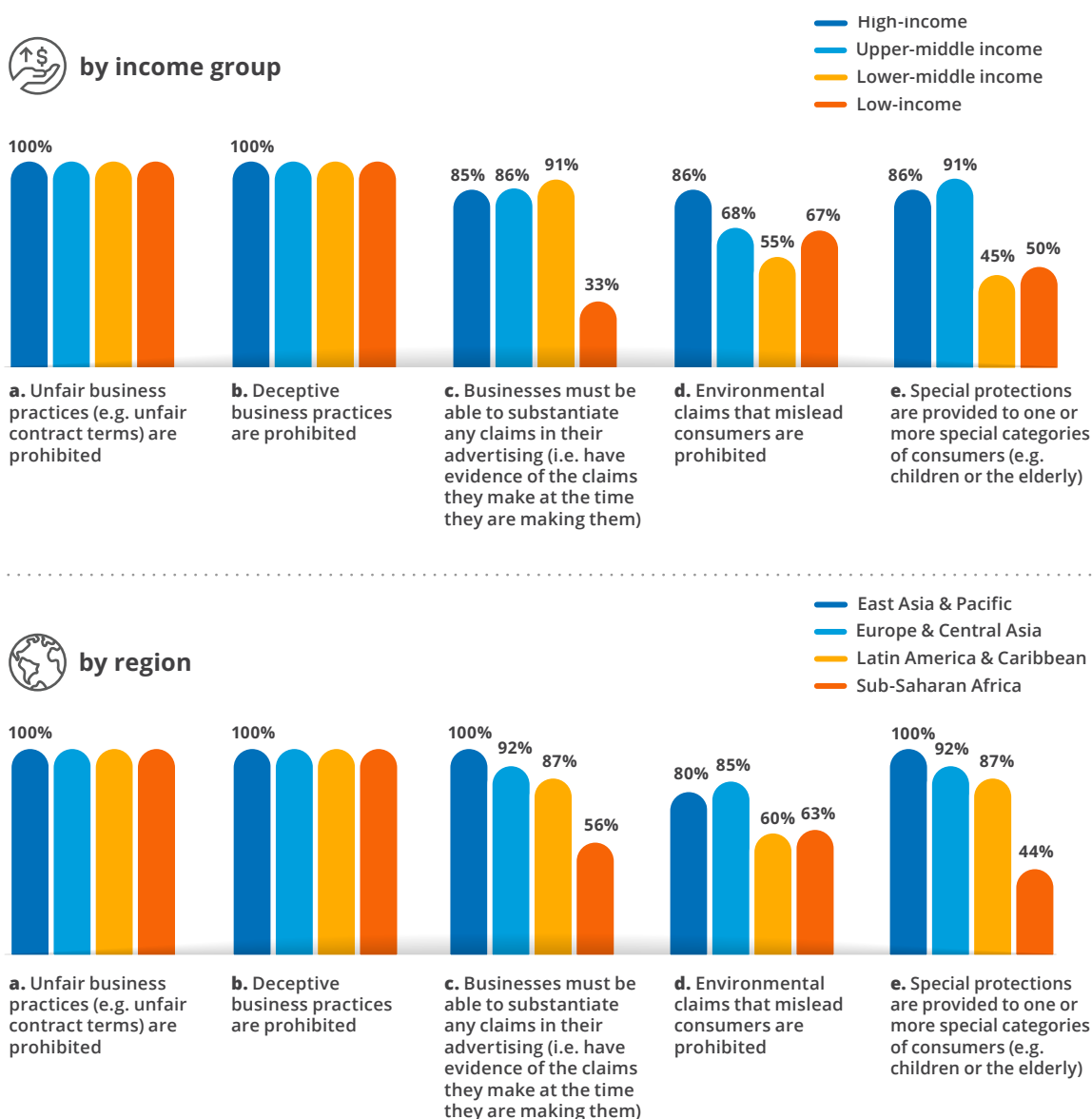


Survey Results for Fair Business and Advertising Practices

All the countries surveyed have some prohibitions in place for unfair and deceptive business practices, which are the “bread and butter” of any consumer protection system. Only 81% of them, however, require that sellers substantiate or have evidence for their claims about their products and services at the time they are making them. All the countries surveyed in EAP have this requirement, with 92% of countries in ECA and 87% of countries in LAC. AFR is the one region where this requirement is less prevalent, with 56% of countries in the region requiring substantiation. (Figure 5).

FIGURE 5. UNFAIR AND DECEPTIVE BUSINESS PRACTICES, BY INCOME LEVEL AND REGION

Does the legal framework cover unfair and deceptive business practices? Check all that apply.



Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.

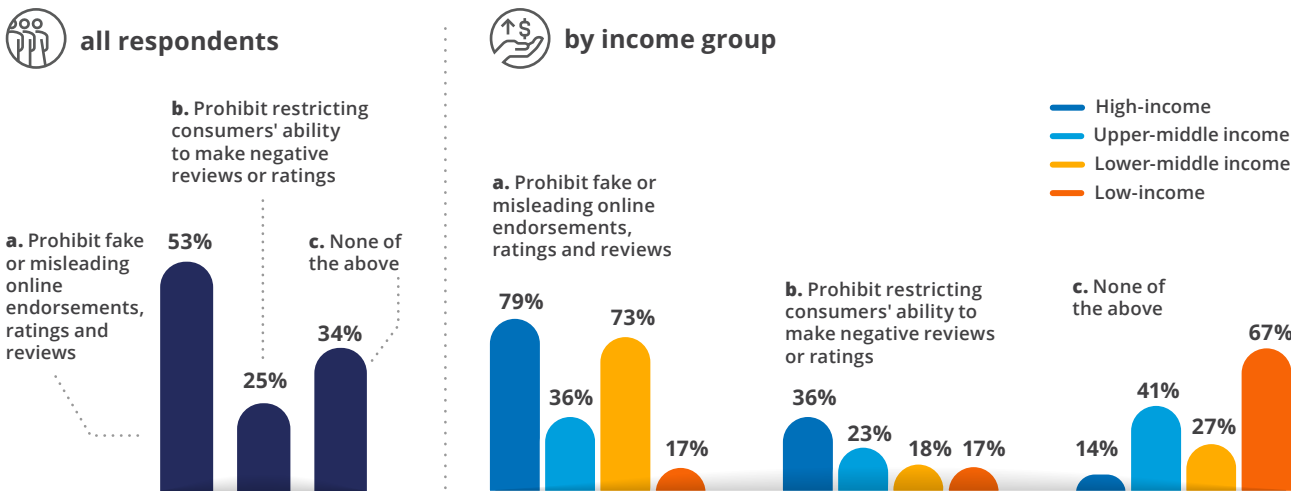
Seventy percent of surveyed countries prohibit false claims about the environmental impact or green benefits of products and services. This includes countries that have a specific prohibition against “green washing,” such as Sweden, and countries, such as the UK and the US, that cover these practices under an umbrella provision against unfair, deceptive, or misleading business practices. The inclusion of such provisions in the legal framework follows income lines: 86% of high-income countries can address misleading environmental claims through their legal framework, while 68% of upper-middle income, 55% of lower-middle and 67% of low-income countries can do so. As more and more consumers consider environmental impact or lack thereof in their purchasing decisions, the ability of CPAs to address misleading environmental claims is increasingly important (Figure 5).

Providing special protection for certain categories of consumers, such as children and the elderly, tends to occur by regional lines. This could be due to the use of some regional instruments, like the EU framework, or Mercosur. All the EAP countries provide special protection of certain categories of consumers, with the rate at 92% of countries in ECA, 87% in LAC, and 44% of countries in AFR (Figure 5).

When looking at e-commerce-specific practices, such as online ratings and reviews, surveyed countries are slower in implementation. 53% of them prohibit fake or misleading online ratings and reviews, whether specifically or under an umbrella provision against false and deceptive statements, and 25% prohibit businesses from restricting consumers’ ability to make negative reviews or ratings, as a newer practice. As mentioned above, some countries cover these practices with specific prohibitions, while others resort to umbrella provisions against unfair, deceptive, or misleading business practices. Only 33% of low-income countries have updated their legal framework to include either of these concepts, in contrast to lower middle-income countries, where 73% of them prohibit fake or misleading endorsements, but only 18% prohibit restricting the ability of consumers to make negative ratings and reviews (Figure 6).

FIGURE 6. INTEGRITY OF ONLINE ENDORSEMENTS, RATINGS, AND REVIEWS

Does the legal framework protect the integrity of online ratings, endorsements, and reviews? Check all that apply.



Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.

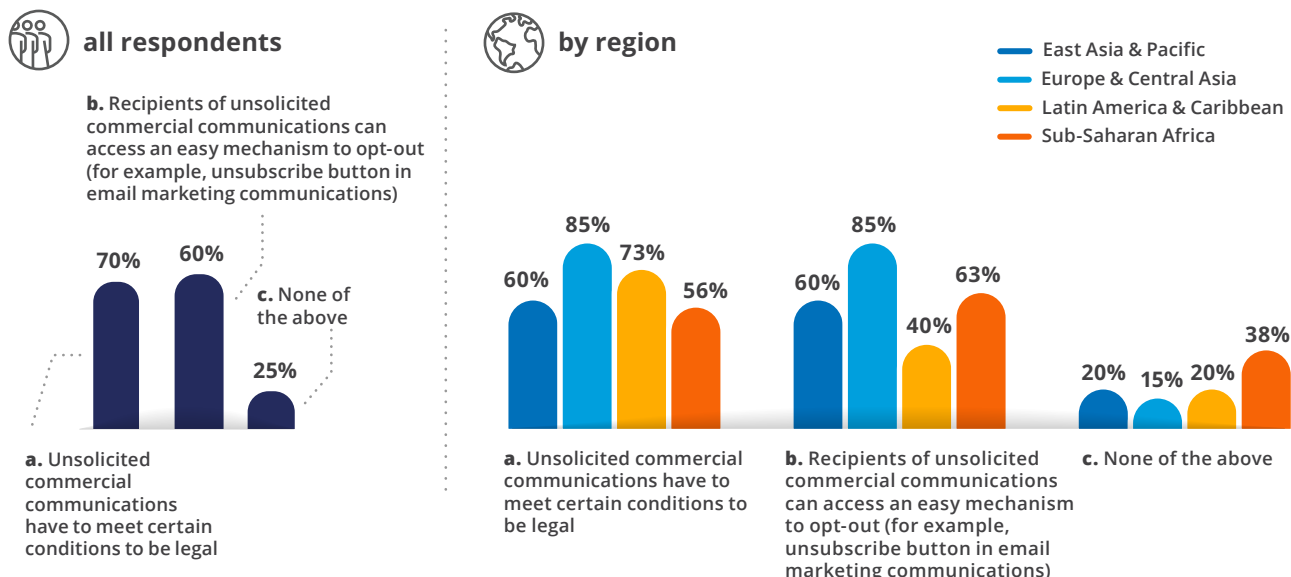


Three quarters of respondents had some regulation on unsolicited commercial communications. This is a topic that affects offline and online consumers alike. Unsolicited commercial communications can include telephone calls (including robocalls) and email spam, and also unwanted messages delivered via SMS or instant messaging apps messages (spim), browser notifications, and social networks. Beyond the annoyance and mistrust that this creates for consumers and businesses, these messages pose cybersecurity risks and can serve as vehicles for frauds and scams. For example, deceptive text messages can lure consumers into sharing personal or financial information (smishing) with bad actors.

Sixty percent of the countries in EAP address unsolicited commercial communications through their legal framework; by contrast, 85% of countries in ECA do so. This high result is likely driven by EU Directives, such as the EU’s e-Privacy Directive,¹⁶ which establishes an “opt-in” regime requiring a business to obtain a user’s express consent to receiving commercial communications unless they have a pre-existing business or commercial relationship. About 73% of countries in LAC require that unsolicited commercial communications meet certain conditions to be legal, versus 56% in AFR. Only 40% of countries in LAC, however, require an easily available opt-out mechanism, while a higher number of AFR countries, 63%, and 60% in EAP have this requirement (Figure 7).

FIGURE 7. CONTROL UNSOLICITED COMMERCIAL COMMUNICATIONS

Does the legal framework mandate the following as to unsolicited commercial communications (...)? Check all that apply.



Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.

16 Directive (EU) 2002/58/EC of the European Parliament and of the Council of July 12, 2002.



Appropriate Disclosures Minimum Package

The legal framework includes provisions that require sellers to make effective, transparent, timely, and truthful disclosures that enable online consumers to make informed choices aligned with their preferences, economic condition, and values.

Category 2 - Appropriate Disclosures

Effective, timely, transparent, and truthful information fosters informed consumer choice. Disclosures, a mainstay of consumer protection, are particularly important online **because** consumers cannot touch, see or assess the goods in person, or engage easily or directly with a potential seller or service provider.

This category includes provisions that require sellers to provide online their contact information as well as transparent and clear details about the transaction terms, including comprehensive pricing information. By ensuring that relevant information is available before the consumer completes an online transaction, and presented in a clear and understandable manner, the Minimum Package can empower consumers to make informed choices. Practices embedding this Minimum Package contribute to leveling the playing field. In a world in which consumers can be interacting with Artificial Intelligence for many of their online interactions with businesses - for example, through customer assistance chatbots - the need for transparency in such interactions has become critical, helping to establish more equitable relationships in the dynamic landscape of offline and particularly online commerce.

Components of Category 2 Appropriate Disclosures

4. Online seller accessible information

Background: Consumers need access to complete and accurate information about online sellers, products and services, and the terms and conditions of digital transactions. As opposed to the offline world, where consumers can go to a physical store or business and directly talk to the seller, consumers in the online world do not automatically have that option. Access to complete and accurate information includes details about the seller that consumers can use to make decisions about purchases as well as information that can enable consumers to contact sellers if there is a problem with the transaction. This includes information about the seller that consumers can use to make decisions about purchases as well as information that can enable consumers to contact sellers if there is a problem with the transaction. This type of provision as part of the Minimum Package can be found under several countries, such as Mexico.¹⁷ When transactions occur through online intermediaries such as online platforms that have multiple sellers offering products and services, some countries, such as South Africa, require the online intermediary to provide such information about the sellers on their platform.¹⁸

5. Products or services information

Background: This component requires sellers to provide consumers with accurate and complete information about the main characteristics of goods and services they offer, before the consumer enters the transaction. This requirement focuses on objective information such as the product composition or measurements rather than subjective statements of the seller, or of third parties' ratings or comments. Both Egypt¹⁹ and Brazil²⁰ have this type of provisions in place.

.....
¹⁷ Article 76 bis of the Federal Consumer Protection Law of Mexico.

¹⁸ Article 27.1 of the Consumer Protection Act of 2008 of South Africa.

¹⁹ Article 2.2 of the Consumer Protection Act of 2018 of Egypt.

²⁰ Article 6.III of the Consumer Defense Code of Brazil, Law N° 8.078 of September 11th, 1990.



6. Transparent and clear terms and conditions

Background: Providing consumers with clear and transparent contractual terms before they enter a transaction is an important component of the Minimum Package.

All businesses operating in MERCOSUR member states, for example, must offer clear and transparent terms and conditions.²¹ Some countries, such as Argentina,²² prevent sellers from using vague, obscure, or abusive clauses, by declaring such clauses as void. This component also encompasses the right of withdrawal, also known as a cooling-off period, which permits consumers, under certain conditions, to cancel or withdraw from an electronic purchase that has already been concluded. Relevant provisions in some countries like South Africa²³ permit consumers to exercise their right of withdrawal without providing any reason and without incurring costs or penalties within a certain time frame. This right is critical to promote trust in the digital market and offers a better online experience in which there is a reassurance that consumers can rectify a purchase, allowing them to change their minds within a specified period. Some countries like Argentina²⁴ limit this right by exempting certain products, such as those that are perishable or tailor-made, while others such as South Korea²⁵ limit this right by requiring the consumer to pay the transportation costs for the product return.

7. Clear and complete pricing information

Background: The Minimum Package requires sellers to provide consumers with all mandatory, foreseeable, and unavoidable charges for a product or service before they complete the transaction. The need for such pricing provisions stems from business practices that hide or mask the price of a good or service, such as drip pricing, or junk fees. In the case of drip pricing, sellers advertise a product or service at a low initial price to attract consumers, and then gradually, as the transaction proceeds, add fees and costs that significantly increase the final price. Other sellers often misrepresent or do not adequately disclose the nature or purpose of the so-called junk fees. These practices can result in unexpected final prices undermining consumer trust. These practices are common in many transactions that take place largely online, such as in airline tickets and vacation rentals. Many countries regulate pricing practices, such as the case of Malaysia²⁶ and the countries of the European Union.²⁷

.....
²¹ Resolution 37/2019 of the Southern Common Market (MERCOSUR).

²² Art. 37 of the Consumer Defense Law N° 24240 and Resolution 53/2003 of the former Department of Competition, Deregulation and Consumer Protection.

²³ Article 44 of Electronic Communications and Transactions Act of 2002 of South Africa.

²⁴ Art. 34 of the Consumer Defense Law N° 24240 and Art 1110, 1115 and 1116 of the Civil and Commercial National.

²⁵ Article 18.(9) of the Act on the Consumer Protection in Electronic Commerce of South Korea.

²⁶ Article 12 of the Consumer Protection Act of 1999 of Malaysia.

²⁷ Article 6.1.(e) of the European Union Directive on Consumer Rights.



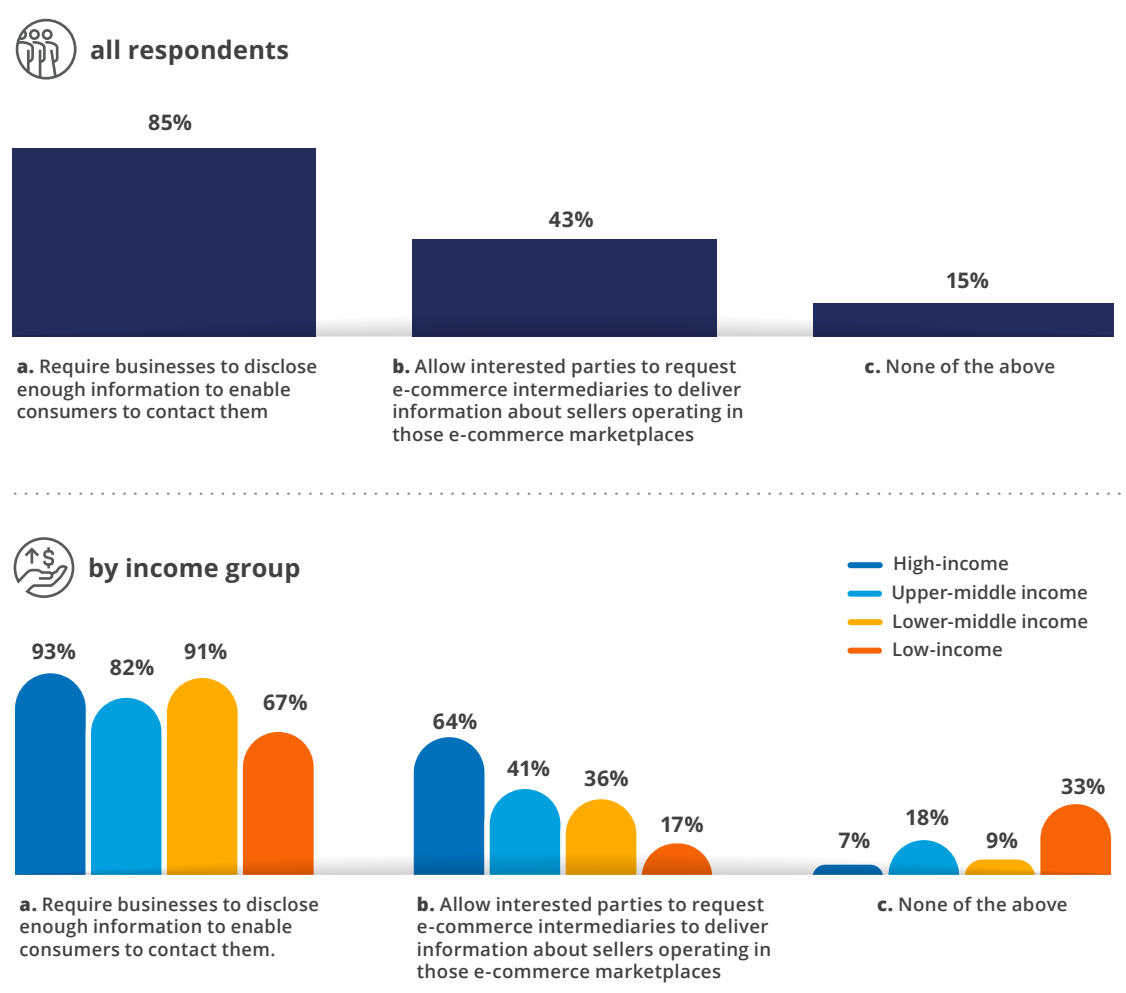
Survey Results for Appropriate Disclosures

Most of the countries surveyed, 85%, require that businesses disclose enough information to contact them; however, there are countries at all income levels that do not have this requirement. Based on the research to date, 33% of low-income countries do not have provisions mandating such disclosure, while nine percent of lower-middle income, 18% of upper-middle income and seven percent of high-income countries do not have it (Figure 8).

More than two thirds of countries do not require that online intermediaries such as e-commerce platforms provide information about the sellers operating in their marketplace to consumers. The distribution of results follows income lines: 83% of low-income countries do not impose this obligation on intermediaries while approximately 60% of lower-middle and upper-middle income countries, and 36% of high-income countries also do not have such a requirement (Figure 8).

FIGURE 8. ONLINE SELLER ACCESSIBLE INFORMATION

Does the legal framework have the following information requirements about online sellers (...)? Check all that apply.



Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.

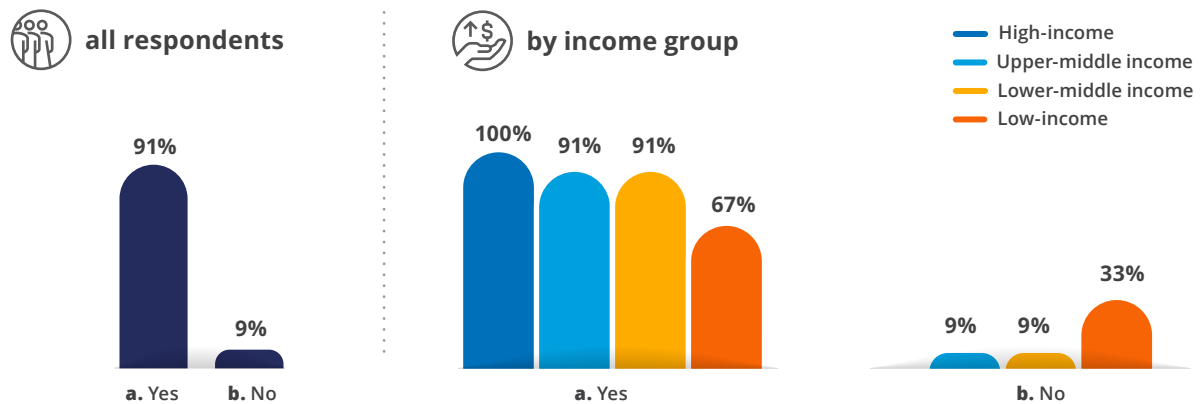


Most countries – 91%– require that sellers disclose information about the main characteristics of goods or services before the consumer enters into an online transaction.

All high-income countries in the sample have this requirement as part of the Minimum Package, but nine percent of upper-middle and lower-middle income countries, and 33% of low-income countries lack this requirement (Figure 9).

FIGURE 9. DISCLOSURE OF PRODUCTS OR SERVICES INFORMATION

Does the legal framework provide for a minimum standard of information regarding goods and services that shall be disclosed by the seller to consumers BEFORE completing transactions?



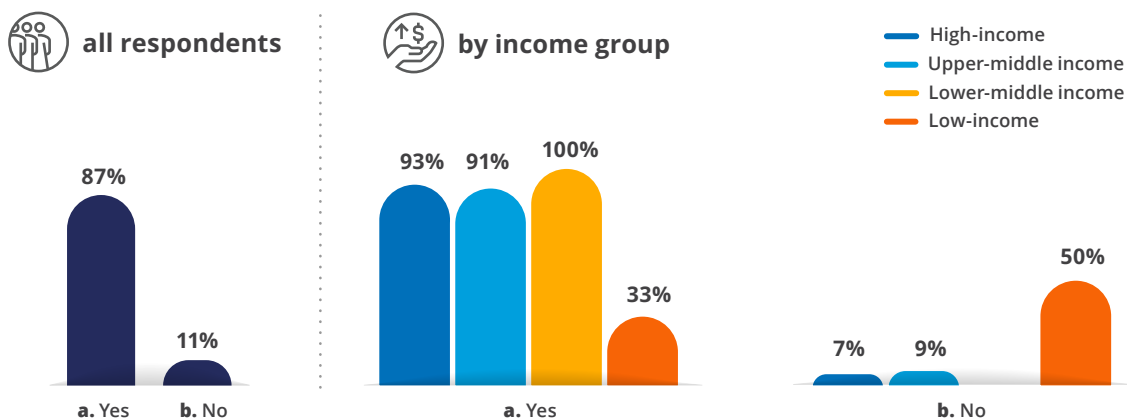
Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.

Disclosure of clear and complete pricing information is required by 87% of the countries.

Still, seven percent of high-income countries do not have this obligation, a number that increases to nine percent of upper-middle income countries and 50% of low-income countries. Interestingly, all lower-middle income countries in our sample, even distributed across regions, did have this requirement (Figure 10).

FIGURE 10. DISCLOSURE OF CLEAR AND COMPLETE PRICING INFORMATION

Does the legal framework mandate disclosing clearly all knowable unavoidable charges?



Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.



Transaction, Privacy and Safety Minimum Package

The legal framework includes provisions addressing transaction confirmation, secure payments, the protection of personal information, including privacy and data security, and product safety standards across e-commerce supply chains to ensure a secure and trustworthy marketplace for consumers.

Category 3 - Transaction, Privacy and Safety

Providing a secure and trustworthy environment for online consumers requires addressing relevant issues that may be covered by separate but complimentary regulatory frameworks distinct from the general consumer protection framework. Though transaction confirmation, privacy and data security, and product safety issues may be the province of different agencies, they still have an impact on consumers and are relevant for the Minimum Package. Acknowledging their importance, the GRIDMAP tracks these cross-cutting issues at a high level in this consumer protection module. The World Bank already has an extensive body of research and work in the area of payments and financial consumer protection.²⁸ GRIDMAP's second module on data markets addresses privacy and data security more thoroughly.

Components of Category 3 Transaction, Privacy and Safety

8. Transaction confirmation

Background: Providing online consumers with proper confirmation of transactions and payments is key to building trust in online commerce and reduces uncertainties about the transaction. An example of such provision can be found in many legal frameworks, such as the one under the Competition and Consumer Protection Act of Nigeria.²⁹ Transaction confirmation is useful not only as a record for tracking purposes, but also as a reference point or document that allows for easier resolution of inquiries or disputes. Provisions that mandate providing transaction confirmations to consumers aim to ensure that consumers receive timely confirmation of their online transactions, and whether those transactions are confirmed or rejected.

9. Secure payments

Background: This component adds provisions to the Minimum Package that can secure consumer financial and payment data from unauthorized access and fraud. It aims to protect consumers that use electronic payment services, whether online or at brick-and-mortar shops, from being liable for fraudulent or unauthorized charges, which are among consumers' highest concerns in digital transactions (World Bank 2021). Such provisions, especially those that cover innovative new electronic payments systems in addition to more traditional credit/debit cards, as covered by the European Union Payment Services Directive,³⁰ can increase consumer trust in a wide range of electronic payment mechanisms and help them obtain reimbursement without excessive delay. In several countries, these provisions may be included under financial consumer protection regulations or other specific regulations and handled by the Central Bank or other financial CPA. In the research sample, 90.4% of countries reported having a separate authority covering financial consumer protection issues.

28 <https://responsiblefinance.worldbank.org/en/responsible-finance/financial-consumer-protection>.

29 Article 118 of the Federal Competition and Consumer Protection Act of 2018 of Nigeria.

30 Article 71.1 of the Directive (EU) 2015/2366 of the European Parliament and of the Council of November 25, 2015.



10. Protect personal information

Background: Including protections for collection, use, and disclosure of consumer’s personal information by businesses in the Minimum Package is crucial to fostering consumer trust. Businesses’ use of tracking technologies and intensive processing of personal information for marketing and sales, have intensified consumers’ unease about the collection and use of their personal data. The recent introduction of generative Artificial Intelligence, which requires vast amounts of data to analyze patterns and generate content, has heightened these concerns.

Accordingly, it is critical for the legal framework to provide consumers with some ability to control and make choices regarding how businesses process their personal information. Countries tend to address privacy by prohibiting businesses from engaging in certain data practices and by providing consumers with personal data rights, such as rights of information, access, rectification, portability, and cancellation. They also provide consumers with the right to block, object, or opt-out of marketing and commercial communications. These rights can be part of an umbrella data privacy law that applies to all consumers, as is the case in Brazil³¹ and Nigeria,³² which have modern data protection legal frameworks that are highly influential in their respective regions. Both laws emphasize that businesses should make it easier for consumers to exercise their data subject rights. In other countries, sector specific regulations covering areas such as health or credit data complement or exist in place of more general laws. For example, the Personal Health Information Protection Act of the province of Ontario complements Canada’s Privacy Act by providing more nuanced protections to situations more specific to the health sector.³³ Regardless of the type of data privacy regulation in place, most consumer protection laws acknowledge or reference such frameworks. Most countries with privacy laws have a separate authority, either a privacy authority or sectoral ones, such as a health authority, or financial regulator, that issue regulations and handle enforcement. In countries with no privacy regulations, CPAs sometimes establish basic rights for consumers.

11. Provision of data security measures

Background: Data breaches and security threats, such as identity theft or phishing, can lead to major consumer fraud. Such vulnerabilities present significant barriers to the development of secure and reliable digital markets. As with privacy, this is an area where another authority, such as a data protection authority, cybersecurity agency, or sectoral regulator, and not the CPA, promulgates, implements, and enforces data security regulations. Nonetheless, many modern consumer protection laws address data security through a general requirement for businesses to establish and maintain reasonable data security measures, appropriate to the level of risk, to protect a consumer’s personal information from ever-changing threats. Some examples can be found under the Personal Data Protection Act of Singapore³⁴ and the Data Privacy Act of the Philippines.³⁵

.....
³¹ General Data Protection Law of Brazil, Chapter III.

³² Article 34.1.(a) of the Nigeria Data Protection Act of 2023.

³³ Personal Health Information Protection Act of Ontario.

³⁴ Article 24 of the Personal Data Protection Act of Singapore.

³⁵ Section 20 of the Data Privacy Act of 2012 of the Philippines.



12. Prevention of distribution of banned and regulated products

Background: Products and services that have been banned from physical stores or recalled from sale may still make their way to e-commerce platforms for sale to unsuspecting consumers. Therefore, the core requirement for this component requires legal frameworks to establish robust product safety regulations that prohibit online sellers from products or services that could put consumers' well-being at risk.

This component also includes a requirement for businesses to cooperate with the competent authorities to prevent the distribution of banned, recalled, or restricted products. Canada's Consumer Protection Safety Act requires suppliers of consumer products to provide Canada's health agency with all the information in their control regarding any incidents related to their products.³⁶

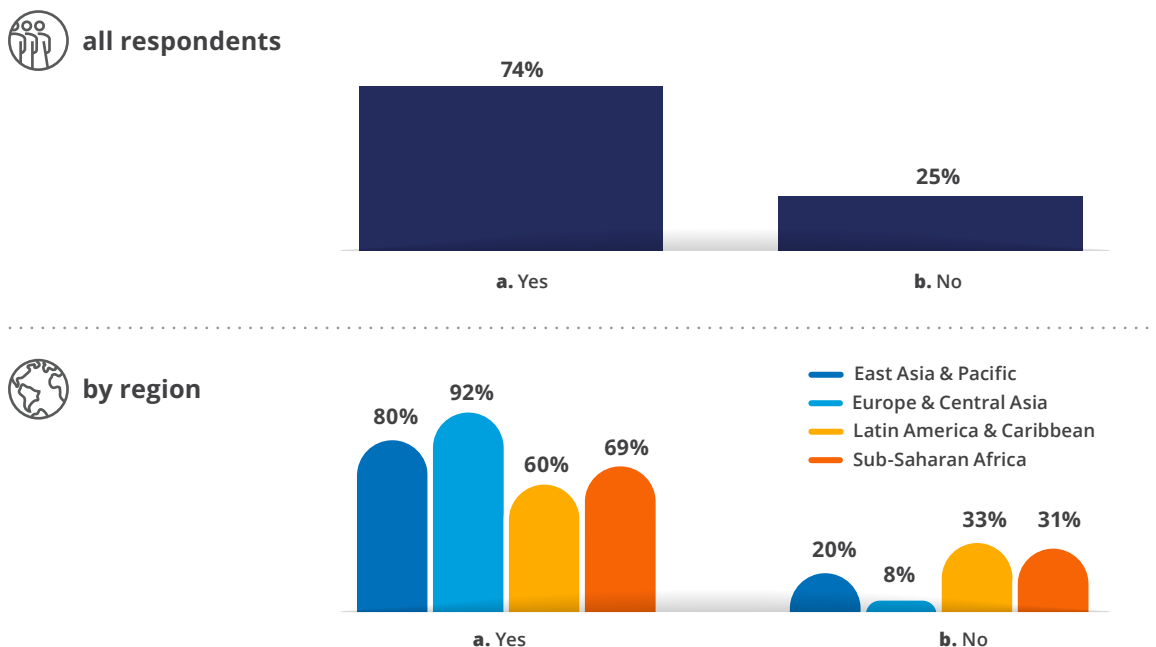
By tackling this issue, which requires cooperation among several stakeholders, legal frameworks can protect online consumers from potential harm, but also bolster trust in digital markets. From our sample, 60% of the countries surveyed reported having a separate authority in charge of product safety issues.

Survey Results for Transaction, Privacy, and Safety

Around seven out of 10 countries — 74% — require sellers to provide records of digital transactions. Adoption of this component, however, is uneven among regions. In the survey sample, nearly 92% of countries in ECA, and 80% of countries in EAP have adopted this component, while in the other regions between 60% and 70% of countries do so (Figure 11).

FIGURE 11. TRANSACTIONS CONFIRMATION

Does the legal framework require a transaction record for digital transactions?



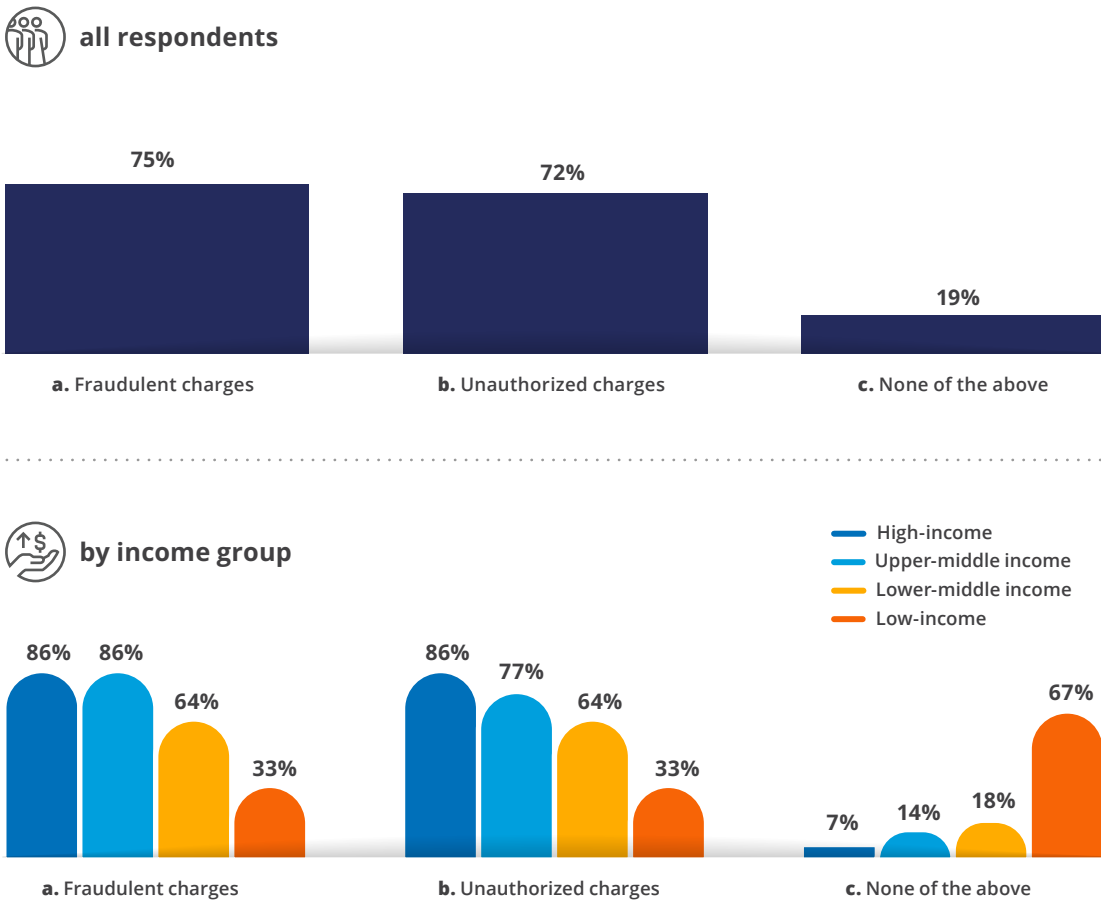
Source: GRIDMAP- Consumer Protection Self-Assessment Survey - First Wave, 2024.

³⁶ Article 31 of the Canada Consumer Product Safety Act.

About three-quarters of countries surveyed protect consumers from liability for charges that are fraudulent (75%), or unauthorized (72%), but surprisingly there is room for improvement at all income levels. Distribution follows income lines, with 86% of high-income countries having both types of protection, 86% of upper-middle income having it for fraudulent charges and 77% for unauthorized charges, and 64% in lower-middle income and 33% in low-income having both protections. There is still opportunity to strengthen these protections including in the 14% of high-income countries that still lack protection from fraudulent and unauthorized charges (Figure 12).

FIGURE 12. SECURE PAYMENTS

Does the legal framework protect consumers from being liable for any of the following charges? Select as many as apply. Please note that this may be part of financial consumer protection regulations or alike in your country.



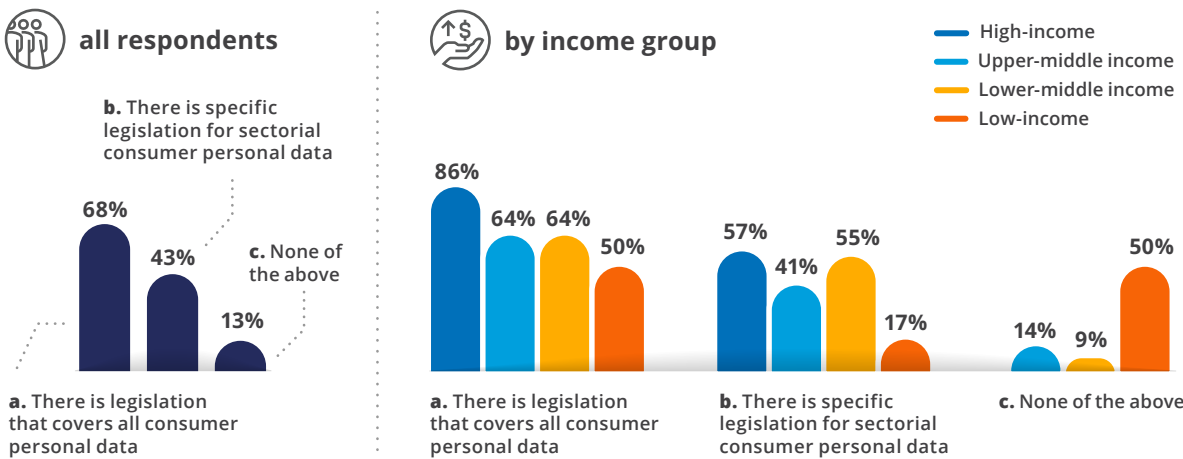
Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.



The protection of consumers' personal data, which often falls under a separate regulatory framework, is widespread: 87% of the surveyed countries have, at least, an umbrella or sectoral law covering personal data. The survey results show opportunities for enhancing this component across all income levels. This includes high-income countries, where 14% do not have umbrella laws and 43% do not have sectoral laws, and upper-middle income countries, where 36% do not have umbrella laws and 59% do not have sectoral laws (Figure 13).

FIGURE 13. PROTECT PERSONAL INFORMATION

Does the legal framework require companies to give consumers' control over the use of their personal data (e.g., the right to access, delete, opt out of data sales and marketing, and rectify their data)? Check all that apply.

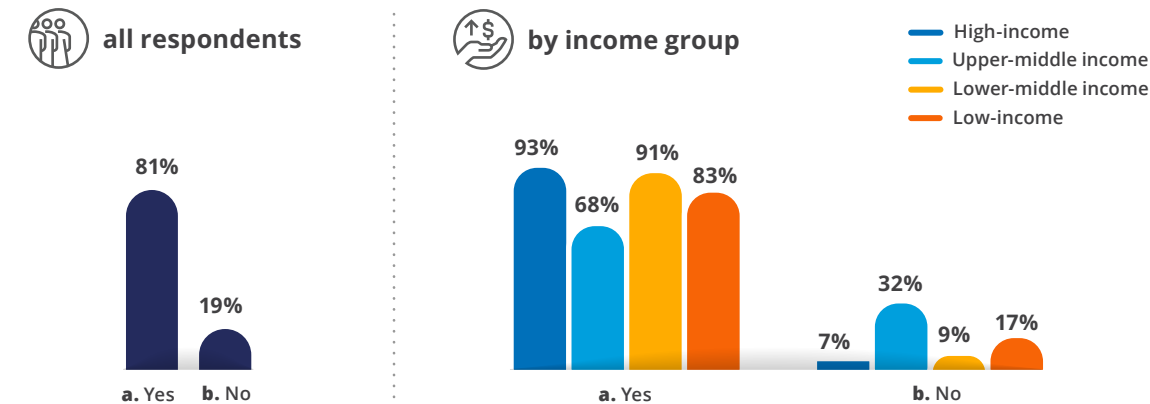


Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.

As to requirements for reasonable data security measures, upper-middle income countries show the lowest level of adoption with 68% of surveyed countries obligating businesses to provide reasonable security. At other income levels, adoption is 83% or higher, with 93% of high-income, 91% of lower-middle income and 83% of low-income countries imposing such mandates (Figure 14).

FIGURE 14. PROVIDE DATA SECURITY MEASURES

Does the legal framework require businesses to provide reasonable data security measures for consumer personal data?



Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.

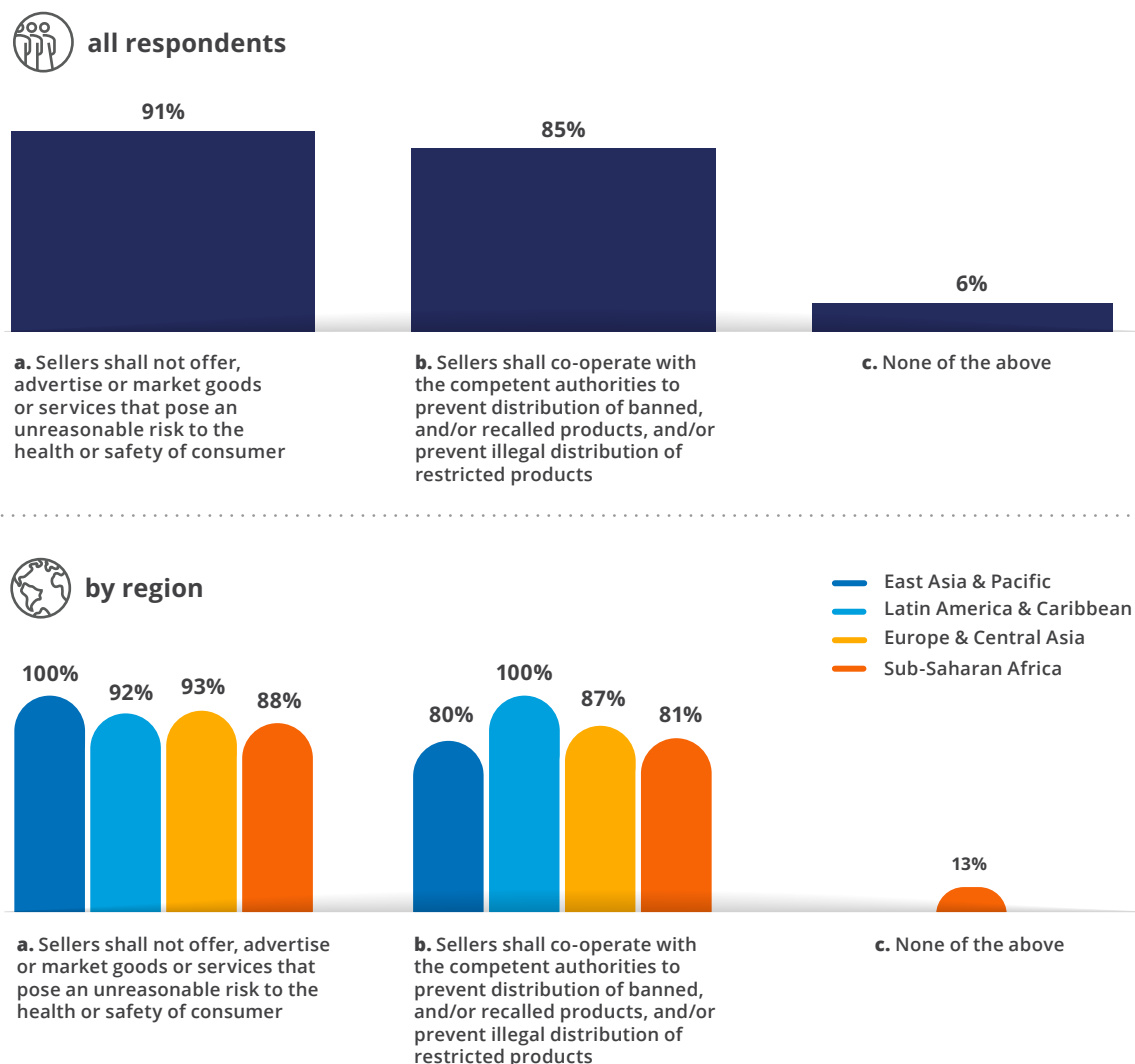


Provisions requiring sellers to cooperate with the competent authorities to prevent distribution of banned, recalled products, or restricted products are widespread. In the survey sample, 85% of countries required sellers to provide information to or otherwise assist authorities to protect consumer health and safety. The number of countries with such requirements ranged from 80% in EAP to 81% in AFR, 87% in LAC, and 100% in ECA (Figure 15).

Sellers are prohibited from offering, advertising or marketing goods or services that pose an unreasonable risk to the health or safety of consumers in 91% of surveyed countries. All countries in EAP have this prohibition, while around 90% of countries in the other regions have it in their legal framework (Figure 15).

FIGURE 15. PREVENT DISTRIBUTION OF BANNED AND REGULATED PRODUCTS

Does the legal framework impose any of the following requirements to ensure product safety across e-commerce supply chains (...)? Check all that apply.



Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.



Dispute Resolution and Redress Minimum Package

The legal framework includes provisions on post-sale warranties covering the repair, replacement, or return of faulty or otherwise deficient products and access to alternative, fair, and speedy dispute resolution mechanisms and effective redress either through courts or through the administrative authorities.

Category 4 - Dispute Resolution and Redress

Regardless of the countries' level of development, the Minimum Package should provide for post-transaction warranties and the development and operation of mechanisms to address disputes that arise in consumer transactions, such as product non delivery, faulty or otherwise deficient products, and payment issues that are accessible, speedy, and effective, especially for low value transactions. As the United Nations Conference on Trade and Development (UNCTAD) has recently highlighted, "access to and availability of dispute resolution and redress mechanisms are a basic legitimate need of consumers" (UNCTAD 2024b). These can include a range of consumer dispute resolution mechanisms, including judicial options or non-judicial alternatives, offline or online systems, public or private options, and hybrid systems. The availability of "expeditious, fair, transparent, inexpensive, and accessible" dispute resolution and redress mechanisms can build consumer trust in the digital economy (UNCTAD 2024b).

Components of Category 4 - Dispute Resolution and Redress

13. Post-sales consumer services

Background: Protection of consumers does not end when a transaction is concluded. Consumers may purchase faulty products or encounter challenges related to product quality or performance or delivery mishaps. In such scenarios, the legal framework can protect consumers by mandating sellers to provide a minimum legal warranty for damaged and defective products, or products purchased online in case they arrive damaged or defective, or do not work for their intended purpose, offering consumers the possibility to opt for the repair, replacement, or refund of the products. An example of this provision can be found under the Mexican consumer protection legal framework³⁷ as well as under the South African legal framework, with a similar approach.³⁸

14. Alternative dispute resolution mechanisms

There are two types of dispute resolution mechanisms typically available for consumers: judicial and or out-of-court (alternative or ADR) mechanisms. According to UNCTAD, ADR refers to "any type of out of-court dispute resolution mechanism, whether public, private or hybrid in nature via public-private partnership" (UNCTAD 2024b).

For consumers, ADR can encompass, among others, negotiation, mediation, conciliation, and or arbitration, or a combination of any of those. "Since ADR processes can be undertaken online, Online Dispute Resolution (ODR) is commonly understood to be a subset of ADR" (UNCTAD 2024b). ADR mechanisms are a suitable tool for addressing disputes between businesses and consumers in digital transactions and they can also be a good alternative vis-à-vis having individual consumers file a claim before courts, which can be too costly and lengthy. These mechanisms offer convenient and streamlined means for resolving consumer claims,

37 Article 82 of the Federal Consumer Protection Law of Mexico.

38 Article 56 of the Consumer Protection Act of 2008 of South Africa.



especially low value claims. “Apart from ADR, there often exists few other practical and viable options through which consumers can resolve disputes effectively, especially for low value disputes” (UNCTAD 2024b). Efficient ADR mechanisms have garnered significant attention and support, underscoring their pivotal role in protecting consumers, and they can be offered by government or non-governmental bodies.

Online Dispute Resolution (ODR) adapts ADR processes for the online environment, offering mechanisms that can vary depending on the service provider, type of service and jurisdiction. ODR consistently involves the utilization of technology and legal processes to facilitate ADR. Its mechanisms may include online platforms for filing claims and managing cases, virtual hearings via videoconferencing, and recent innovations like automated decision-making systems or artificial intelligence assistance for mediators/facilitators or for the parties.

ODRs are more suitable for e-commerce disputes, delivering faster, fairer, and more accessible resolutions at a lower cost, promoting trust and security in digital commerce, and fostering its growth. ODR can be especially useful for countries with vast territories or remote rural areas, by reducing inequalities related to restrictions to access to justice. It is also effective for cross-border disputes. “For the average consumer, litigation is not only costly financially and timewise, but the complex processes and legal jargons can be daunting as well. These factors can deter consumers from pursuing remedy altogether. For these reasons, policymakers and practitioners have been advocating for ADR and ODR as the primary avenues for consumers who seek redress and justice” (UNCTAD 2024b).

Both ADR and ODR offer consumers the possibility of timely hearing and expedite dispute resolutions, while aiding in easing the burden on authorities or the judicial systems, allowing legal resources to focus on more complex cases. These mechanisms also reduce the expenses, burdens, and timelines associated with traditional judicial proceedings. A good example of ADR for consumer disputes can be found in Argentina, where the Law created a Conciliation (mediation) service for Consumer Relationships, which is free to consumers, and mandatory for businesses.³⁹

According to UNCTAD, one interesting example is Brazil’s SENACON public service, free of charge to consumers and businesses, and ODR platform, providing a digital channel for parties to negotiate online the resolution of their dispute through direct online dialogue and with no substantial intervention of the authorities.⁴⁰ Countries tend to address this component enabling consumer access to ADR or ODR mechanisms in two different ways:

- ▶ Providing public ADR or ODR mechanisms functioning under a government entity or the courts, such as the system created in Argentina.⁴¹
- ▶ Mandating certain private online actors to provide ADR or ODR mechanisms for online consumers, such as under Spanish legal framework.⁴²

Both approaches, ODR and ADR, are complementary to provide consumers with a broader number of tools to solve claims. Understanding that vast differences exist in different legal systems, GRIDMAP asks whether any government entity, be it the consumer authority, another authority, special courts, or otherwise provides these mechanisms.

39 The Law 26.993 of Argentina creates the “Conciliation Service for Consumer Relationships.”

40 For more information see: [Consumidor.gov.br](https://consumidor.gov.br).

41 According to UNCTAD, “civil court judges have been using ‘ODR’ to refer to e-litigation and e-courts that are specifically designed and implemented with consumers in mind, despite ostensibly contradicting the very meaning of ODR as an out-of-court option.” UNCTAD, Consumer Dispute Resolution in the World, 2024, available at https://unctad.org/system/files/official-document/ditccplp2023d2_en.pdf

42 Article 40.5 of Law 7/2017 of November 2nd, 2017, of the Kingdom of Spain.



15. Effective redress

Background: The Minimum Package for this component requires that consumers have the right to file claims against sellers before administrative authorities and/or courts to be heard and obtain redress. The Law on Consumer Protection of the Republic of Indonesia offers an example of this type of provision:⁴³ it permits consumers to either file a complaint with the governmental Consumer Dispute Settlement Body (BPSK) or pursue a claim through litigation in a general court (UNCTAD 2022).

Also, collective redress mechanisms are a cornerstone of this component. ADR and ODR mechanisms, or individual claims before courts, may not be the most effective tools for widespread, complex, and systemic consumer issues. Instead, the legal framework should permit collective actions for consumer redress for large-scale consumer issues as they allow the legal framework to correctly address detrimental practices of businesses that result in relatively small injuries by many consumers that would not act individually. The Consumer Defense Code of Brazil⁴⁴ contains an example of collective redress mechanism. Allowing consumer associations to submit claims on behalf of all consumers or categories of consumers strengthens the protection of consumer rights by enabling these entities, which often have expertise and resources, to advocate on behalf of consumers, especially those who may lack the means or knowledge to initiate legal proceedings on their own. A good example of a legal framework offering consumer associations to submit claims exists in the Consumer Code of Italy.⁴⁵

Survey Results for Dispute Resolution and Redress

All the surveyed countries from EAP and ECA provide consumers with minimum warranties, and options to obtain a refund or to return products purchased. This is for goods purchased online in case they arrive damaged, defective, do not work as advertised, or do not work for their intended purpose. The adoption of such protections in LAC and AFR is lower. In LAC, 87% of the countries in the sample provide minimum warranties and an option to refund, while 80% provide an option to return. In AFR, 81% of the countries provide a minimum warranty and an option to return, while 75% provide an option to refund, and 13% of them do not provide for any of these options. This disparity may be due, in part, to the prevalence of second-hand products in some regions.

Countries at all income levels show opportunities for improvement for this component. While all high-income countries in the sample have minimum warranties for faulty products, 14% of upper-middle income, nine percent of lower-middle income and 17% of low-income countries do not have it. The option for a refund is not provided by seven percent of high-income, nine percent of upper-middle income, 18% of lower-middle income and 33% of low-income. The option to return is not provided by seven percent of high-income, and around 18% of countries distributed upon other income levels (Figure 16).

.....
⁴³ Article 23 of the Law on Consumer Protection of the Republic of Indonesia.

⁴⁴ Article 81 of the Consumer Defense Code of Brazil.

⁴⁵ Article 104 quarter.1 of the Consumer Code of Italy.

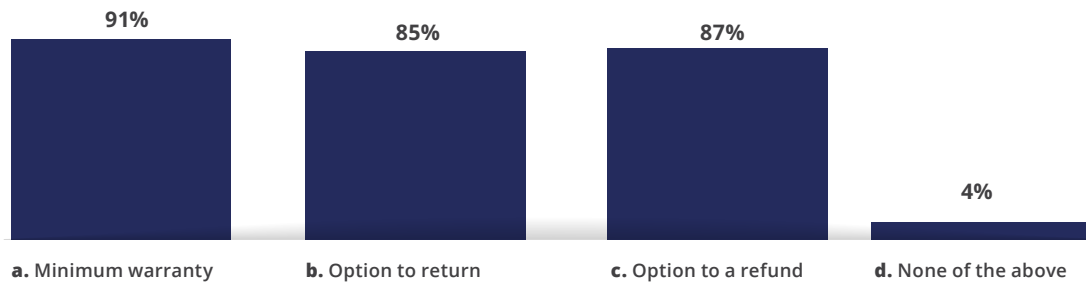


FIGURE 16. POST-SALES CONSUMER SERVICES

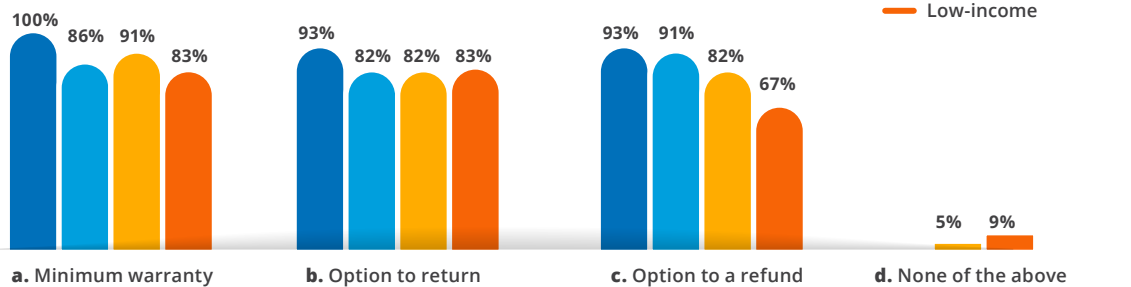
Does the legal framework require companies to give consumers any of the following for goods/products purchased online in case they arrive damaged or defective, don't work as advertised, or don't work for their intended purpose? Check all that apply.



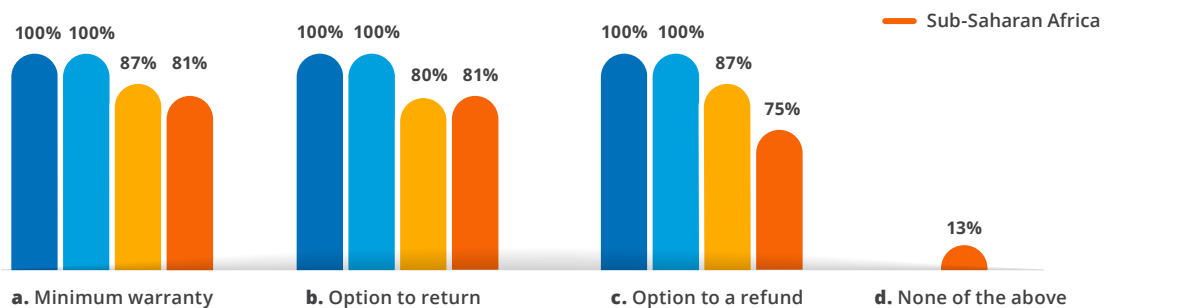
all respondents



by income group



by region



Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.

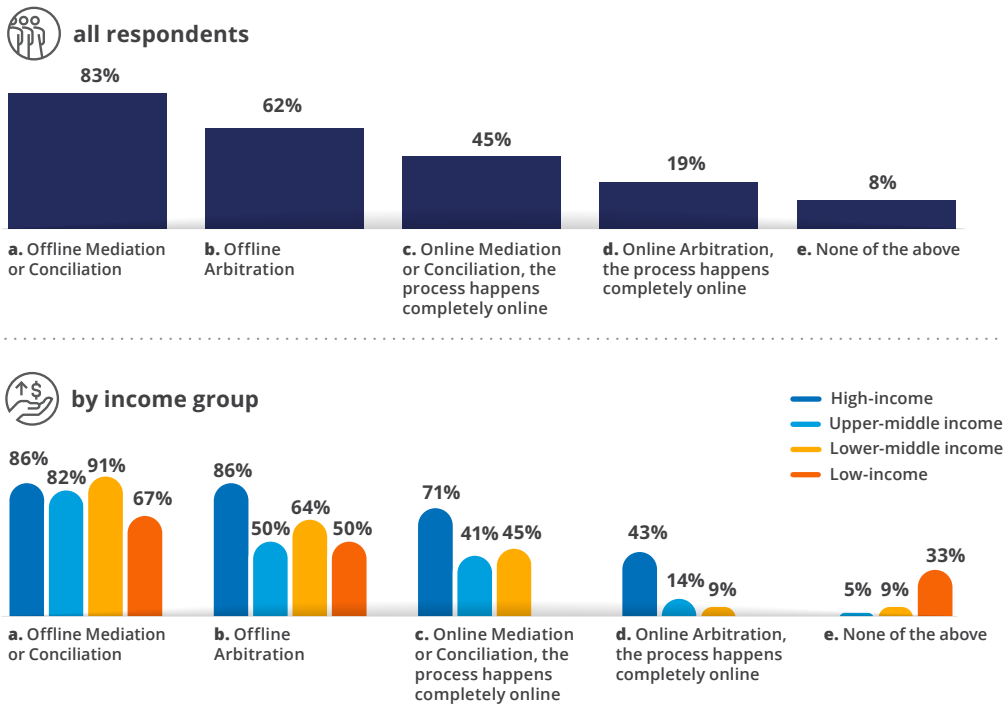


The survey results for dispute resolution mechanisms present a less encouraging picture. Compared with post-transaction warranties, ADR mechanisms are offered by a narrower majority of surveyed countries. Only 62% of countries in the sample have offline arbitration, 86% in high-income, 50% in upper-middle income, 64% in lower-middle income and 50% in low-income ones. Offline mediation and conciliation have a higher adoption rate, 83%, distributed similarly across high-income, upper-middle income and lower-middle income levels, where around 80% and 90% of the countries have them, with 67% of low-income countries having them.

Adoption of ODR mechanisms is even lower than their offline counterparts across all income levels. Just 19% of the surveyed countries offer online arbitration, 43% of high-income, 14% of upper-middle income and 9 percent of lower-middle income. 45% of the surveyed countries offer online mediation or conciliation, 71% of high-income, 41% of upper-middle income, and 45% of lower-middle income. No low-income countries in the sample offer ODR mechanisms. Moreover, only 30% of the countries in the sample require certain private online actors to provide ODR mechanisms for online consumers, with 50% of high-income, 23% of upper-middle income, 27% of lower-middle income, and 17% of low-income countries requiring it. These results evidence opportunities for improvement, especially in low and middle-income countries, where provision of ADR and ODR mechanisms could be useful for reducing the expenses, burdens, and timelines associated with traditional judicial proceedings, benefiting parties involved and the overall legal system (Figure 17).

FIGURE 17. ALTERNATIVE DISPUTE RESOLUTION MECHANISMS

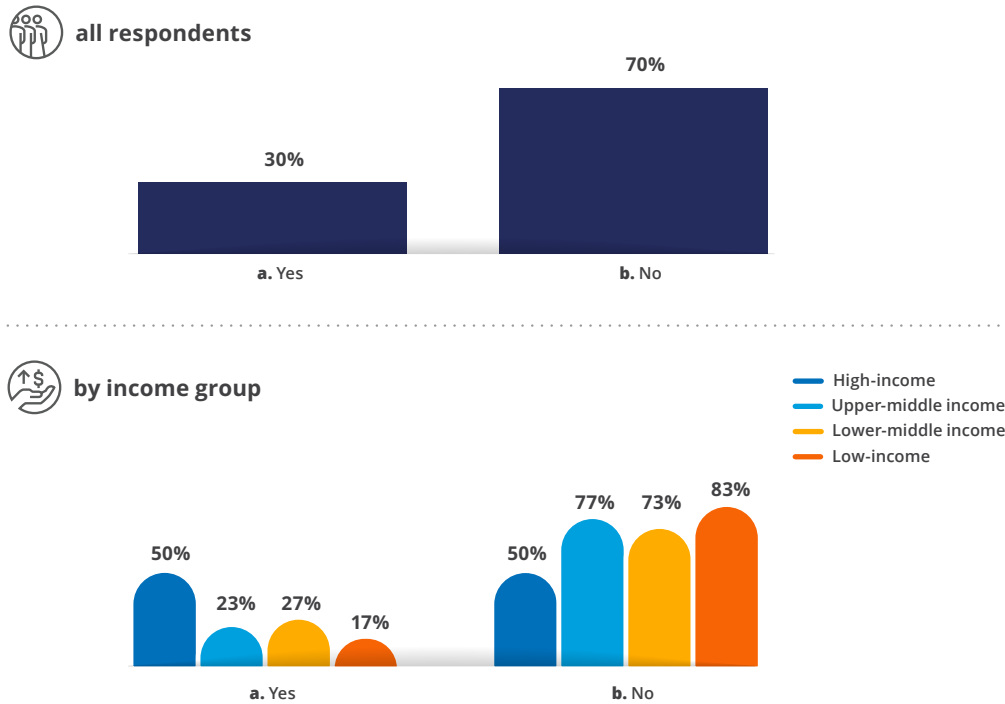
Does the government (e.g., the Authority, courts or another government entity) provide any of the following alternative dispute resolution (ADR) mechanisms to facilitate the settlement of B2C disputes? Check all that apply.



Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.



Does the legal framework require certain private online actors to provide Online Dispute Resolution (ODR) mechanisms for online consumers?



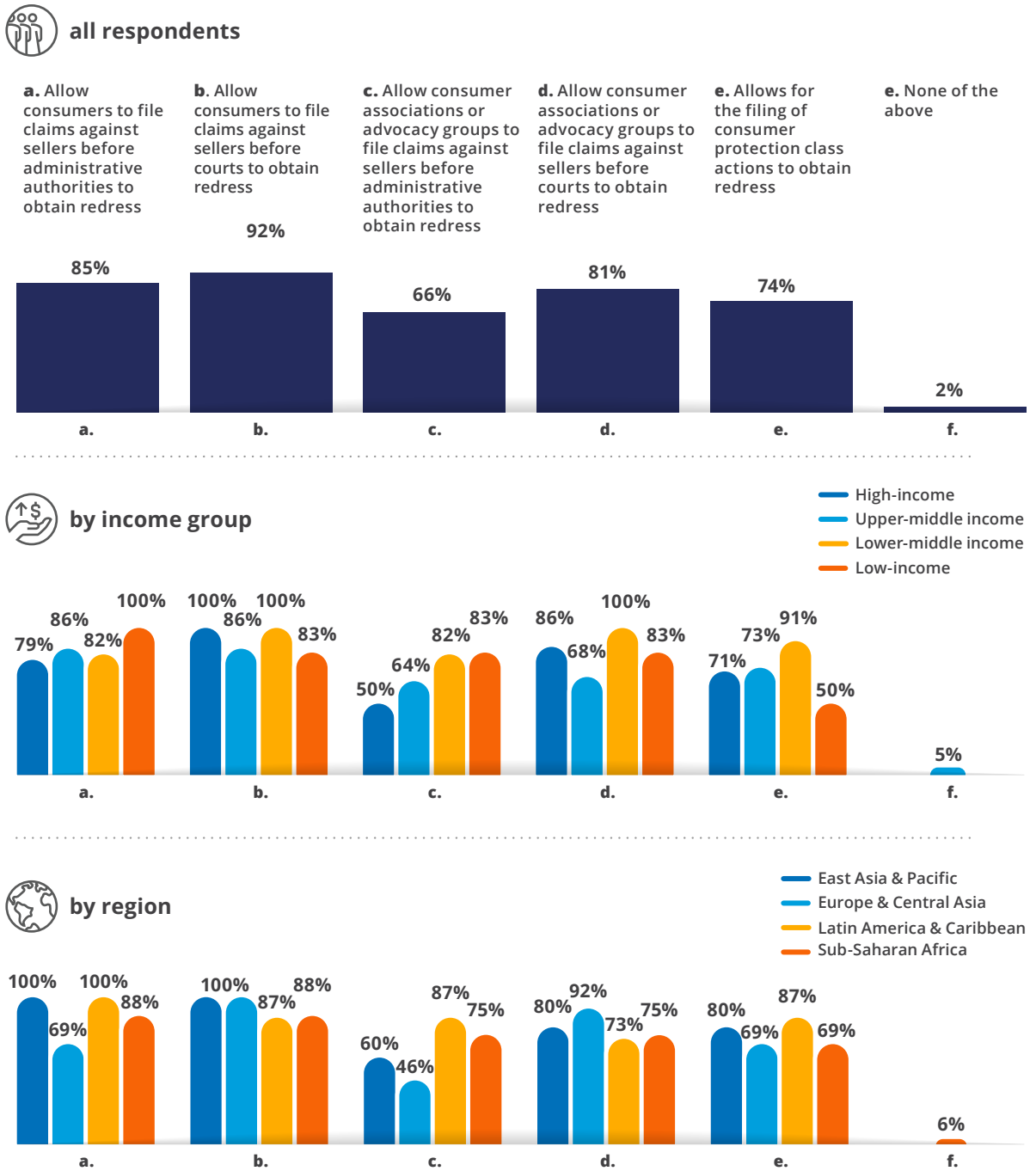
Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.

Generally, results for low-income countries in the sample show a greater level of adoption for allowing consumers to file claims against sellers before administrative authorities than at other income levels. All surveyed low-income countries allow consumers to file claims against sellers before administrative authorities. 82% of lower-middle income countries allow consumers to file of such claims, contrasting with 86% in upper-middle income countries, and 79% in high-income ones. These results will undergo further analysis for patterns and checked as the team increases the sample.

Consumer associations or advocacy groups can file claims against sellers before administrative authorities and courts in 83% of low-income countries. In lower- middle income countries, 82% of the countries allow filing of such claims before administrative authorities and 100% before courts. 64% of upper-middle income allow the filing of such claims before administrative authorities and 68% before courts, while 50% of high-income allow filing before administrative authorities, and 86% before courts.

Half of low-income countries and 91% of lower-middle income ones permit consumer protection class-action lawsuits for redress compared with 73% of upper-middle income and 71% of high-income countries. From the survey sample, class actions are most prevalent in LAC, where 87% of the countries allow such lawsuits, followed by EAP, with 80%, and ECA and AFR with a 69% (Figure 18).

FIGURE 18. EFFECTIVE REDRESS
To provide consumer redress, does the legal framework: (...)?



Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.



Emerging topics Minimum Package

The legal framework includes provisions that address online intermediaries' liability and provisions that address sustainable consumption, helping consumers make better-informed decisions based on energy efficiency and product recyclability.

Category 5 - Emerging Topics

Legal frameworks should be adaptable, to enable them to address new issues that affect consumers in the digital and green transitions. International and regional organizations such as the APEC, OECD, and UNCTAD, and global enforcement networks like the International Consumer Protection Enforcement Network (ICPEN) have prioritized “digital transformation” issues as well as environmental or “green” issues for the last few years.

As a result, the World Bank has included as part of the Minimum Package two emerging topics related to these broader policy areas: online intermediary liability and sustainable consumption.

Components of Category 5 Emerging Topics

16. Liability of Online intermediaries in the digital marketplace

Background: Online intermediaries such as internet access and service providers, social networks, search engines, marketplace platforms, and other providers facilitate transactions on the Internet between and among consumers and businesses. The importance of online intermediaries in consumers' access to goods, services, and information has grown exponentially (OECD 2011). The World Bank's research and recommendations focus on e-commerce platforms and marketplaces that facilitate transactions between buyers and sellers, as opposed to payment intermediaries or other types of intermediaries that exist in the digital economy. There are new regulatory challenges regarding the liability of those intermediaries that need to be addressed by the Minimum Package.

Approaches vary depending on whether the online transactions relate to a product or service, or to digital content. A Minimum Package approach should be based on the following four elements:

- ▶ **Attribution of responsibility to the Online intermediary** when certain conditions are met, generally related to the Online intermediary's knowledge that, for instance, a product or content offered by a seller was fake, illegal, unsafe, or infringed the rights of a third party.
- ▶ **An obligation for Online intermediaries to take down** illegal, dangerous or fake products, services, or content within a certain period upon notice of the violation or infringement - a process sometimes known as “notice and take down”.
- ▶ **Limits or qualifications to the Online intermediary's liability for third-party products, services, or content.** For example, limiting the liability of Online intermediaries when they comply with the “notice and take down” obligation provided above.
- ▶ **A differentiated liability and obligation regime depending on the role of the Online intermediary.** For example, some legal frameworks may distinguish the degree of proactivity or liability of an Internet access service that acts as a “mere conduit” for consumers to access the content of marketplace digital platforms.



This topic is generally not covered under consumer protection frameworks, but under broader regulatory frameworks for electronic commerce, such as the European Union’s Directive on Electronic Commerce,⁴⁶ the Electronic Communications and Transactions Act of South Africa,⁴⁷ as well as the Brazilian Civil Rights Framework for the Internet.⁴⁸ The European Union recently updated its framework for Online intermediary liability in the Digital Services Act, adding new and expanded obligations for platforms (European Parliament. 2022). These include clarifying that e-commerce marketplaces can be held liable under consumer law when they lead an “average consumer” to believe that the information, product, or service that is the object of the transaction, is provided either by themselves or by a recipient of the service who is acting under their authority or control. Online platforms that market products or services in their own name, rather than in the name of the businesses that are supplying the product or service, for example, can be held liable for breaches of consumer protection laws.

The Minimum Package regarding the liability of Online intermediaries requires that these elements be addressed in a balanced manner, to protect online consumers without excessively hindering Online intermediaries’ activities that contribute to the growth and innovation of the digital marketplace.

17. Sustainable Consumption

Background: There is a growing trend among consumers to consider the environmental impact of their consumption decisions. Estimates suggest that having the right policies, infrastructure and technology, to enable changes in lifestyles and behavior in key sectors could result in a 40-70% reduction in greenhouse gas emissions by 2050.⁴⁹ For this reason, including provisions in the legal framework’s Minimum Package that support sustainable consumption - for example, by mandating accurate and truthful information disclosures for energy efficiency, product durability, and product recyclability - can help consumers make informed choices regarding the environmental impact of their choices and increase consumer confidence in the market in general. They can also boost other positive externalities such as promoting sustainable consumption patterns and lifestyles (UNEP 2024).

Some elements that legal frameworks can include to achieve the Minimum Package in relation to this component are performance standards and labels, as they are the most direct policy instruments to promote sustainable products on the market. They can also be paired with provisions to prevent deceptive or unsubstantiated claims about a product’s environmental benefits, a practice known as “greenwashing.” Due to climate change concerns, the most common performance standards are focused on reducing energy consumption.

While many high-income countries are spearheading the change with innovative provisions to promote sustainable consumption, such as outlined in the Green Deal (European Commission 2021), or by the U.S. Federal Trade Commission,⁵⁰ some of these efforts are less relevant in some EMDEs. Provisions, for instance, introducing the right of repair, do not carry the same weight in markets where secondhand products are more commonplace. Labeling standards and requirements, on the other hand, are more approachable, directly applicable, and can be easier to implement.

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⁴⁶ Article 12 of the European Union Directive on Electronic Commerce.

⁴⁷ Article 75 of the Electronic Communications and Transactions Act of South Africa.

⁴⁸ Article 19 of the Brazilian Civil Rights Framework for the Internet.

⁴⁹ Climate Change 2022: Mitigation of Climate Change. Contribution of Working Group III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change, IPCC, <https://www.ipcc.ch/report/sixth-assessment-report-working-group-3/>

⁵⁰ The (FTC n.d.) has issued Guides for the Use of Environmental Marketing Claims that include examples related to the correct use of labels on recyclability.

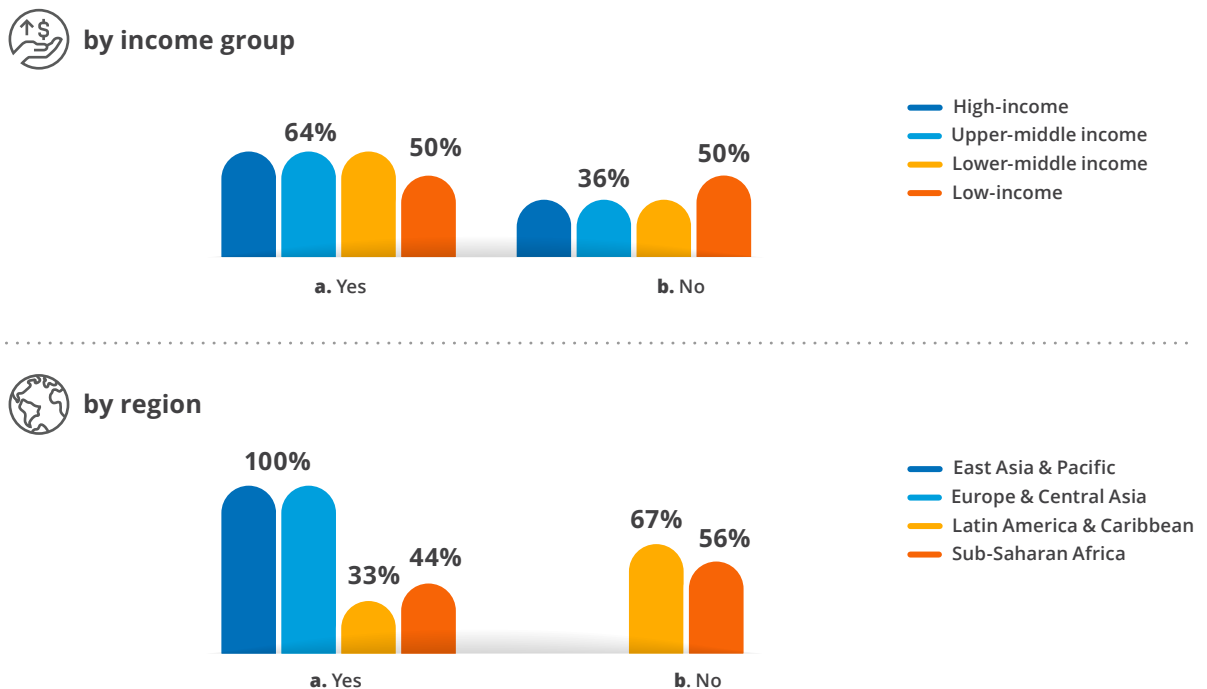


Survey Results for Emerging Topics

Although issues relating to intermediary liability have been debated for years, most EMDEs do not address the issue of e-commerce platforms or marketplaces liability for consumer transactions in their legal frameworks. Less than half of the countries surveyed in AFR and LAC have relevant provisions in place. By contrast, all countries in EAP and ECA address intermediary liability in their legal frameworks. Regional standards, rather than income level, appear to drive the adoption of regulations. In fact, there seems to be no difference between the adoption rate in high-income, upper-middle income, and lower-middle income countries, as 64% of the surveyed countries of those income levels cover this issue. Only low-income countries deviate from this pattern, with adoption of internet intermediary regulations at only 50% (Figure 19).

FIGURE 19. EMERGING TOPICS/LIABILITY

When something goes wrong with an online transaction, does the legal framework address the liability of intermediaries?



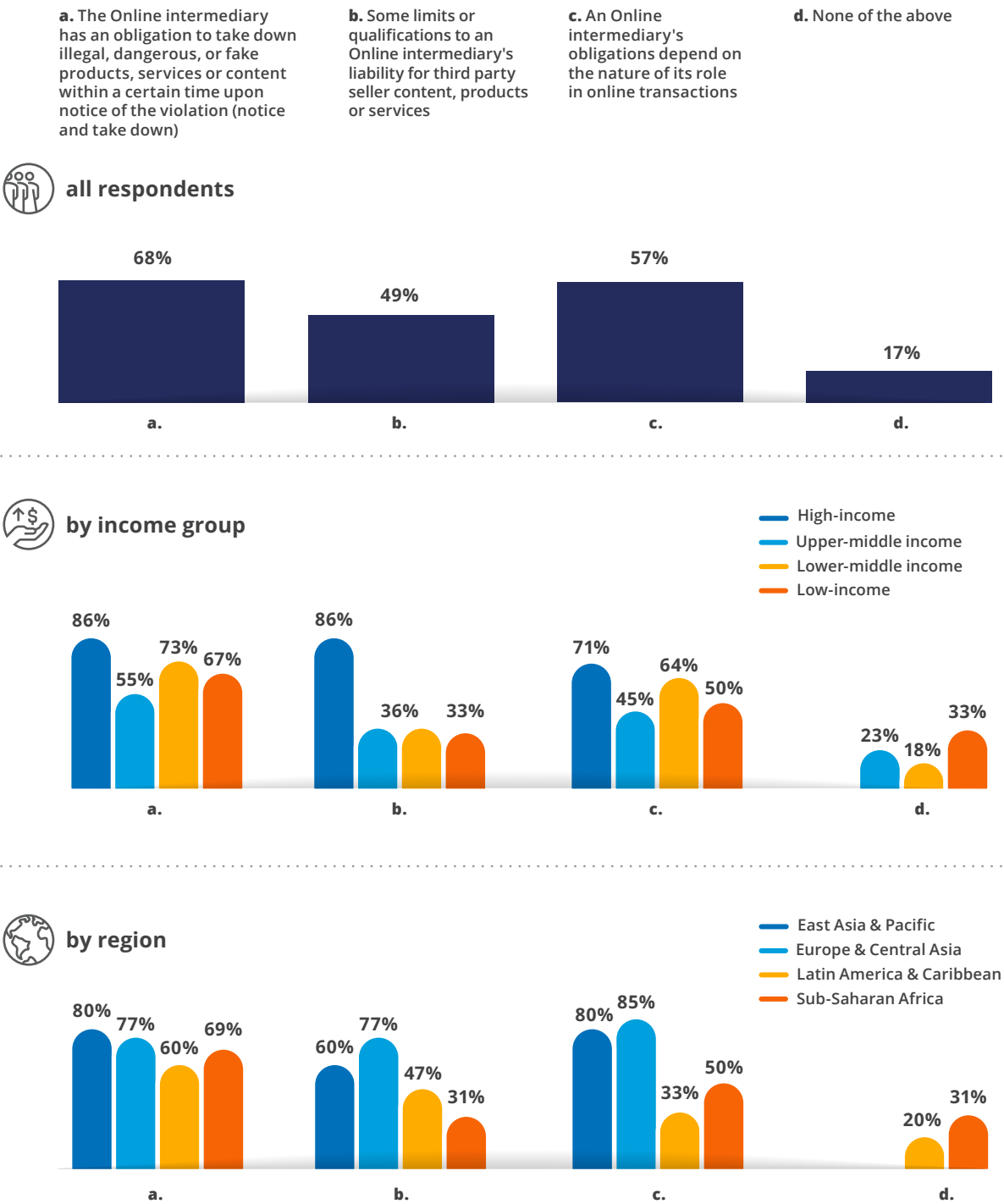
Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.

When addressing intermediary liability, the “notice and takedown” is a common approach that imposes platforms and marketplaces to remove illegal, dangerous, or fake products, services, or content within a prescribed period upon notice. Most laws also provide a “safe harbor” from liability for Online intermediaries that take down the infringing content within the specified period. A total of 68% of respondents have a “notice and take down” approach, versus 57% that have a differentiated liability regime depending on the intermediary’s role in the online transactions, and 49% of respondents that impose some limits or qualify the intermediary’s liability for third party seller content, products, or services. By income level, setting limits on Online intermediaries’ liability is the issue with more pronounced income gaps: all high-income respondents address this, compared to 77% of upper-middle income, 82% of lower- middle income, and 67% of low-income respondents addressing it.

Considering the data by region, ECA and EAP have a more consistent approach for addressing online intermediaries' liability, than do AFR and LAC (Figure 20).

FIGURE 20. EMERGING TOPICS/LIABILITY

Does your legal framework impose any of the following regarding Online intermediaries? Check all that apply



Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.

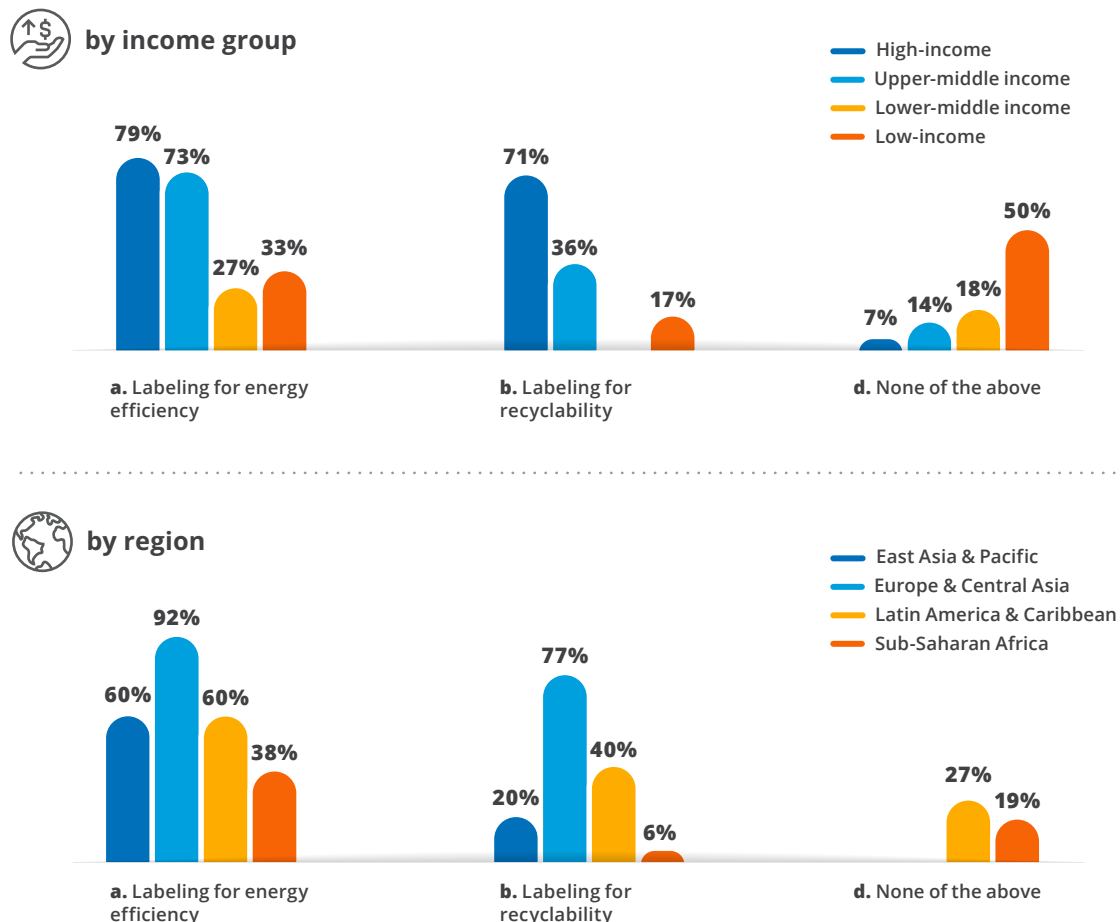


As with Online intermediary liability, the inclusion of provisions relating to sustainable consumption varies by region. In ECA, 92% of countries require labeling for energy efficiency, while 77% have provisions on recyclability labeling. This region is followed by LAC, with 60% and 40%, EAP, with 60% and 20%, and AFR with 38% and six percent, respectively, for the two provisions. Reporting the results on labeling concerning product durability will come later, as the question seems to have been subject to different interpretations, with most survey respondents viewing durability as equivalent to “sell by” provisions. In ECA, however, new regulations on the durability of appliances, for instance, influenced these countries’ answers. Overall, there are many opportunities for countries to spur sustainable consumption through labeling and information disclosure requirements, providing better, informed choices to consumers.

Meanwhile, by income level, lower-middle income countries show significantly lower coverage in labeling for energy efficiency and recyclability than the average in all other income levels, including low-income countries. This difference is again explained by the regional trend in the sample since about one-third of lower-middle income countries are in AFR, which is the region with the least provisions on labeling from the sample (Figure 21)

FIGURE 21. EMERGING TOPICS/SUSTAINABLE CONSUMPTION

Does your legal framework include any of the following provisions to help consumers make decisions with environmental impact?



Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.



CHAPTER 3. PILLARS 2 AND 3 - INSTITUTIONAL ARRANGEMENTS, AND ENFORCEMENT AND IMPLEMENTATION

I. Introduction

A. Consumer Protection Pillars 2 and 3 - Institutional Arrangements and Enforcement and Implementation

The legal framework set out in Pillar 1 is only the first step in establishing trustworthy and safe markets for consumers. Laws and regulations alone are insufficient unless there are well-resourced capable institutions to enforce and implement them. Businesses and consumers benefit alike when CPAs provide resources to encourage business compliance and enforce compliance with the legal framework. The reverse is also true; laws that only work on paper create significant legal uncertainty, which discourages businesses and consumers from engaging more vigorously in the market.

This chapter identifies the Minimum Package of institutional arrangements (Pillar 2) and enforcement and implementation (Pillar 3) that countries can put into place to implement the legal framework set out in Pillar 1. Pillar 2 covers the institutional arrangements to enforce the legal, regulatory, and policy measures that constitute Pillar 1. Pillar 3 captures how consumer agencies use the institutional arrangements described in Pillar 2. Pillar 3 overlaps, to a large degree, with the categories and components for the Minimum Package for institutional arrangements set out in Pillar 2, which is why both pillars are captured together in this chapter.

B. Background and Information Sources

Like the legal, regulatory, and policy framework identified in Pillar 1, the Pillar 2 and Pillar 3 Minimum Package draws from a wide range of sources. These include previous World Bank work,⁵¹ high-level policy principles such as the UNGCP and the OECD E-commerce Guidelines (OECD 2016) discussed in the accompanying piece to this report on the GRIDMAP Framework, related analytical work by international organizations on institutional arrangements for consumer protection and related regulatory areas, and the empirical research conducted by the World Bank with consumer protection agencies and other regulators.⁵²

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⁵¹ For more detailed bibliography see References.

⁵² For a description of the research methodology, see Annex IV.



In addition to the high-level guidelines by the UN and the OECD, to build the Minimum Package in Pillars 2 and 3, the World Bank reviewed technical documents on institutional arrangements such as the UNCTAD Guidelines on Consumer Protection: Agency Structure and Effectiveness that UNCTAD designed for agencies in the MENA Region to complement the UN Guidelines on Consumer Protection (United Nations 2016), the ASEAN High Level Principles on Consumer Protection (ASEAN 2023), the ASEAN Roadmap 2025 (ASEAN 2021), the OECD Consumer Policy Toolkit (OECD 2010), the OECD Consumer Protection Enforcement in a Global Digital Marketplace (OECD 2018), the OECD Implementation Toolkit on Legislative Actions for Consumer Protection Enforcement Cooperation (OECD 2021), and the EU Biennial overview of actions carried out by national authorities under Regulation EU 2017/2394 on consumer protection cooperation (European Parliament 2017).⁵³

The World Bank also drew on sources of information about institutional arrangements in related fields such as privacy and data protection, such as the Global Privacy Assembly’s 2023 and 2021 Global Privacy Assembly Census, which contains data about the institutional arrangements of 78 data protection and privacy authorities across the globe (GPA 2023).

C. The Survey for Pillars 2 and 3 - Categories and Components

From the above guidelines and studies, the World Bank developed survey questions for Pillars 2 and 3 and their categories. The World Bank used the same methodology as for the research for Pillar 1. Each category offers several components with corresponding questions and a menu of answer options. A copy of the complete survey for the three Pillars is available in Annex II. The categories under these Pillars include CPA’s roles, powers, and responsibilities, powers and tools of intervention, conduct-related powers and sanctions, domestic and cross-border cooperation, self and co-regulation mechanisms, education and awareness, transparent processes, and resources (Pillar 2); and how authorities are using these tools for enforcement and implementation (Pillar 3).

TABLE 3. PILLARS 2 AND 3 CATEGORIES AND COMPONENTS

Category	Components	
1. Enforcement authorities and their powers	Authority’s role	
	Powers and tools of interventions	
	Conduct related powers and sanctions	
2. Cooperation	Domestic cooperation	
	Cross-border cooperation	
3. Self and co-regulation mechanisms	Self and co-regulation	Common regulation for offline and online, plus online specific regulation
4. Education, awareness, and digital consumer competence	Education and awareness campaigns (businesses and consumers)	
	Clear processes (e.g., Internal audits, complaint handling)	
5. Transparency and processes	Communications and outreach	Online selling specific regulation
	Staff	
	Financial resources	
6. Resources	Digital tools	

Source: World Bank.

53 See “References” for a complete list of sources.



The survey questions and follow-up interviews for Pillar 3, however, focused on how authorities are using the institutional arrangements identified under Pillar 2 to deliver outcomes for consumers in practice, instead of whether countries have such institutional arrangements in place. For example, under Pillar 2, Category 1 (CPA's roles and powers), the survey asked CPAs to identify and list available sanctions and persuasion tools. By contrast, for Pillar 3, the survey asked CPAs which of those tools the CPA *had used* during the last calendar year (see Box 2).⁵⁴

To formulate the Minimum Package, the World Bank team assigned maximum points for each of the six Pillar 2 and Pillar 3 categories and their components, and the questions contained therein. It then calculated weighted scores for each participating jurisdiction based on their answers to the questions (see the GRIDMAP Framework and Methodology).

The research's use of survey responses and supplementary research from a wide range of countries permitted the World Bank to benchmark between mature economies and emerging economies at similar levels of economic development to identify the institutional arrangements, enforcement powers, and practices that make up the Minimum Package for these two pillars, which complement Pillar 1.

Part III of this chapter sets out the Minimum Package for each category with a broader explanation, and provides background information for each component. It also provides a summary of the findings of the survey by category/component.

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⁵⁴ A copy of the survey is available in Annex II.

BOX 2. CONDUCT-RELATED POWERS AND SANCTIONS

Survey Question 34 – What sanctions and persuasion tools has the authority used with respect to a business during the last calendar year? Check all that apply. Please also indicate yes even if an option requires judicial approval.

1. Warning letters
2. Penalties or fines
3. Obtaining money from the business to compensate the consumers for damage.
4. Cease-and-desist orders.
5. Initiate or refer a criminal prosecution.
6. License suspension or revocation, and/or bans on businesses engaging in a particular line of business.
7. Initiate a civil enforcement proceeding in a judicial court.
8. Initiate an enforcement proceeding in an administrative tribunal.
9. Address fraud to consumers through own powers or through civil courts.
10. Publicize an open investigation of a company (e.g. name and shame).
11. None of the above.



II. Main takeaways and recommendations - Pillars 2 and 3

A. Overview

The World Bank's research suggests that institutional arrangements, implementation and enforcement for consumer protection vary widely among the countries of the sample.

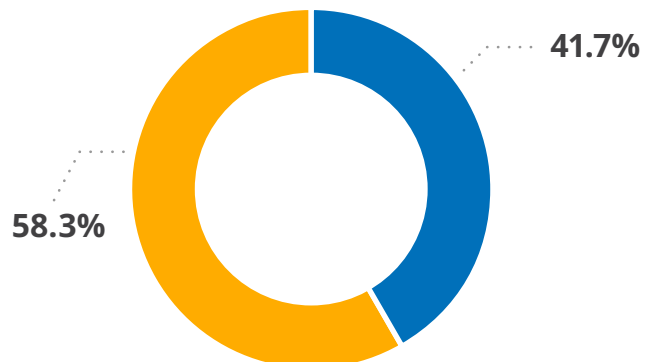
Relevant factors that affect institutional arrangements include the underlying legal system, overall governmental regulatory structure, and levels of economic development and market maturity.

Among the surveyed CPAs, 58.3% were part of, or overseen by a ministry, 75% of which were ministries of Economy, Commerce, and/or Industry, and 41.7% were independent agencies or commissions. Over 25% of the authorities, independent or not, shared a dual role in competition and consumer protection (Figure 22).

FIGURE 22. PROFILE OF RESPONDENT AUTHORITIES

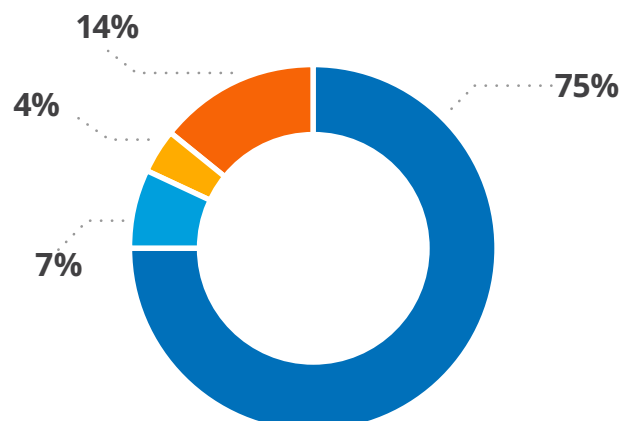
Is this Agency...?

-  An independent authority (i.e. not under any ministry or government body)
-  Under another ministry or government body (please specify)



If the Agency is under another Ministry, specify which one...

-  Ministry of Economy, Commerce and Industry
-  Ministry of Finance
-  Ministry of Justice
-  Other



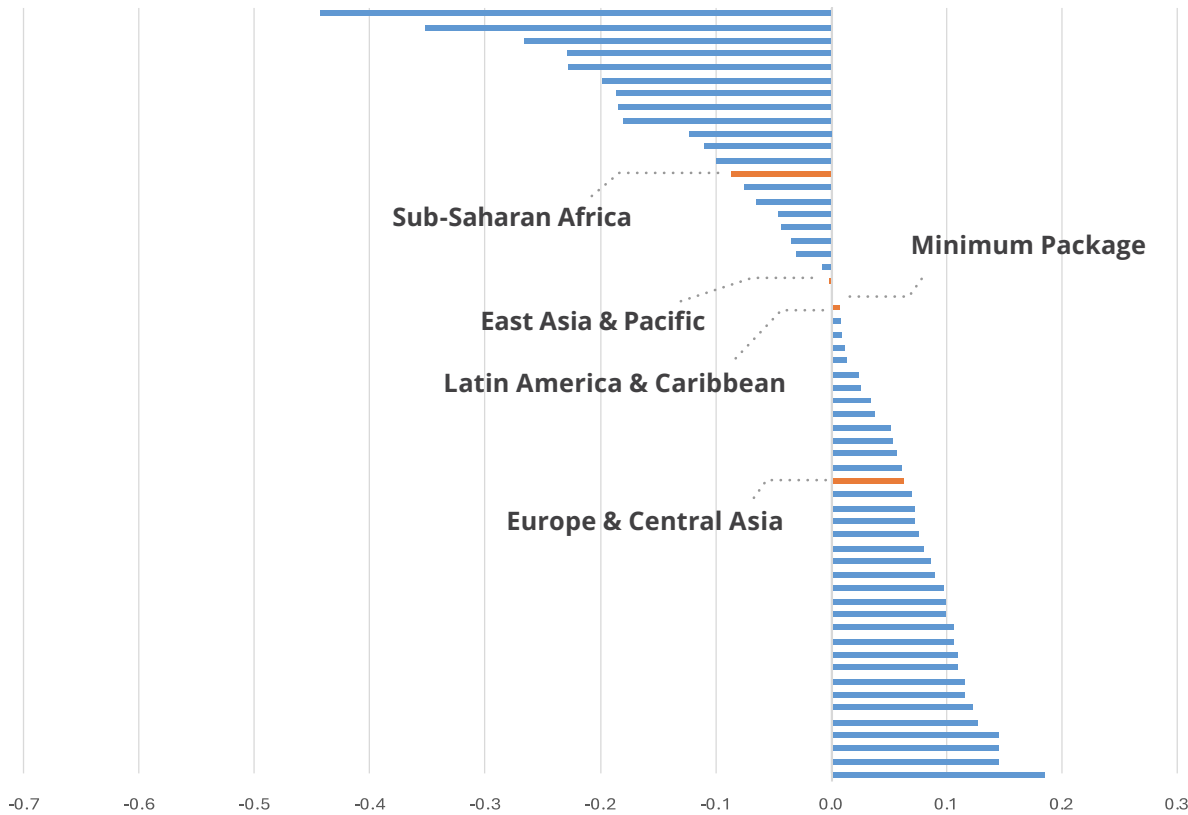
Source: GRIDMAP - Consumer Protection Self-Assessment Survey - First Wave, 2024.



AFR and EAP still have gaps with respect to the Pillar 2 Minimum Package, while LAC and ECA meet or surpass it, providing their CPAs with adequate tools for implementation and enforcement (Figure 23).

FIGURE 23. GAPS WITH RESPECT TO INSTITUTIONAL ARRANGEMENTS MINIMUM PACKAGE, BY REGION

Gap with respect to Minimum Package, Pillar 2



Source: First wave - Consumer Protection Minimum Package Assessment System results, 2024.
Note: Each horizontal bar reflects the gap a specific country has with respect to the score for the Minimum Package for Pillar 2 Assessment. Highlighted bars reflect the average gap for all the countries in each of the regions considered in the analysis.

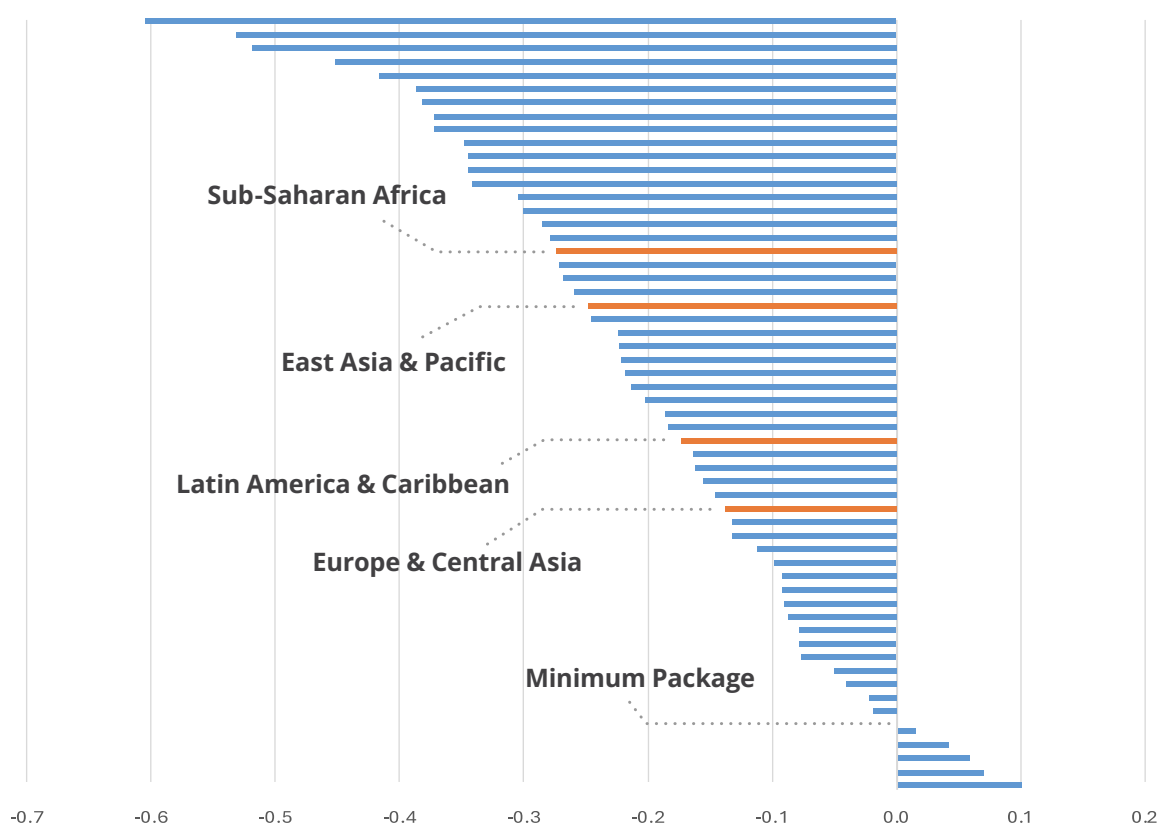
Overall, countries do much better in establishing institutional arrangements than in providing adequate resources to ensure overall enforcement effectiveness in practice, as shown in Pillar 3 Figure 24. The research for Pillar 3, therefore, suggests that CPAs' ability to enforce the Minimum Package legal framework identified in Pillar 1, and leverage the institutional arrangements provided in Pillar 2, in practice varies widely and has a lot of room for improvement.



All regions in the sample are *below* the Minimum Package for Pillar 3, when actual implementation and use of the powers and tools of authorities are measured (Figure 24). This may be due, in part, to the fact that many CPAs do not collect and present data using the same method as the World Bank’s survey questions. It is important, however, for CPAs to publicly share data on their activities to establish an environment of trust in the marketplace. The results in Pillar 3 will be further analyzed and tested in the next phase of this research.

FIGURE 24. GAPS WITH RESPECT TO ENFORCEMENT/IMPLEMENTATION MINIMUM PACKAGE, BY REGION

Gap with respect to Minimum Package, Pillar 3



Source: First wave - Consumer Protection Minimum Package Assessment System results, 2024.

Note: Each horizontal bar reflects the gap a specific country has with respect to the score for the Minimum Package for Pillar 3 Assessment. Highlighted bars reflect the average gap for all the countries in each of the regions considered in the analysis.

B. Findings

The structure and strength of institutional arrangements and CPA’s implementation and enforcement capabilities directly affect the efficacy of the Pillar 1 legal framework for consumers. Therefore, Pillars 2 and 3 of the Consumer Protection Module of the Toolkit focus on institutional arrangements and enforcement and implementation to complement Pillar 1.

Overall, the survey data shows that institutional arrangements and enforcement powers of authorities (Pillar 2) are stronger in theory than they are in practice, when considering implementation and enforcement activities (Pillar 3).



The scores for Pillar 2, which focuses on institutional arrangements for consumer protection, vary across the components that comprise the Minimum Package for this Pillar. Most countries score highly on the existence of: (1) enforcement authorities and their powers; and (2) education, awareness, and digital competence initiatives, but face challenges with: (1) resources, (2) transparency and processes, and (3) self- and coregulation mechanisms. Figure 25 shows an overview of the scores per category, highlighting the differences by income level and region:

FIGURE 25. GAPS WITH RESPECT TO INSTITUTIONAL ARRANGEMENTS MINIMUM PACKAGE, BY CATEGORY

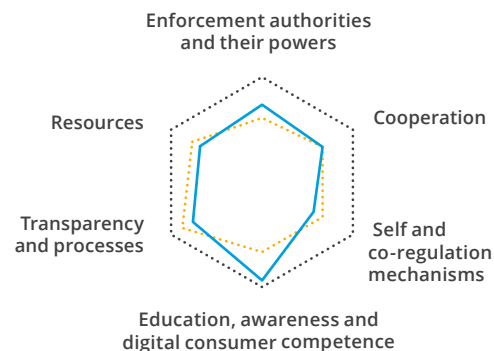
Description

- ▶ Radars show the average score by category, comparing the maximum possible score for each, (Minimum Package upper range) and the score that would be obtained if a country attained exactly the Minimum Package (Minimum Package lower range).
- ▶ Gaps between a region's or income group's average and the Minimum Package can be identified as distances between the line for the Minimum Package and the regional score.



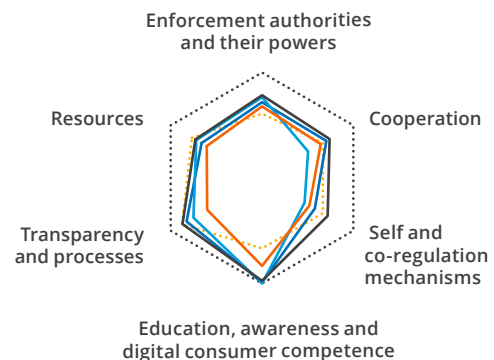
Pillar 2 Categories, all respondents

- Minimum Package lower range
- Minimum Package upper range
- All respondents



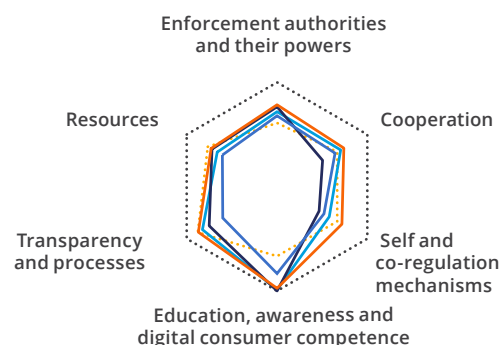
Pillar 2 Categories, by income level

- High-income
- Upper-middle income
- Lower-middle income
- Low-income
- Minimum Package lower range
- Minimum Package upper range



Pillar 2 Categories, by region

- Latin America & Caribbean
- Europe & Central Asia
- East Asia & Pacific
- Sub-Saharan Africa
- Minimum Package lower range
- Minimum Package upper range



Source: GRIDMAP, Consumer Protection Module Minimum Package Assessment results, First wave – 2024.



For Pillar 3, the following charts illustrate the results by region, income level, and for all respondents. These charts provide an overview of the performance of surveyed countries in each category, comparing them to the Minimum Package and maximum score per category.

CPAs in all regions have failed to achieve the Pillar 3 Minimum Package, although several individual countries in all regions have surpassed it. As these graphs show, it is difficult to measure enforcement either because data published by CPAs do not correspond to the World Bank's Survey, or because CPAs do not collect such data. The graph also reflects that CPAs sometimes lack the resources to use the persuasion tools and sanctions provided for in the legal framework (Figure 26).

FIGURE 26. GAPS WITH RESPECT TO ENFORCEMENT/IMPLEMENTATION MINIMUM PACKAGE, BY CATEGORY

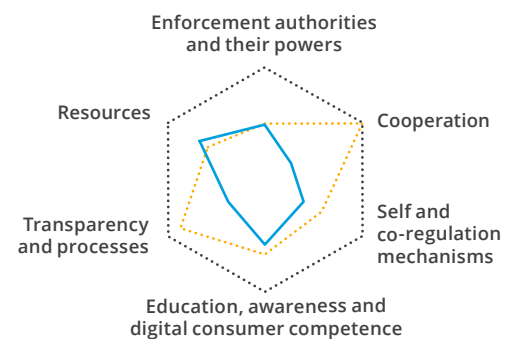
Description

- ▶ Radars show the average score by category, comparing the maximum possible score for each (Minimum Package upper range) and the score that would be obtained if a country attained exactly the Minimum Package (Minimum Package lower range).
- ▶ Gaps between a region's or income group's average and the Minimum Package can be identified as distances between the line for the Minimum Package and the regional score.



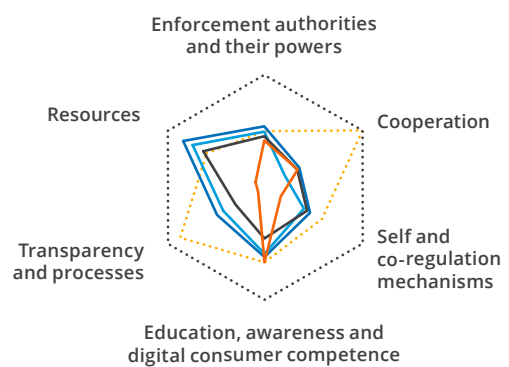
Pillar 3 Categories, all respondents

- Minimum Package lower range
- Minimum Package upper range
- All respondents



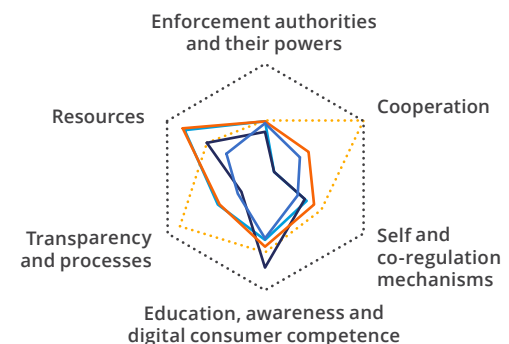
Pillar 3 Categories, by income level

- High-income
- Upper-middle income
- Lower-middle income
- Low-income
- Minimum Package lower range
- Minimum Package upper range



Pillar 3 Categories, by region

- Latin America & Caribbean
- Europe & Central Asia
- East Asia & Pacific
- Sub-Saharan Africa
- Minimum Package lower range
- Minimum Package upper range





Based on the analysis of official documents and survey findings, governments and CPAs can take action to address gaps in implementation and enhance their ability to fulfill their roles and responsibilities effectively. CPAs need to have adequate resources to implement the legal framework and to use their powers and tools effectively. For example, the results for handling complaints show the disparity between CPAs' powers and resources. Although 91% of CPAs are tasked with managing consumer complaints, only 77% of them have technology to receive such complaints, and only 68% of them have any software for tracking and managing them. These gaps are present in countries at all income levels.

The findings from the survey provide a sense of the potential for improvement under each category. The differences between the two Pillars and a more detailed analysis of the research can be found in Section III of this Chapter.

C. Overall Recommendations to Advance Institutional Arrangements, and Enforcement and Implementation

Table 4 summarizes the findings on institutional arrangements and implementation and enforcement, and Table 5 presents overall recommendations for countries to meet the Minimum Package for Pillars 2 and 3.

TABLE 4. INSTITUTIONAL ARRANGEMENTS AND ENFORCEMENT AND IMPLEMENTATION SELF-ASSESSMENT FINDINGS

CATEGORY	FINDINGS
1. CPAs roles, powers, and responsibilities	▶ Most CPAs have administrative powers to stop business misconduct, levy fines, or recover money for consumers, with variations across income levels. Civil law systems favor using penalties and fines, while common law systems rely more heavily on warning letters, cease-and-desist orders, and publicizing an open investigation. ▶ Many CPAs must handle every single complaint they receive; 55% have the legal discretion not to do so. Some authorities do not have clear criteria for prioritizing cases.
2. Cooperation	▶ While most CPAs have cooperation arrangements with other domestic regulators, the number of investigations or cases in which they share evidence domestically, or information is shared with foreign authorities is relatively low. Only 30% of CPAs provided the number of investigations in which they shared evidence or information with other domestic regulators and enforcement agencies, or with foreign authorities.



3. Self and co-regulation mechanisms

- ▶ CPAs encourage self- and coregulation mechanisms, but most legal frameworks do not authorize such mechanisms explicitly or provide incentives to businesses that adhere to them. For example, only 26% of CPAs can provide incentives to businesses that adhere to self- or coregulation mechanisms. The authorization for and uptake of these mechanisms varies by income and legal system.
- ▶ Even when they exist, CPAs do not consistently perform monitoring and evaluation of coregulation mechanisms.

4. Education, awareness, and digital consumer competence

- ▶ The number of education and awareness raising campaigns conducted by CPAs is lower than expected, perhaps reflecting a lack of resources.

5. Transparent and clear processes

- ▶ Some CPAs do not publish relevant information on their activities, such as the number of complaints received, investigated, and resolved, or the remedies and sanctions imposed for violations of the legal framework. Even when CPAs publish annual reports, the data may not provide such information.

6. Resources

- ▶ Staff. High-income countries provide higher rates of CPAs doing performance evaluations and training to consumer protection staff, but there is a lack of career path for staff, with variations across income levels. Upper-middle income countries have a higher number of employees and attorneys per million digital market users compared to high-income countries.
 - ▶ Financial resources. Low-income countries have limited financial resources, which affects their CPA's overall enforcement capacity. The budget of CPAs per million digital market users is relatively low, particularly in lower-middle and low-income economies.
 - ▶ Digital tools. Some CPAs do not have adequate digital tools for some of the tasks that they need to perform, including case management, document storage and retrieval, complaint handling and internet sweeps, with percentages varying across income levels. For example, 32% of surveyed CPAs do not have digital case management tools.
-



Overall recommendations to advance toward effective institutional arrangements and enforcement and implementation are presented in Table 5. These recommendations provide the first step for EMDEs to assess and identify gaps in their institutional arrangements and enforcement actions.

TABLE 5. OVERALL RECOMMENDATIONS TO ADVANCE TOWARDS EFFECTIVE INSTITUTIONAL ARRANGEMENTS AND ENFORCEMENT AND IMPLEMENTATION.

Increase the use of available powers and tools of intervention	▶ Implement a range of conduct-related powers and sanctions that are effective, dissuasive, and proportionate will further empower Authorities to address consumer complaints and hold businesses accountable for any wrongdoing.
Strengthen cooperation domestically and foreign	▶ Establish and use existing cooperation agreements with other domestic regulators and enforcement agencies to share information, conduct joint investigations, and take joint actions to address consumer protection issues.
Encourage, endorse and monitor co-regulation mechanisms	▶ Encourage the adoption of self-regulation and co-regulation mechanisms by relevant stakeholders, with appropriate guardrails, to promote compliance and facilitate enforcement.
Deliver effective educational content	▶ Carry out education and awareness campaigns for both consumers and businesses to inform them about their rights and obligations, both in the brick-and-mortar economy and in the digital marketplace, and making them aware of the impact on sustainability of their consumption choices.
Consolidate internal procedures and transparency	▶ Establish transparent and clear internal procedures for handling complaints, conducting investigations, and carrying out audits. Publish relevant information on activities to encourage compliance and consumer trust, and communicate the Authority's work to the public.
Allocate resources	▶ Ensure that consumer protection enforcement agencies have adequate resources, including funding, skilled staff, and technological tools, to effectively fulfill their roles and responsibilities.



III. Minimum Package and Findings - Pillars 2 and 3

This section goes in-depth into the six categories and components for the Minimum Package for Pillars 2 and 3 and their corresponding questions measuring institutional arrangements and enforcement and implementation. For each category below, a description of the components (issues covered) follows, along with the relevant survey findings.

CPAs' Roles, Powers, and Responsibilities Minimum Package

CPAs use a wide range of powers and sanctions to stop, deter, and remedy unlawful business conduct. These tools are efficient and proportionate to the unlawful conduct and the resulting level of harm. CPAs can also use these powers to provide remedies and redress for consumers harmed by such conduct

Category 6 - CPAs' Roles, Powers, and Responsibilities

Background: To achieve good outcomes for consumers in the marketplace, CPAs must use a wide range of effective, credible, conduct-related powers and sanctions to address business conduct that violates the Pillar 1 Minimum Package. As the OECD has explained, "In tackling harm to consumers, it is important that consumer protection enforcement agencies can achieve effective outcomes against the business under investigation, in particular given the development of new technologies – and bring justice for consumers who have been harmed and create a reasonable level of deterrence to encourage other businesses to stay within the limits of the law" (OECD 2021).

It is critical that enforcers have a range of options and can escalate them if a business continues to engage in unlawful conduct after initial action by a CPA. It is equally important that sanctions vary in severity. Often, if the only available sanctions are too severe for many violations (e.g., criminal sanctions, total conduct ban), enforcers might be reluctant to apply them.

Components of Category 6 CPA's Roles, Powers, and Responsibilities

18. CPAs' roles and powers

Background: This component focuses on a variety of roles and powers that CPAs can have to promote and ensure compliance with the legal, regulatory, and policy framework covered in Pillar 1. These roles will vary depending on the legal system. In Austria, The Gambia, and Germany, for instance, while there is an authority that does consumer education and outreach and may be involved in policy and advocacy, enforcement is separate and goes entirely through the courts. In the UK, the Competition and Markets Authority has a wide range of roles assigned, but a different entity handles complaints. This component looks at different powers including the power to handle complaints; adjudicate or mediate disputes; conduct audits and inspections; investigate violations of the law and bring enforcement actions; obtain conduct (injunctive) relief, financial penalties, or monetary redress; and responsibility for policy development or rulemaking, education, and awareness raising campaigns.

Given the heavy responsibilities of CPAs, and the limited resources available, the survey also explored whether the CPAs had discretion not to handle every single complaint received since consumer complaints often number in the thousands, and in some particularly large markets like Chile or the US, in the millions.



Having the discretion to decide which complaints to handle allows the CPA to prioritize its resources, which in many EMDEs may be scarce, and to handle claims in accordance with the CPA's strategic plan.

19. Powers and tools of intervention

Background: CPAs need to have adequate powers to perform investigations and bring enforcement actions. Governments can provide authorities with the ability to compel testimony, documents, and information from businesses under investigation or third parties, and have the power to enter premises of such businesses without their consent.

Some countries may choose to require court approval for the exercise of some of these powers. In South Africa,⁵⁵ the CPA can compel testimony, documents, and information without court approval, but it requires a judicial warrant to enter the premises of a business without their consent.

Addressing this component also requires CPAs to have clear criteria when prioritizing which cases to investigate, such as a strategic plan, the level of consumer's detriment, and risk-based analysis. Latvia⁵⁶ and The Gambia⁵⁷ offer good practice examples of such criteria.

CPAs can also consider results and trends indicated by consumer surveys in prioritizing cases, such as the Basic Survey on Consumer Life conducted by the Consumer Affairs Agency of the Government of Japan (2022).

20. Conduct-related powers and sanctions

Background: This component considers the powers and sanctions that CPAs can exercise with respect to a business. The use of these powers and sanctions must be effective, dissuasive, and proportionate, with the goal of ensuring compliance with the legal, regulatory, and policy framework. These powers and sanctions can include issuing warning letters and cease-and-desist orders, imposing penalties or fines, obtaining money from the business to compensate the affected party, initiating or referring cases to criminal prosecution, civil courts or administrative tribunals, and publicizing an open investigation of a business, a practice usually known as "name and shame" that can be found in countries such as the Netherlands (Figure 27).

Moreover, CPAs can also use the power to impose sanctions, such as suspending or revoking licenses or banning businesses from engaging in a particular line of business, to dissuade businesses from misconduct. The Canadian province of British Columbia is an example of an authority that has exercised such powers.⁵⁸

55 South Africa, Consumer Protection Act of 2008. Act No. 68, 2009. Available at: https://www.gov.za/sites/default/files/gcis_document/201409/321864670.pdf.

56 Consumer Rights Protection Centre of the Republic of Latvia, Operational Strategy 2024-2029 (Riga: Consumer Rights Protection Centre of the Republic of Latvia, 2024). Available at: <https://www.ptac.gov.lv/en/media/4431/download?attachment>.

57 The Gambia Competition Commission, Prioritization Principles. (Banjul: The Gambia Competition Commission, n.d.). Available at: https://gcc.gm/wp-content/uploads/2023/02/Finalized_Version-prioritization-ES.pdf.

58 Business Practices and Consumer Protection Authority of British Columbia, Canada, Decision summary: debt collection agency has licence suspended for failing to provide security (Victoria: Business Practices and Consumer Protection Authority of British Columbia, Canada). Available at: <https://www.consumerprotectionbc.ca/news/decision-summary-debt-collection-agency-has-licence-suspended-for-failing-to-provide-security/>.

FIGURE 27. ENFORCEMENT PYRAMID



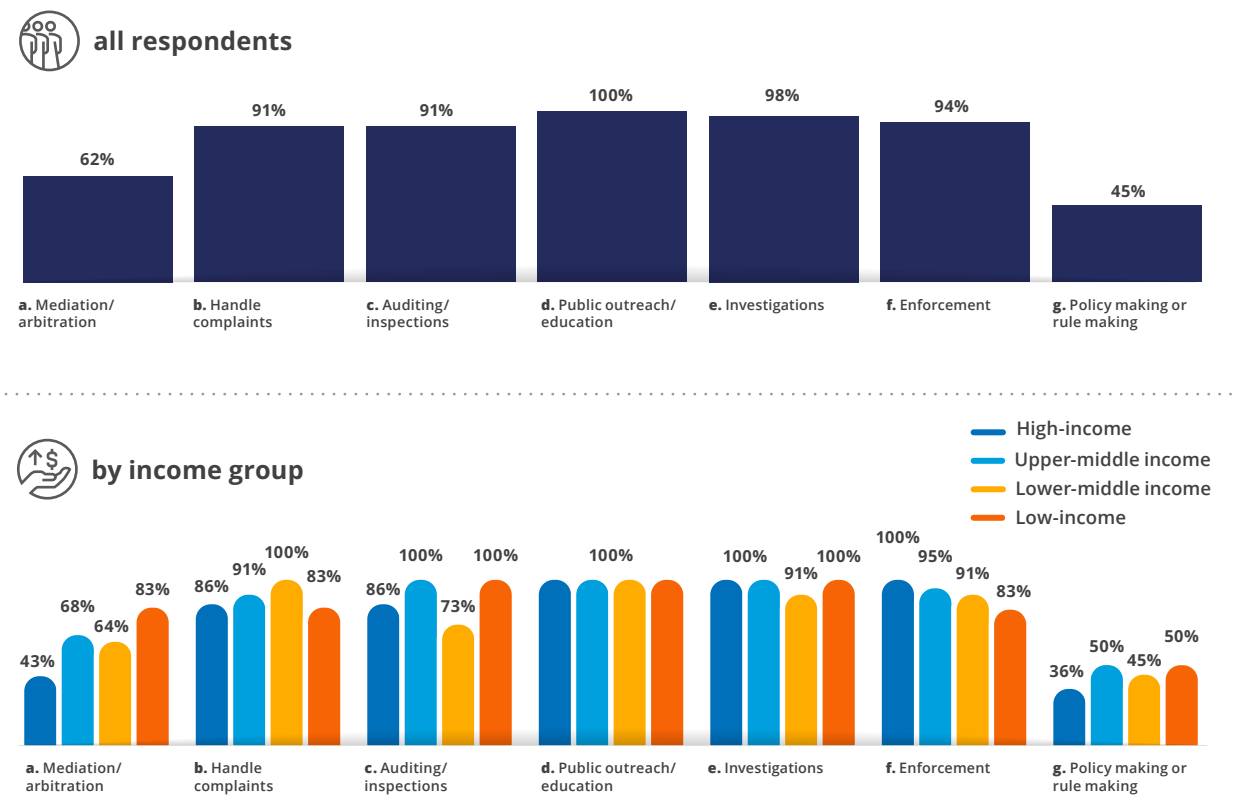
Source: Ayres and Braithwaite (1992), *Responsive Regulation: Transcending the Deregulation Debate*.

Survey Results for CPA's Roles, Powers, and Responsibilities

Based on the survey, the three top responsibilities of CPAs are: (1) public outreach and communication (100%), (2) investigations (98%), and (3) enforcement (94%). Roughly 17% of the CPAs, however, did not provide any information about the number of education campaigns conducted, perhaps reflecting difficulties in carrying out this responsibility. While many CPAs have responsibility for investigation and enforcement, 62% perform mediation and only 45% are charged with policy making roles.

The analysis identified interesting trends in the intersection between income level and CPAs' responsibilities. CPAs of low- and middle-income countries are far more likely to engage in mediation activities than those in high-income countries (Figure 28).

FIGURE 28. ROLES THE AUTHORITY PERFORMS UNDER THE CONSUMER PROTECTION LAW



Source: First wave - Consumer Protection Self-Assessment Survey, 2024.

When asked about the type of enforcement powers they possess, 89% of surveyed CPAs responded that they have administrative powers to stop business misconduct, levy fines, or recover money for consumers, while 66% explained that they are authorized to bring civil court actions for such purposes (Figure 29).

FIGURE 29. ENFORCEMENT POWERS

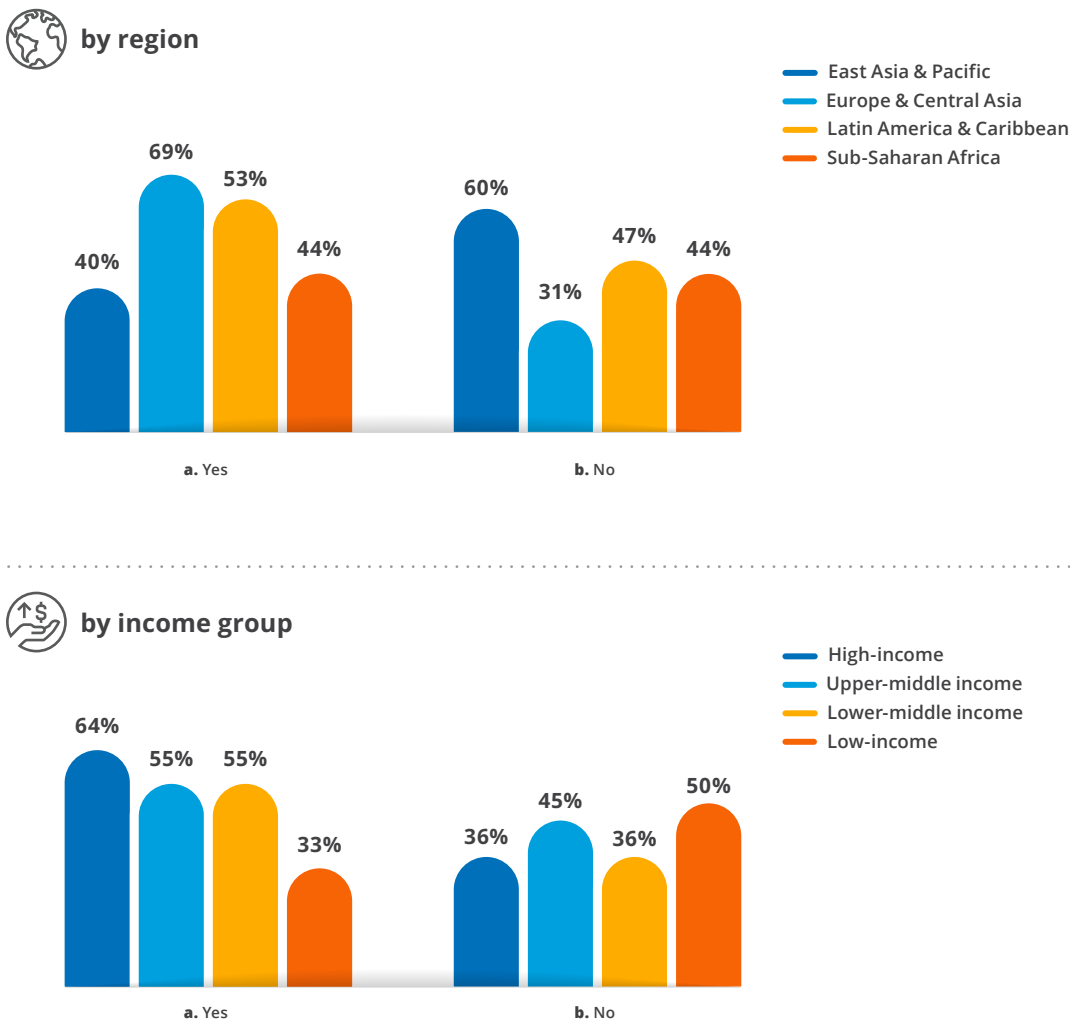


Source: First wave - Consumer Protection Self-Assessment Survey, 2024.

About 55% of the CPAs have legal discretion not to handle every single complaint they receive. This varies across regions, with 69% in ECA, 53% of LAC countries, 44% in AFR, and 40% in EAP having this power.

More CPAs in high-income countries have legal discretion to determine which complaints to address, compared with middle- and low-income countries. These results will be analyzed further (Figure 30).

FIGURE 30. DOES THE AUTHORITY HAVE LEGAL DISCRETION NOT TO HANDLE EVERY SINGLE COMPLAINT RECEIVED?

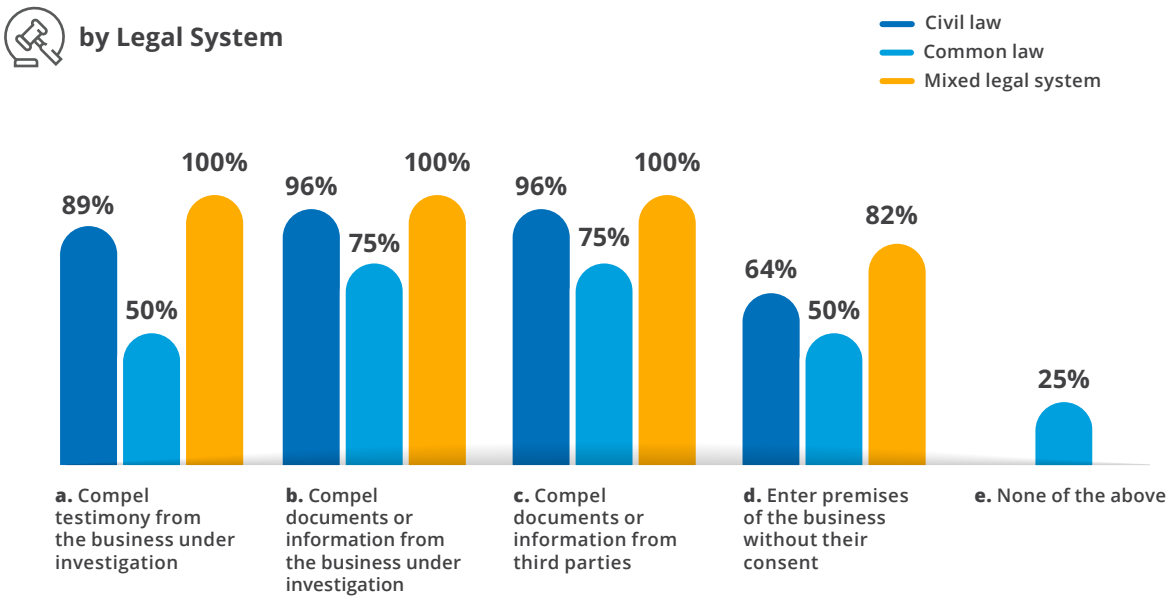
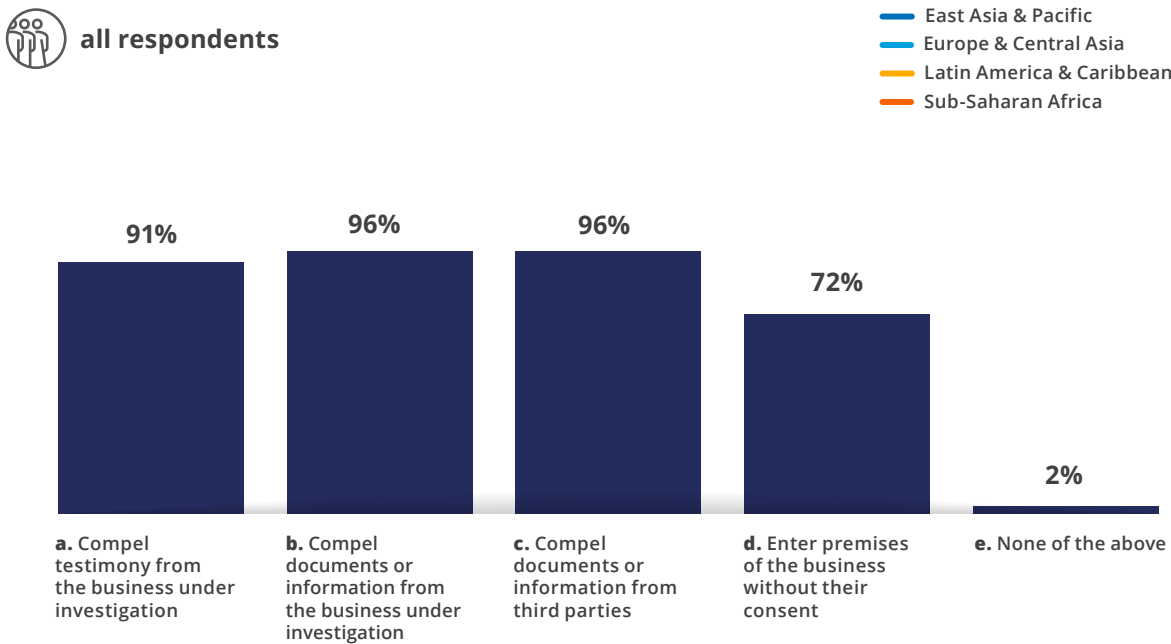


Source: First wave - Consumer Protection Self-Assessment Survey, 2024.

Most CPAs from surveyed countries, 96%, can start an investigation on their own initiative without basing it on a consumer complaint. The same percentage also have the power to compel documents or information from businesses under investigation or from third parties. Far fewer CPAs, —72%— have the power to enter business premises without consent in an investigation (Figure 31).

FIGURE 31. INVESTIGATIVE POWERS

Does the authority have any of the following investigative powers?



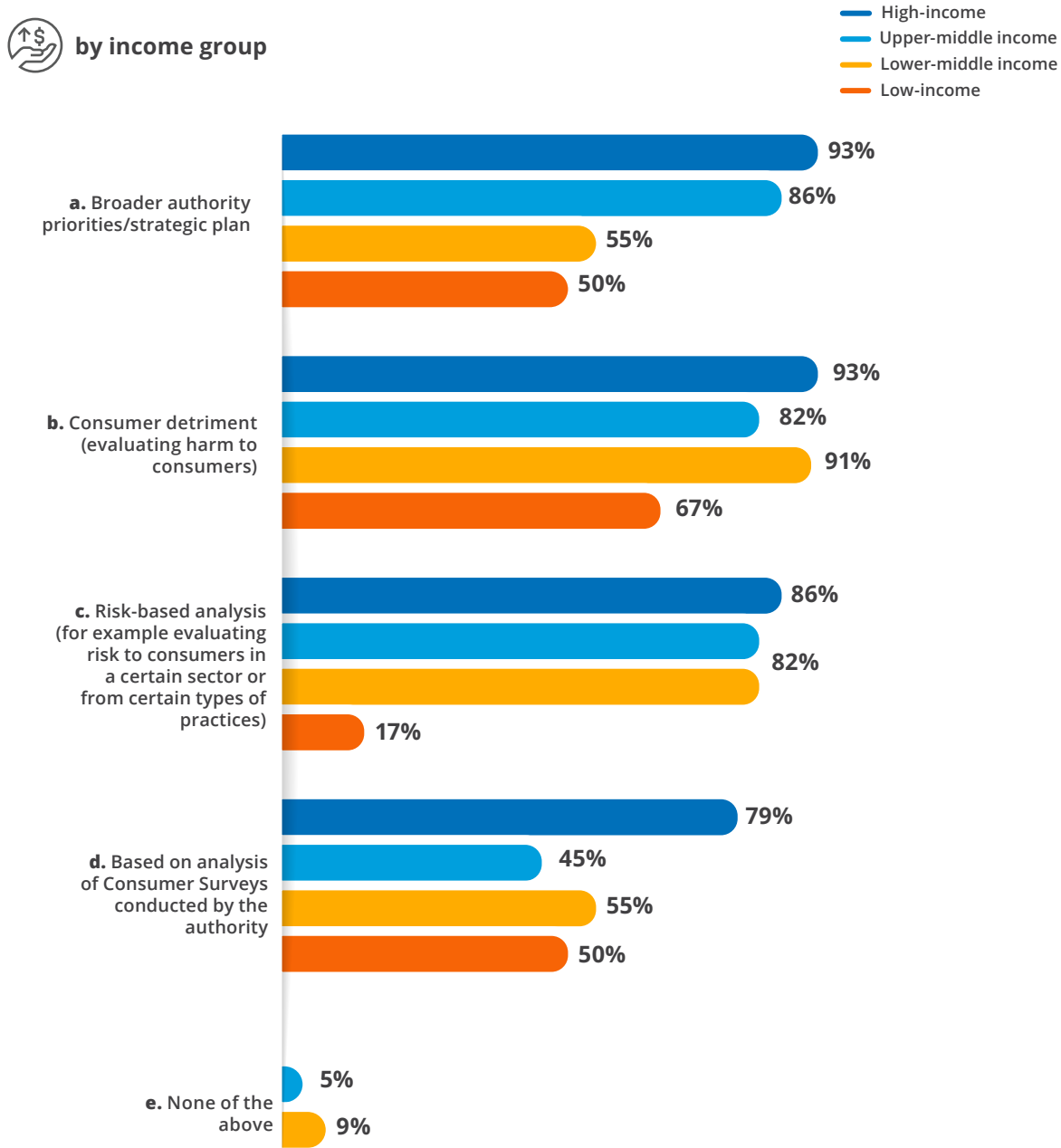
Source: First wave - Consumer Protection Self-Assessment Survey, 2024.



Regarding the criteria used by surveyed CPAs for case prioritization, the results show that at least 80% of the CPAs across all income levels (except low-income) use a risk-based analysis, and even higher numbers — 80-90%— prioritize cases based on consumer detriment or harm; 67% of low-income countries do so. By contrast, consumer surveys play a less important role for most CPAs across all income levels, with only high-income countries reporting substantial reliance (79%) on this factor. This is not surprising because such surveys can be costly and require complex analysis, even if they can yield critical insights to guide CPAs’ actions (Figure 32).

FIGURE 32. AUTHORITIES’ CRITERIA TO PRIORITIZE CASES

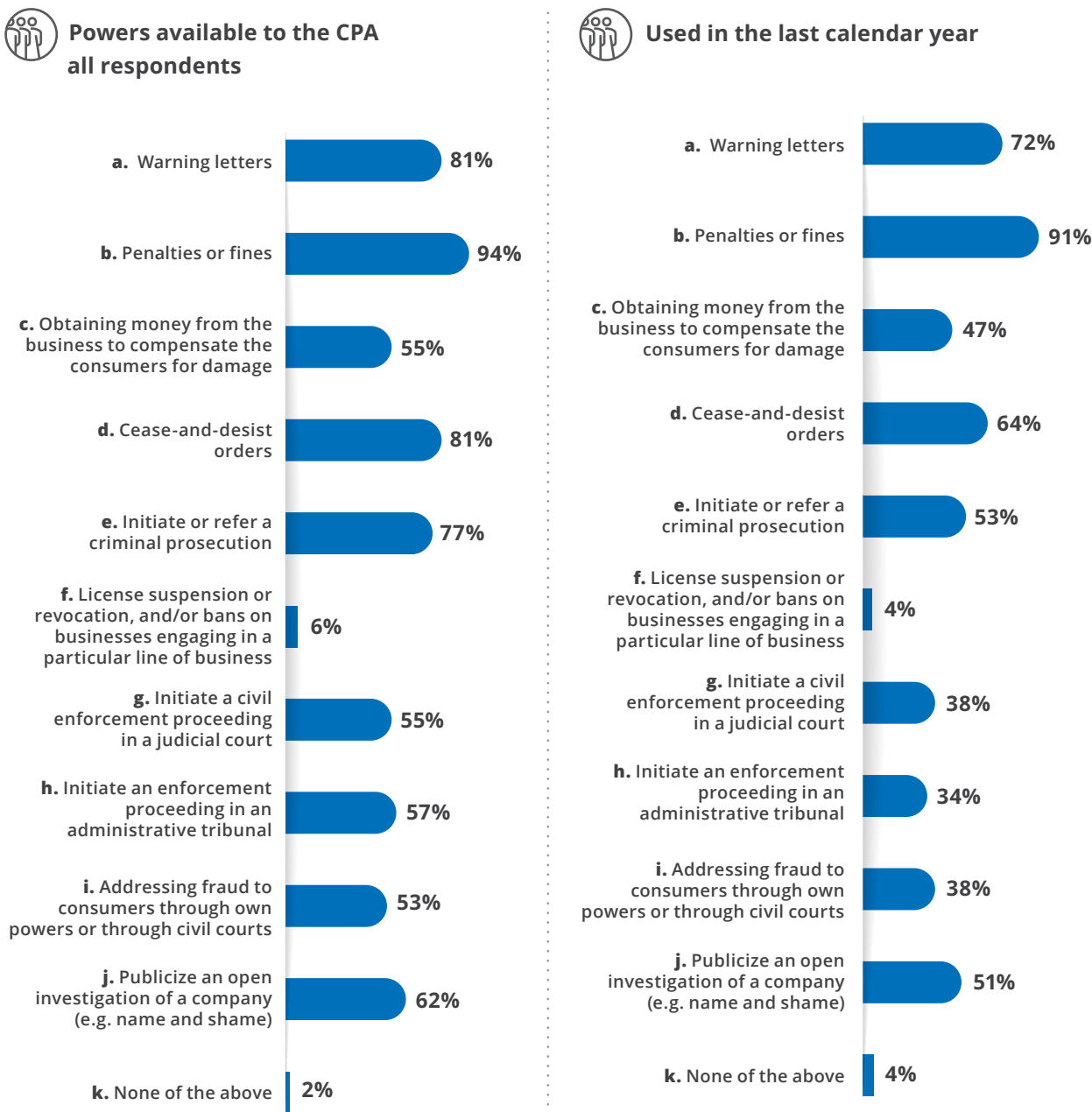
How does the authority prioritize which cases to bring?



Source: First wave - Consumer Protection Self-Assessment Survey, 2024.

The most common powers and sanctions available to CPAs are imposing penalties and fines (94%) and issuing cease-and-desist orders or warning letters (81%). There are large gaps, however, between CPAs’ possession of such powers and sanctions, and their use of them. This is particularly true for cease-and-desist orders (81% have/64% use) and the authority to either initiate or refer a criminal prosecution (77% have/53% use) or initiate enforcement proceedings in an administrative tribunal (57% have/34% use) or in a civil court (55% have/38% use). The opposite is true for CPAs power to impose sanctions and penalties (94% have/91% use), issue warning letters (81% have /72% use) and to obtain money from businesses to compensate consumers (55% have/47% use) (Figure 33).

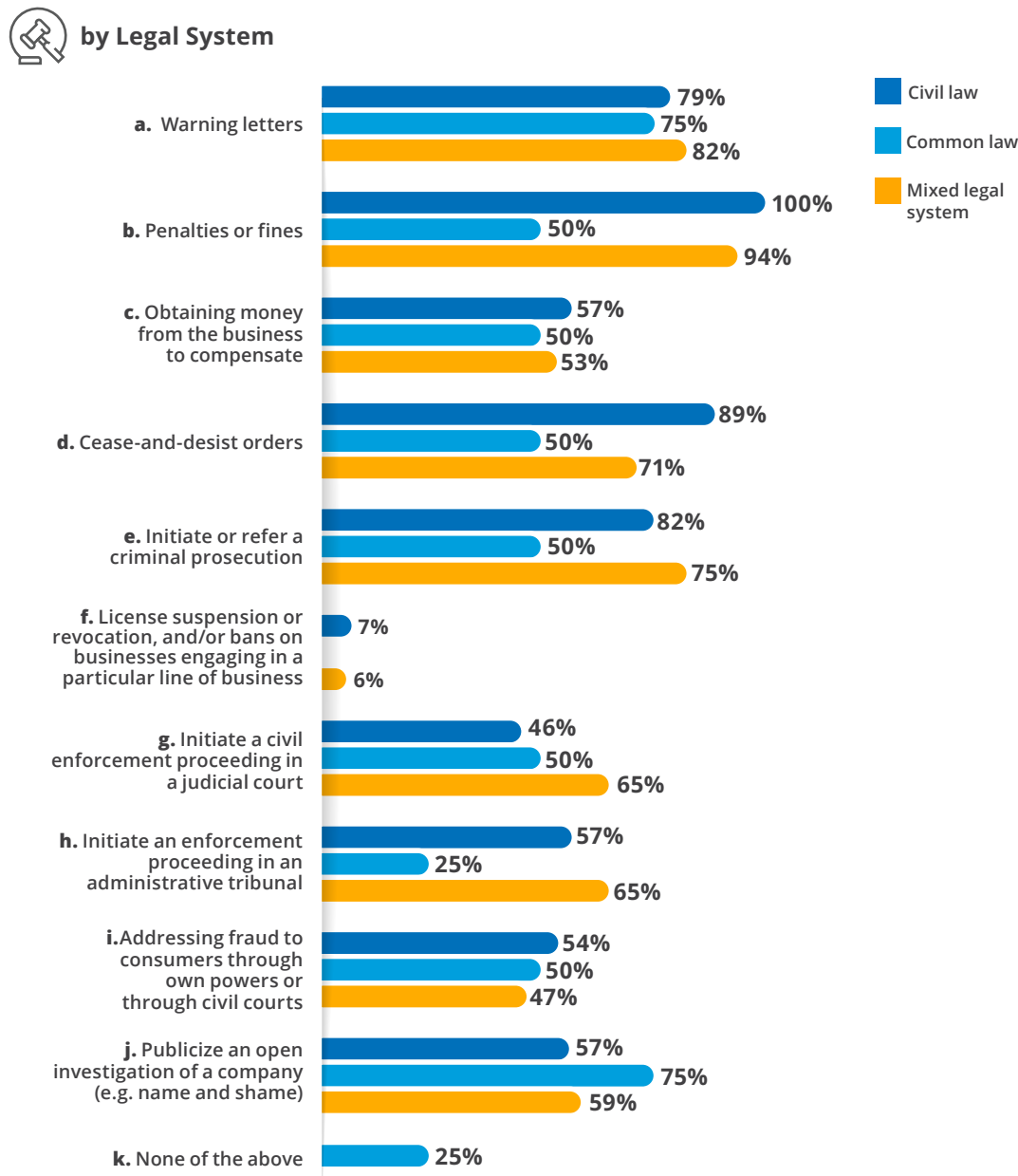
FIGURE 33. AUTHORITIES SANCTIONS AND PERSUASION TOOLS



Source: First wave - Consumer Protection Self-Assessment Survey, 2024.

There are differences in terms of the powers provided to the CPAs depending on the type of legal system. CPAs in civil law systems favor penalties and fines, with 100% of them having this power versus 94% of CPAs in mixed legal systems and 50% of CPAs in common law systems. CPAs in common law systems, on the other hand, rely more heavily on publicizing an open investigation and issuing warning letters, low-cost options that 75% of common law CPAs can use, versus 59% and 82% of CPAs in mixed legal systems and 57% and 79% of CPAs in civil law systems, respectively. Last, initiating a civil enforcement proceeding in a civil court is an option that only 46% of CPAs in civil law countries have, versus 50% in common law and 65% of CPAs in mixed legal systems. Some of these results may be also driven by the number of countries in the First Wave sample in each income level for these different legal systems.

FIGURE 34. PERSUASION TOOLS AND SANCTIONS BY LEGAL SYSTEM



Source: First wave - Consumer Protection Self-Assessment Survey, 2024.



Cooperation Minimum Package

CPAs have arrangements with other domestic and foreign authorities to ensure compliance and facilitate enforcement to protect consumers in a borderless marketplace.

Category 7 - Cooperation

Background: Addressing and solving large-scale consumer issues and complaints often requires cooperation with other domestic regulators and enforcement agencies, as well as with international counterparts.

The United Nations Guidelines for Consumer Protection (United Nations 2016) and the OECD E-commerce Guidelines recognize the critical need for authority-to-authority cooperation to address consumer protection issues. This includes sharing confidential information, conducting joint investigations, and taking other joint actions, such as issuing joint letters, cooperating on policy, and developing technical capacity.

Components of Category 7 Cooperation

21. Domestic cooperation

Background: This component highlights the need for CPAs to establish cooperation agreements, and to put mechanisms in place to work with other domestic regulators and enforcement agencies. This includes the implementation of cooperation arrangements between CPAs and other domestic public bodies such as those in charge of overseeing financial consumer protection, antitrust, utilities, telecommunications, and online safety among others. Such arrangements can enable authorities to share confidential or personal information in separate, coordinated, or joint investigations as well as collaborate in other types of joint regulatory actions. Such agreements can be found between CPAs and domestic regulators in Ireland⁵⁹ and Nigeria.⁶⁰

Enforcement and Implementation Practices: Under Pillar 3, the survey included questions asking the authorities the number of investigations or cases during the last calendar year in which they shared evidence or information with other domestic regulators.

22. Cross-border cooperation

Background: Consumer transactions in a global, digital marketplace can raise complex issues for consumers. Cooperation frameworks and mechanisms can allow CPAs and their foreign counterparts to address business misconduct that crosses borders through bilateral agreements and broader regional mechanisms. An example of this is the EU Consumer Protection Cooperation Network,⁶¹ or other international networks like ICPEN. Both the OECD and UNCTAD have conducted significant work in this area, publishing reports on the status of cross-border cooperation as well as, in the case of the OECD developing a toolkit for countries to improve their legal authority to engage fully in enforcement cooperation (OECD 2021). This component builds on that work for EMDEs.

59 Competition and Consumer Protection Commission of Ireland and Central Bank of Ireland, Memorandum of Understanding (Dublin: Competition and Consumer Protection Commission of Ireland and Central Bank of Ireland, 2021). Available at: https://assets.publishing.service.gov.uk/media/60a4e13b8fa8f56a33a358e8/ICO-CMA_MOU_-_FINAL.pdf.

60 Federal Competition and Consumer Protection Commission of Nigeria, NDPB, FCCPC sign MoU on consumer rights, data protection (Abuja: Federal Competition and Consumer Protection Commission of Nigeria, 2022). Available at: <https://ndpc.gov.ng/Home/NewsDetails/13>.

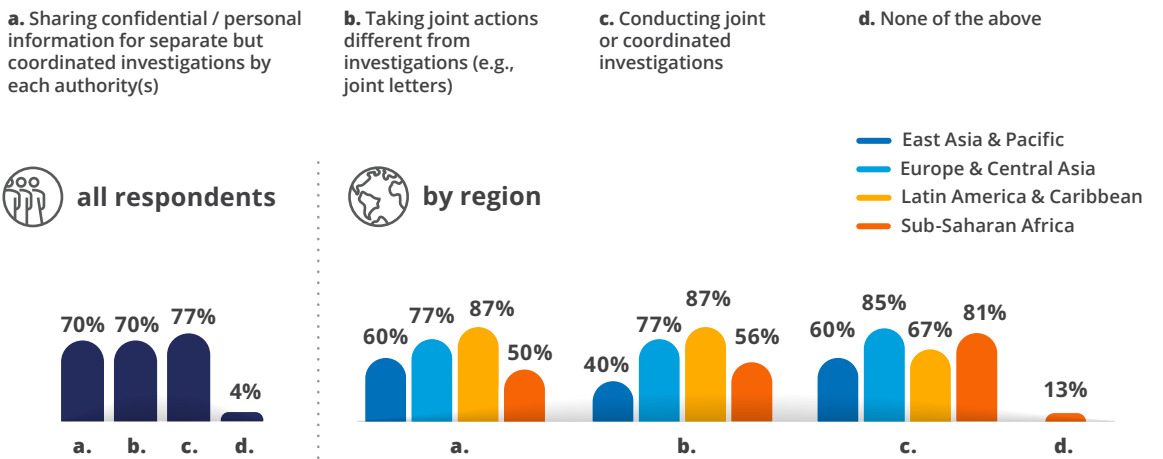
61 The CPC Network was created by the European Commission. See more details at https://commission.europa.eu/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/consumer-protection-cooperation-network_en#achievements-of-the-cpc-network.

Survey Results for Cooperation

Most of the CPAs from the countries in the sample, 96%, have arrangements with other domestic regulators and enforcement agencies, with 70% having arrangements for sharing confidential or personal information for conducting separate but coordinated investigations by each authority. However, when asked about the number of investigations during the last calendar year in which the authority shared evidence or information with other domestic regulators and enforcement agencies under those arrangements, only 32% of respondents provided a number, while 58% answered that they did not have available information. The number of countries that answered that they did not have available information was 50% in AFR, 54% in ECA, 60% in EAP, and 73% for LAC (Figure 35).

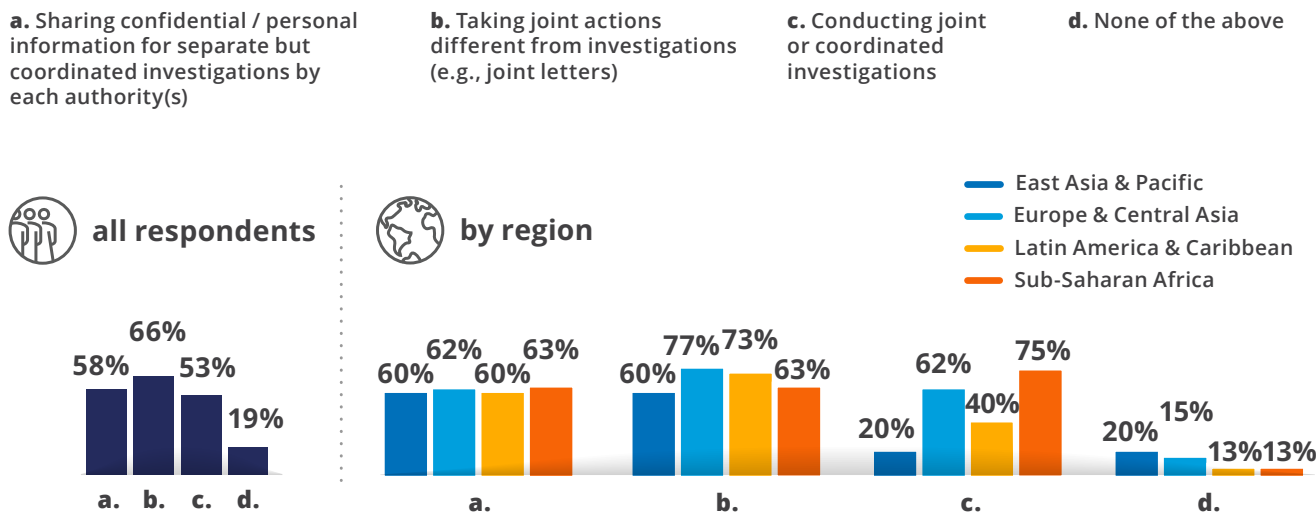
FIGURE 35. DOMESTIC COOPERATION

Does the authority have any arrangements with the bank, the telecommunications, the privacy, the utility, or the competition/antitrust regulators, that allow for any of the following?

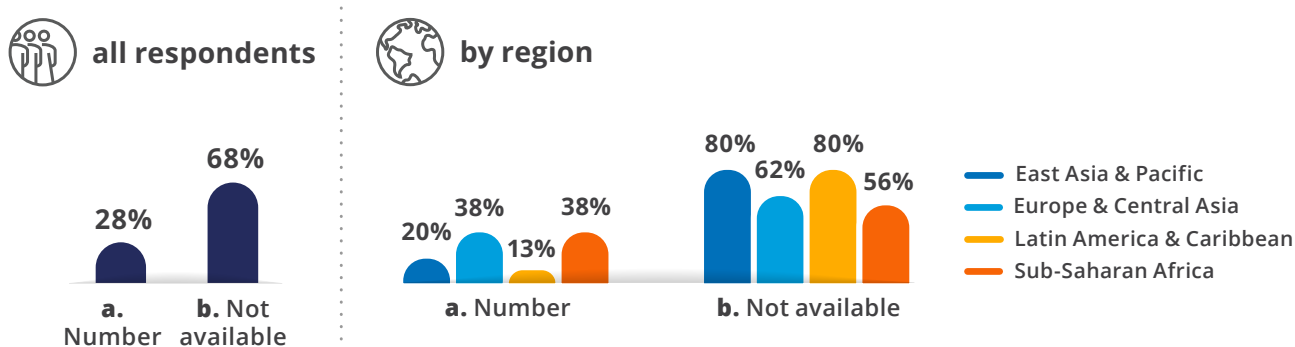


Arrangements with foreign authorities exist in a smaller majority of the surveyed countries, in comparison with domestic cooperation arrangements, with 81% having arrangements covering the purposes included in the survey. Agreements for taking joint actions different from investigations with foreign authorities, for example, joint letters, are the most common among the surveyed countries (66%). On the other hand, arrangements with foreign authorities for sharing confidential information for separated but coordinated investigations are present in 58% of the countries in the sample, and arrangements for conducting joint investigations are present in 53% of the countries. However, when surveyed countries were asked the number of investigations or cases during the last calendar year in which the authority shared evidence or information with a foreign authority, only 28% of the countries provided a number. This percentage is the highest in ECA and AFR with 38% of respondents in both regions sharing the number of cases. The number falls to 20% in EAP and 13% in LAC (Figure 36).

FIGURE 36. CROSS-BORDER COOPERATION
Does the authority have any arrangements with foreign authorities that allow any of the following?



Provided the number of investigations or cases during the last calendar year in which the authority shared evidence or information with a foreign authority?



Source: First wave - Consumer Protection Self-Assessment Survey, 2024.



Self and Co-regulation Mechanisms Minimum Package

The legal and regulatory framework enables self-regulation and co-regulation mechanisms, with appropriate safeguards, and CPAs encourage their adoption by all relevant stakeholders.

Category 8 - Self and Co-regulation Mechanisms

Self- and co-regulation mechanisms, with the appropriate safeguards, can facilitate compliance, encourage good practices, and help build a positive environment for businesses and consumers. The rapidly evolving nature of the global economy, and the complexities it can create for consumers, make self- and co-regulation crucial tools, alongside effective and enforced consumer protection laws.

Components of Category 8 - Self and Co-regulation Mechanisms

Background: Robust self-regulation and co-regulation mechanisms may potentially respond more quickly, directly, and efficiently than direct governmental regulation. CPAs can encourage, participate in, or oversee such schemes. For example, CPAs may, in some contexts, encourage the development of self-regulatory rules and standards, overseeing the conduct of self-regulatory industries, such as in South Africa, where the CPA has approved and promoted several industry codes of conduct.⁶² CPAs can also participate in arrangements for the enforcement of self-regulatory rules, whereby private entities take primary responsibility for the enforcement of such rules, but government enforcers act as a “backstop” to enforce self-regulatory standards.

Self- and co-regulation mechanisms may prove especially useful for EMDEs, as CPAs in those countries may not have adequate resources to monitor compliance with the legal framework and to enforce it based solely on traditional approaches. The ability of self- and co-regulatory programs to adapt to changing technologies, business models, consumer and business expectations, and their capacity to include industry-specific knowledge, resources, and expertise can facilitate positive outcomes for consumers and businesses alike, while alleviating the workload of CPAs.

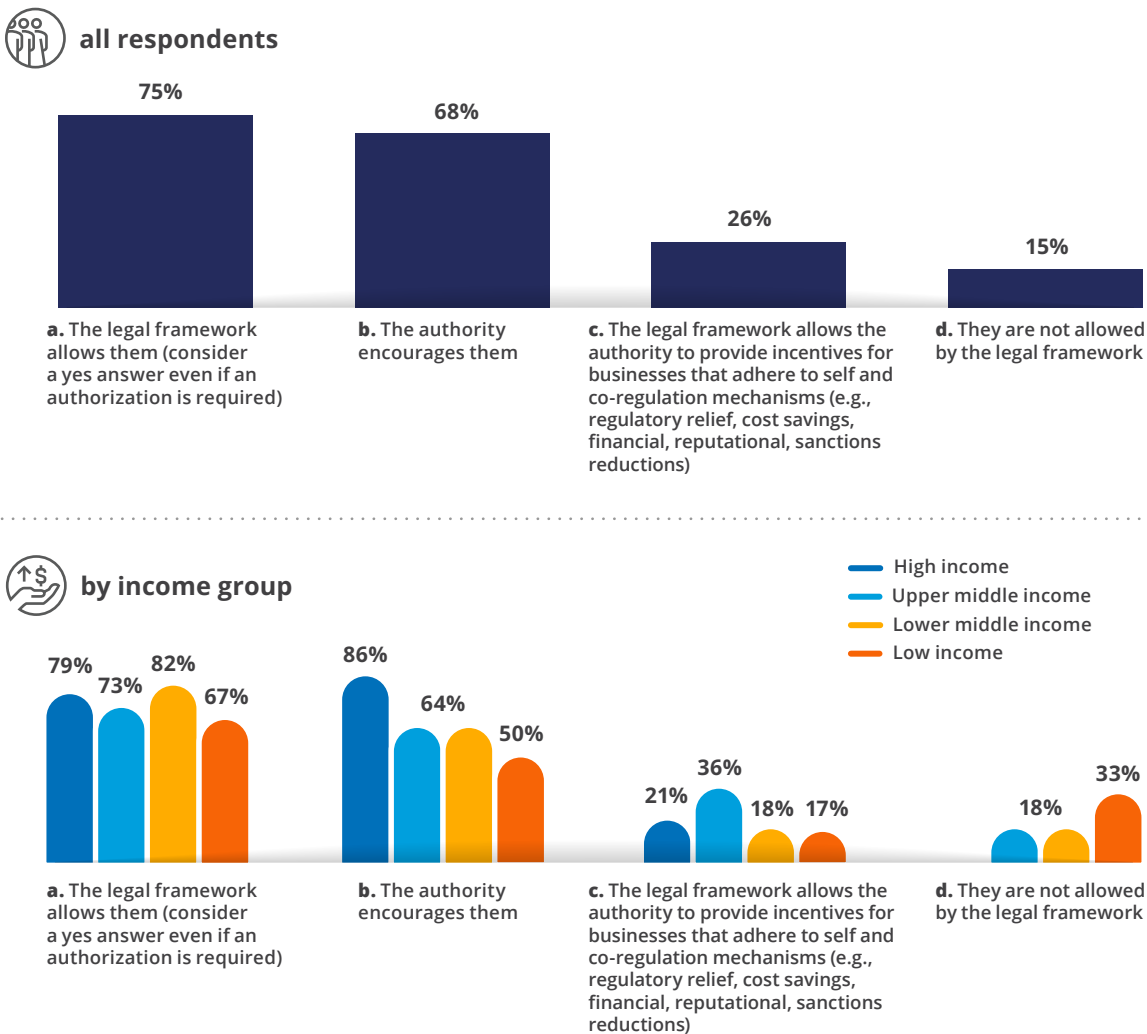
Enforcement and Implementation: Under Pillar 3, the survey included questions asking the authorities the roles performed during the last calendar year regarding self- and co-regulation in consumer protection. Answers included the provision of incentives for businesses to comply, engaging stakeholders in developing guidelines; providing accreditation to private actors to run certain mechanisms; and monitoring or performing evaluations of the co-regulation mechanisms. The survey also included a question regarding which self- and co-regulation mechanisms were endorsed or authorized by the CPAs.

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⁶² National Consumer Commission of South Africa, Industry Codes of Conduct, accessed June 18th, 2024. Available at: <https://thencc.org.za/industry-codes-conduct/>.

Survey Results for Self and Co-regulation mechanisms

Results show that 68% of the surveyed CPAs encourage self- and co-regulation mechanisms. However, less than half of those CPAs, 26%, are authorized by the legal framework to provide incentives to businesses – for example, regulatory relief, cost savings, financial, reputational, sanction reductions – that adhere to self- or co-regulation mechanisms. An example of reputational benefits are those conferred by Mexico’s official trust seal, “Distintivo Digital” (Federal Consumer Attorney’s Office of Mexico 2024), which recognizes “suppliers of goods, products or services that stand out for promoting clear and comprehensive information as well as security, transparency, confidentiality, trust, and legal certainty to the consumer in e-commerce”. The results show opportunities for improvement, especially in low-income countries, where providing incentives for businesses to adopt these mechanisms could prove convenient for CPAs that may not have enough resources to promote and monitor compliance, or to enforce the legal framework based solely on traditional approaches (Figure 37).

FIGURE 37. SELF AND CO-REGULATION MECHANISMS
Regarding self and co-regulatory mechanisms, which of the following applies?



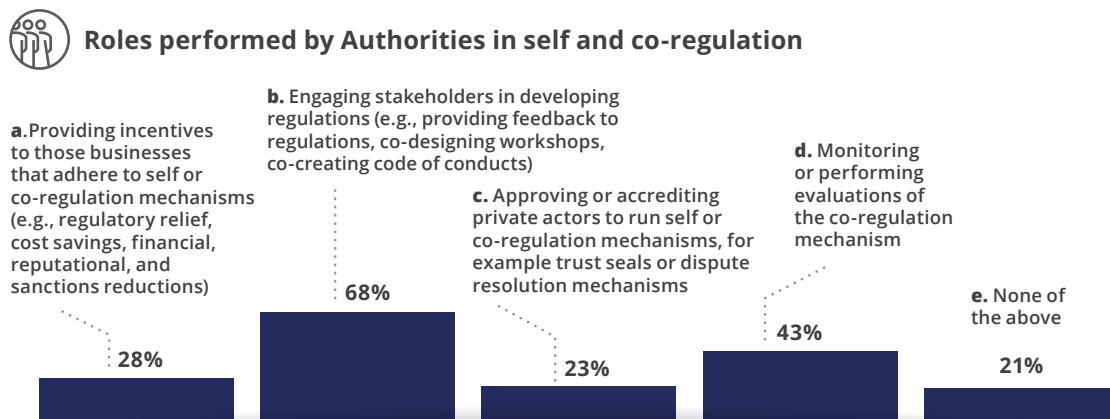
Source: First wave - Consumer Protection Self-Assessment Survey, 2024.



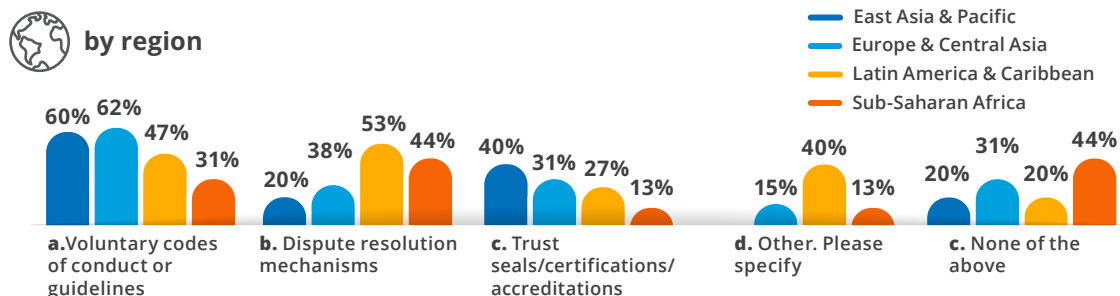
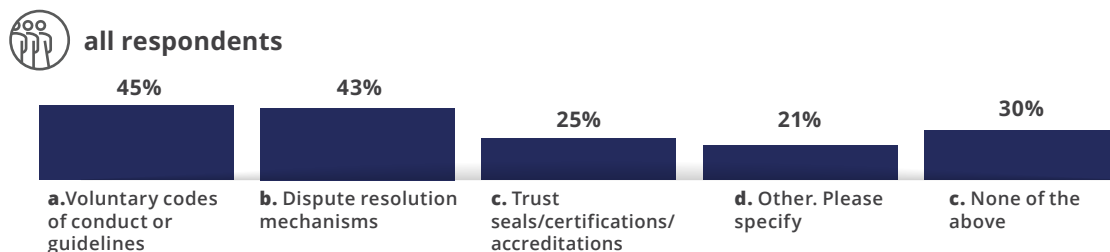
Although most CPAs state that they encourage self- and co-regulation mechanisms, the survey found important gaps in implementation. For example, in the last calendar year, only 23% of the CPAs in surveyed countries approved or accredited private actors to run self- or co-regulation mechanisms. And just 43% of CPAs surveyed monitored or performed evaluations of co-regulation mechanisms. Implementation gaps are also evidenced in the low number of CPAs that have ever endorsed or authorized co-regulation mechanisms, with less than half of the CPAs having endorsed or authorized at least one mechanism. Among the options provided, voluntary codes of conduct and guidelines and dispute resolution mechanisms are the mechanisms with the greater number of endorsements by CPAs, in 45% and 43% of the surveyed countries, respectively. Endorsement of dispute resolution mechanisms is more common in LAC and AFR countries, while ECA endorsements are more focused on voluntary codes of conduct and guidelines (Figure 38).

FIGURE 38. ROLES PERFORMED BY AUTHORITIES IN SELF- AND CO-REGULATION

During the last calendar year, which roles did the authority perform regarding self and co-regulation in consumer protection?



Has the authority endorsed or authorized any business or industry association to use any of the following co-regulatory mechanisms? Check all that apply.



Source: First wave - Consumer Protection Self-Assessment Survey, 2024.



Education, Awareness, and Digital Consumer Competence Minimum Package

CPAs carry out education and awareness campaigns for consumers to inform them about their rights and to provide them advice, and to inform businesses of their obligations and facilitate compliance with the legal, policy, and regulatory framework.

Category 9 - Education, Awareness, and Digital Consumer Competence

Background: Education and awareness raising campaigns are key to providing consumers with the skills and knowledge needed to protect their interests and foster informed decision making for them. Moreover, providing training and information to businesses regarding their obligations when interacting with online consumers is also **crucial to facilitate compliance and foster trustworthy and secure digital markets**. Therefore, CPAs can carry out outreach and awareness raising campaigns regularly to better encourage compliance by businesses and consumers to exercise their rights.

Components of Category 9 - Education, Awareness, and Digital Consumer Competence

23. Education and awareness campaigns (businesses and consumers)

Background: When educating consumers and businesses, CPAs need to deploy different resources. For digital consumer protection issues in particular, online content directed to consumers and businesses on the CPA's website, social media accounts, or platforms can be effective. Online content and awareness raising campaigns can be designed in collaboration with third parties, such as consumer or business associations and chambers of commerce, among other stakeholders. For them to be effective, the design should be appropriate for the target audience. For instance, in some EMDEs, radio campaigns such as the ones provided by the authority in the Philippines⁶³ may be the most efficient way to reach consumers, particularly in more remote areas.

Enforcement and Implementation practices: Under Pillar 3, the survey included questions asking to indicate the number of education and awareness raising campaigns conducted during the last calendar year by authorities and dedicated to consumers, and businesses. The survey also asked the number of joint campaigns with businesses, organizations or public entities directed to consumers or businesses.

Survey Results for Education, Awareness, and Digital Consumer Competence

All the CPAs of high-income, upper-middle income, and lower middle-income countries surveyed carry out awareness campaigns directed to businesses, and all the CPAs of high-income and low middle-income countries carry out awareness campaigns directed to consumers. The percentage reduces to 95% for CPAs of upper middle-income countries that carry out awareness campaign directed to consumers, and 83% for CPAs of low-income countries that carry out awareness campaigns directed to consumers and businesses in the sample. CPAs collaborate with third parties to inform businesses of their obligations in 93% of high-income, 100% of upper-middle income, 91% of lower-middle income and 83% of low-income surveyed countries. consumers of their rights or to provide them with advice happens in 100% of high-income, 95% of upper-middle income, 91% of

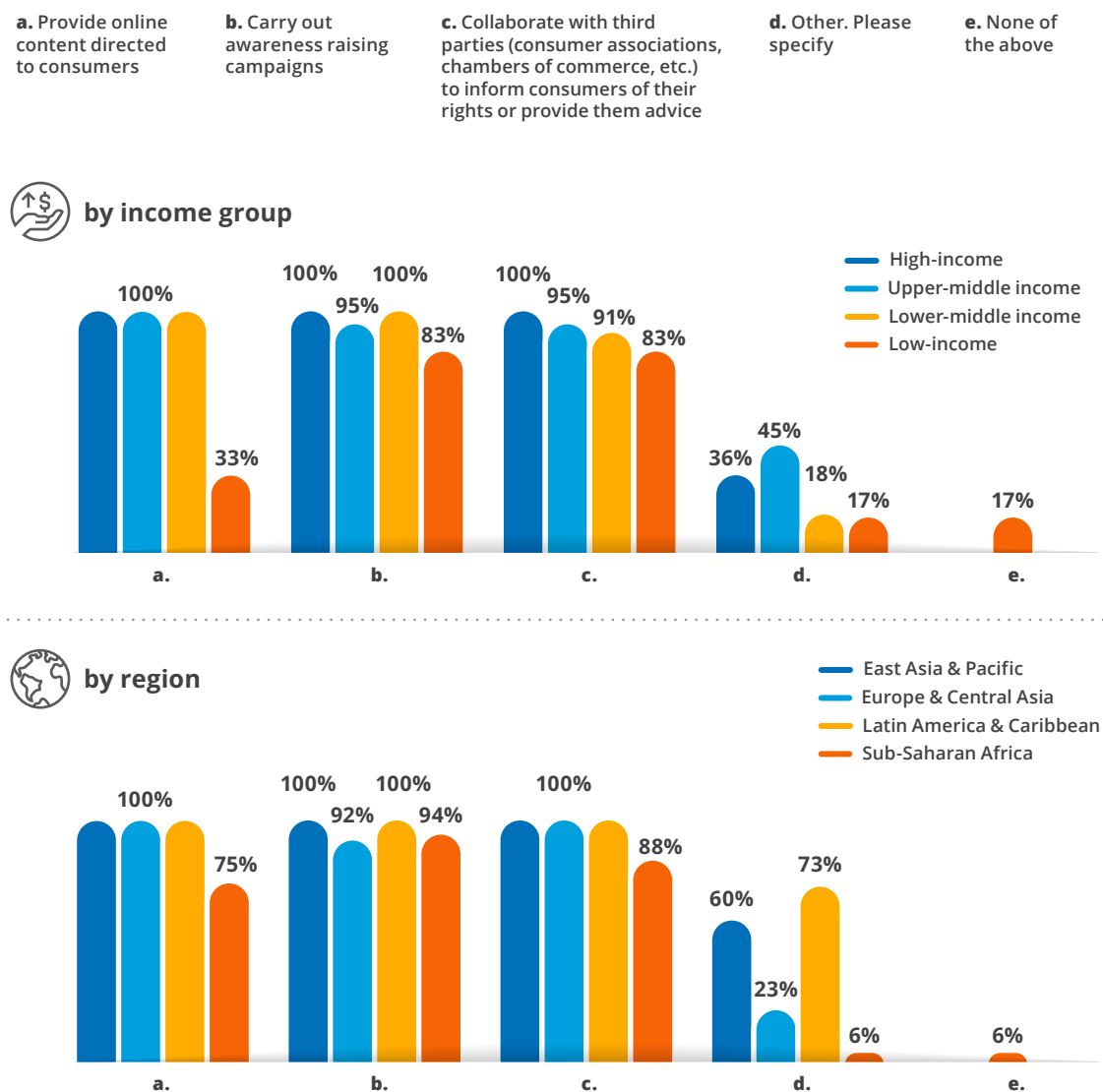
⁶³ Department of Trade and Industry of the Philippines, KONSUYUMER ATBP. Accessed on June 18th, 2024. Available at: <https://www.dti.gov.ph/konsyumer/konsyumer-at-iba-pa/>.



lower-middle income, and 83% of low-income countries, respectively, showing opportunities for improvement in countries across all income levels. Regarding online content directed to businesses about their obligations to consumers, CPAs provide it in 100% of high-income, 91% of upper-middle income and lower-middle income, and 33% in low-income countries in the sample. Online content directed to consumers is provided by CPAs in all high-income, upper-middle income, and lower-middle income surveyed countries, but just in 33% of low-income ones. The results reveal an opportunity for CPAs from low-income countries to tap into the existing collaboration programs with third parties to develop online content directed to businesses and consumers (Figure 39).

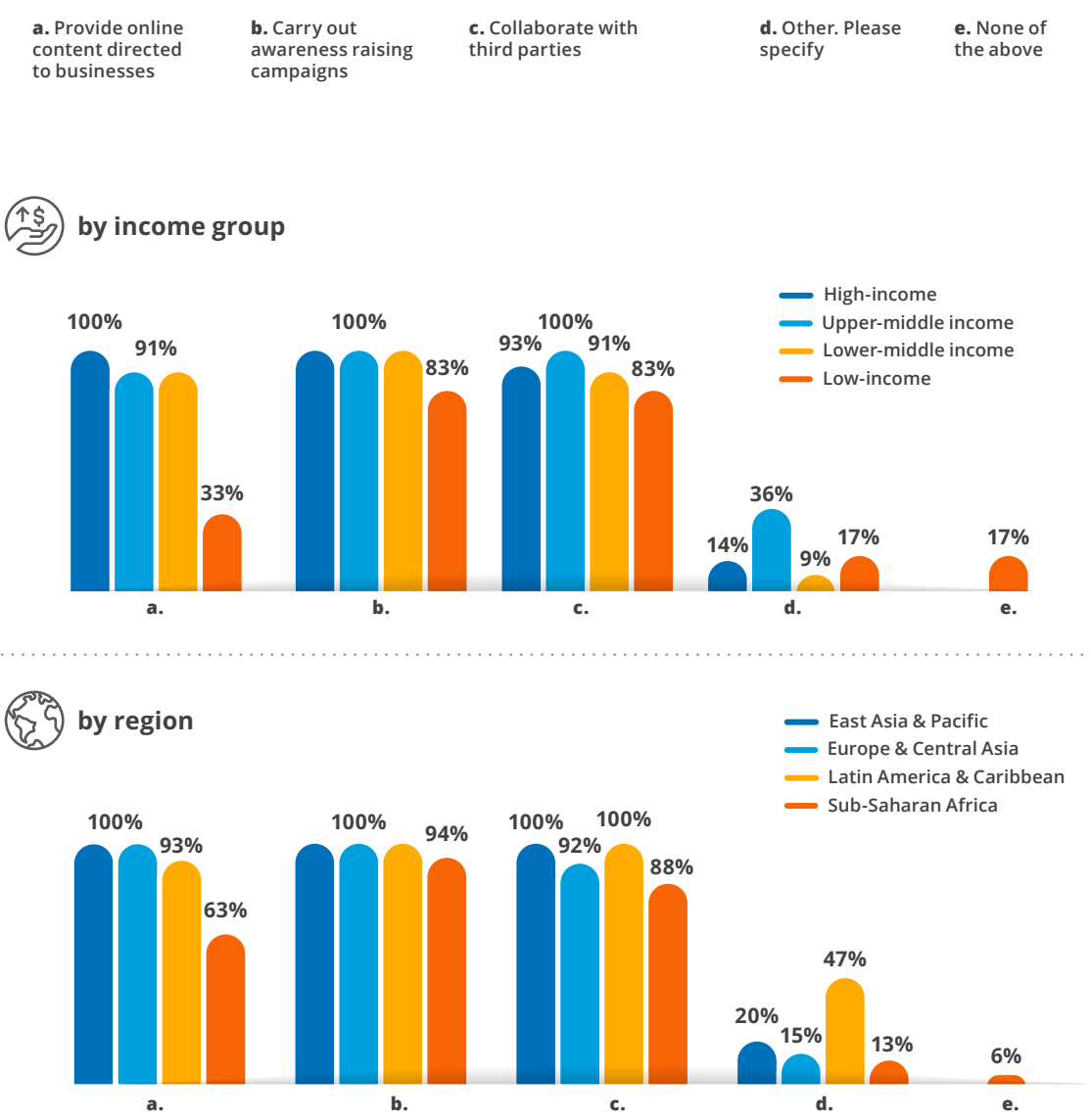
FIGURE 39. EDUCATION AND AWARENESS CAMPAIGNS (BUSINESSES AND CONSUMERS)

Does the authority carry out any of the following to inform consumers about their rights or provide them advice? Check all that apply.



Source: First wave - Consumer Protection Self-Assessment Survey, 2024

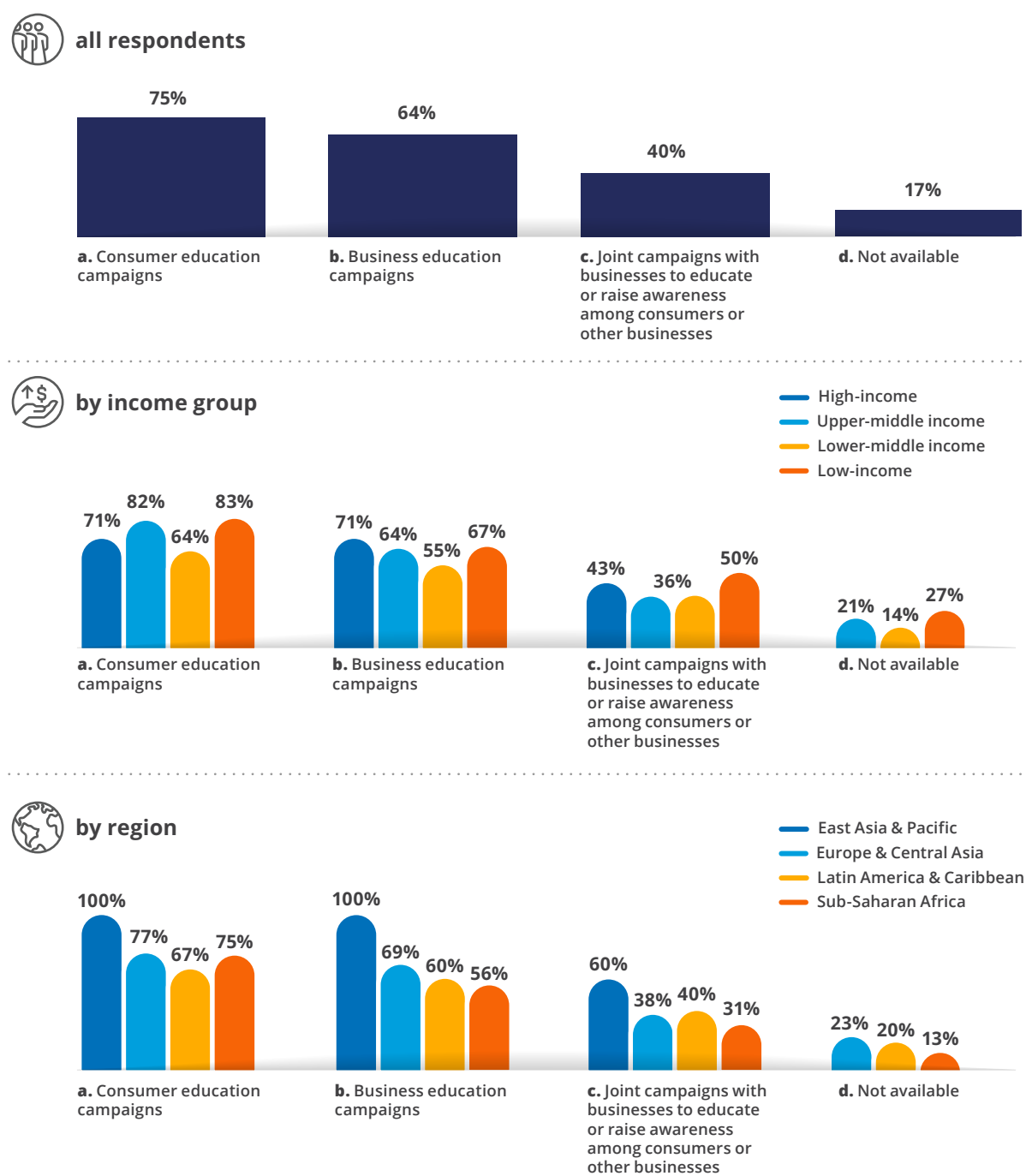
Does the Authority carry out any of the following education and awareness campaigns to inform businesses to facilitate compliance?



Source: First wave - Consumer Protection Self-Assessment Survey, 2024.

However, even in this component, the results are significantly lower for implementation when looking at what the authorities did in the previous year. Figure 40 below shows how many CPAs reported having done education campaigns in the last year; the numbers are far from the high percentage that has the mandate or the power to do this.

FIGURE 40. AUTHORITIES THAT SHARED NUMBER OF EDUCATION CAMPAIGNS CONDUCTED
Number of education campaigns conducted during the last calendar year



Source: First wave - Consumer Protection Self-Assessment Survey, 2024



Transparent and Clear Processes Minimum Package

CPAs establish transparent and clear internal procedures to bring legal certainty and fairness for all stakeholders. They also publish relevant information on their activities to encourage compliance by showing that there is an active institution working to protect consumers from unfair and deceptive business practices.

Category 10 – Transparent and Clear Processes

Components of Category 10 - Transparent and Clear Processes

24. Clear internal processes

Background: This component focuses on CPAs adopting standardized clear internal procedures for carrying out the different activities related to the roles assigned to them. This includes standardized procedures to register complaints, analyze and handle cases, carry out audits, inspections, and investigations, and to handle mediation, arbitration, and dispute resolution if appropriate. For example, the Mexican authority has not only developed manuals to guide its actions, but also publishes them online (Federal Consumer Attorney's Office of Mexico n.d.).

Enforcement and Implementation practices: Under Pillar 3, the Survey included questions asking if such standardized procedures were audited by a government internal audit unit or by a third party.

25. Transparent reports and data

Background: This component covers the regular publication of data on the work done by the CPAs. CPAs can publish online an annual report on their activities. Relevant information is regularly published, at least annually, either in the annual report or as a stand-alone document, to be an effective tool to encourage compliance, and to communicate to consumers that the CPA is a useful resource for them. To be relevant, this publication can include information on investigations conducted and finalized, information on remedies obtained for consumers, and information on sanctions and penalties, as Kenya⁶⁴ and Poland do.⁶⁵ This also helps CPAs in communicating with the public and identifying opportunities for improvement, trends, and data that underlies policy making.

Enforcement and Implementation practices: Under Pillar 3, the survey included questions to obtain the following information about the last calendar year:

- ▶ The number of complaints received by the CPAs.
- ▶ The number of complaints resolved by the CPAs.
- ▶ The number of cases investigated by the CPAs.
- ▶ The number of decisions of the CPAs that were appealed (only if decisions of the CPA are subject to appeal).
- ▶ Total amount recovered for consumers during the last calendar year, in United States dollars.

CPAs were also asked if any of these data were published online.

⁶⁴ Competition Authority of Kenya, FY-2022-2023 CAK Annual Report. Nairobi: Competition Authority of Kenya, 2023. Available at: https://cak.go.ke/sites/default/files/annual-reports/CAK-FY-2022-2023-Annual-Report-and-Financial-Statements_compressed.pdf.

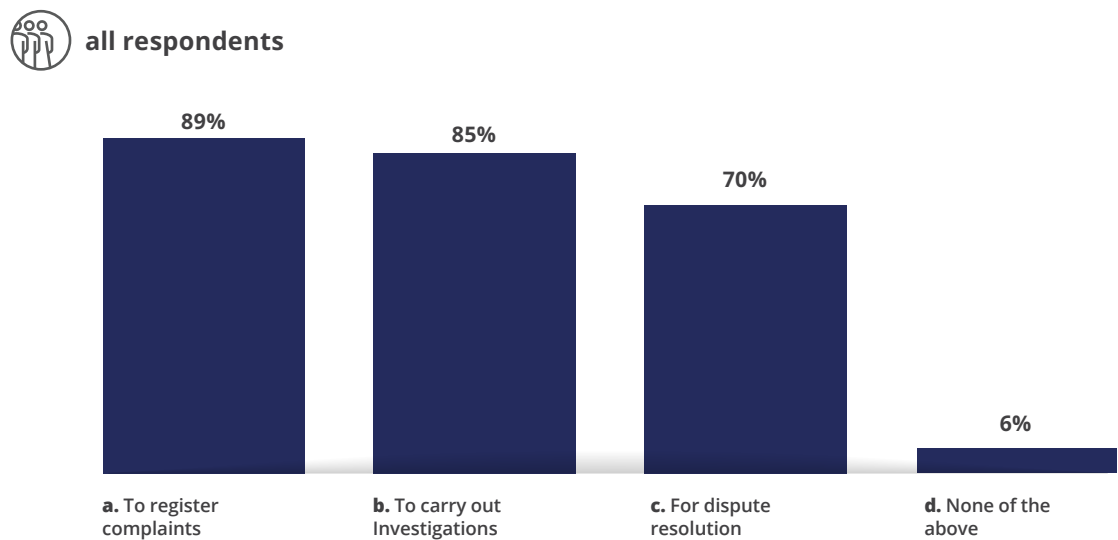
⁶⁵ Office of Competition and Consumer Protection of Poland, Report on UOKiK activities in 2022 (Warsaw: Office of Competition and Consumer Protection of Poland, 2023). Available at: <https://uokik.gov.pl/download.php?plik=27227>.

Survey Results for Transparent and Clear Processes

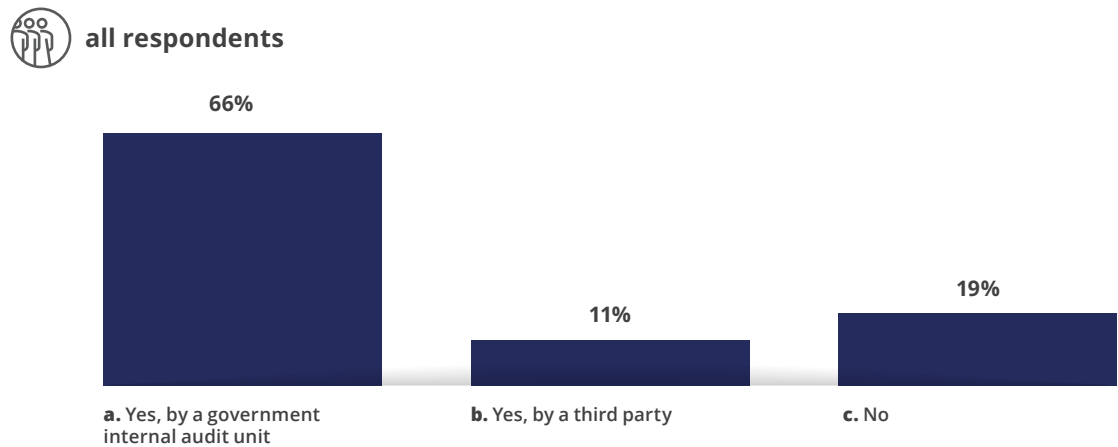
Even though the survey results show that 98% of the CPAs perform investigations, only 85% have standard procedures to guide how those investigations should be carried out. In addition, 89% of CPAs have standard procedures to register complaints, while 70% have standard procedures for dispute resolution. Regarding standard procedures of the surveyed CPAs, the majority of those who have them, 66%, are audited by a governmental internal unit, with just 11% of the procedures being audited by third parties (Figure 41).

FIGURE 41. CLEAR PROCESSES

Does the authority have standard procedures to guide carrying out the following activities?
All respondents



Are the standard procedures that guide staff activities audited?

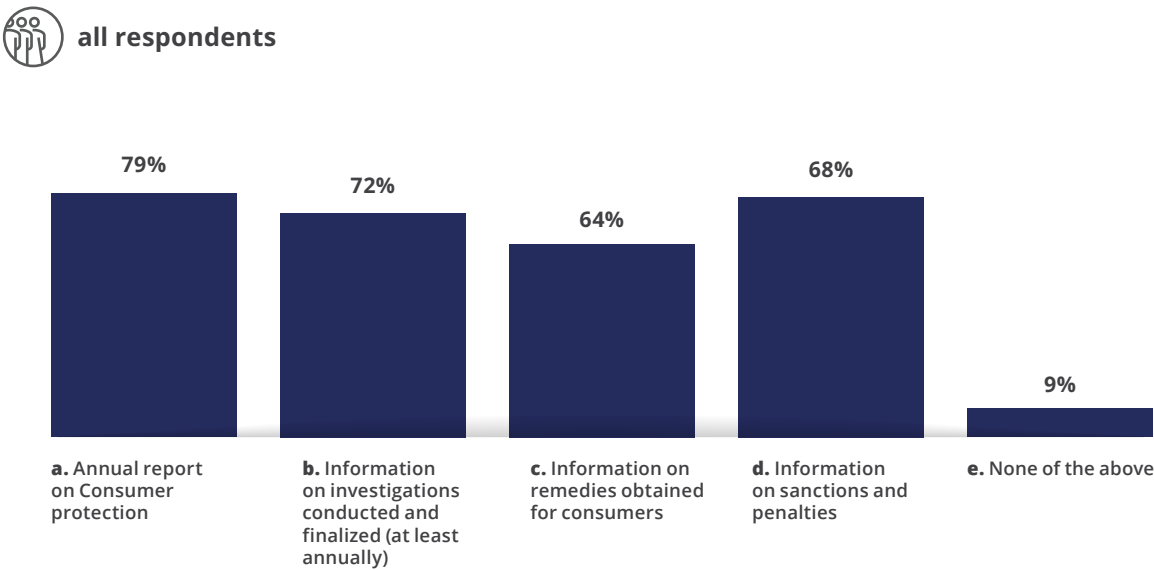


Source: First wave - Consumer Protection Self-Assessment Survey, 2024.

The results show that **79% of the surveyed CPAs publish online an annual report on consumer protection**. However, the survey also revealed that the content of those reports may be limited: 72% of the CPAs publish relevant information regarding investigations conducted and finalized; 68% of the CPAs publish information on sanctions and penalties imposed, and 64% of them publish information on remedies obtained for consumers (Figure 42). Information is more frequently published at higher income levels, which is not necessarily surprising, as CPAs need resources to be able to compile and publish this information.

FIGURE 42. COMMUNICATIONS AND OUTREACH

Does the authority publish the following information online? All respondents, yes answers

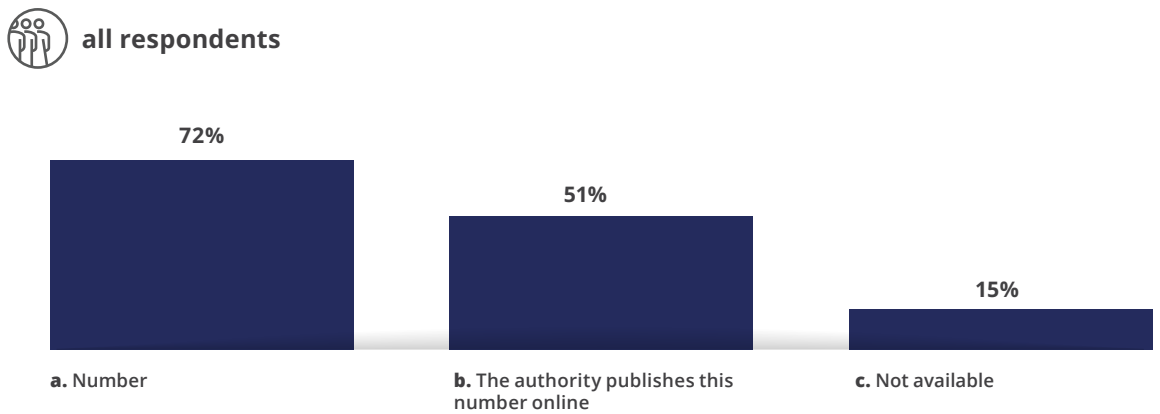


Source: First wave - Consumer Protection Self-Assessment Survey, 2024.

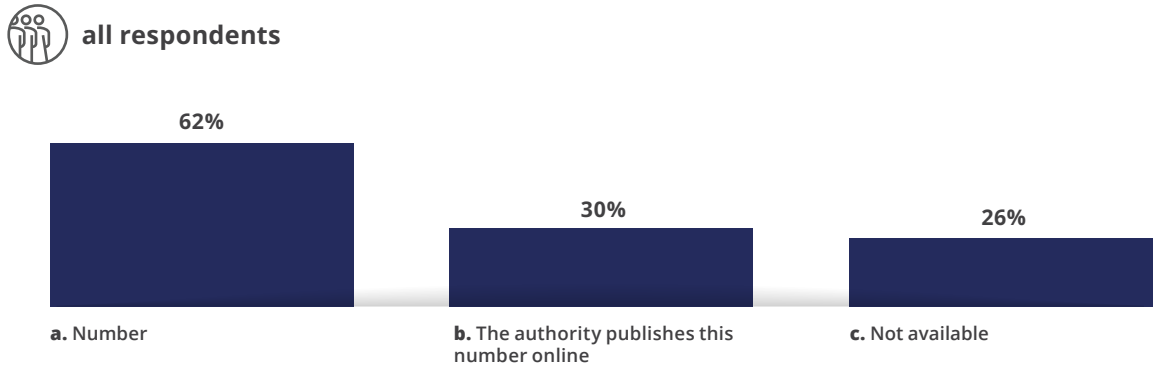
The analysis of the sample also shows that many CPAs have relevant information that is not published online. For example, 72% of the CPAs responded that they received consumer complaints during the last calendar year, but only about half (51%) published this information online. Similarly, with the number of complaints resolved during the last calendar year, 62% of the CPAs provided this information to the World Bank, but just 30% published it online (Figure 43). This gap in publishing the information highlights an opportunity for the CPAs to design an effective tool to encourage compliance and raise consumer trust.

FIGURE 43. INFORMATION THE AUTHORITY SHARED

Consumer complaints received during the last calendar year



Consumer complaints resolved during the last calendar year



Source: First wave - Consumer Protection Self-Assessment Survey, 2024.



Resources Minimum Package

Adequate and reasonable resources, including funding, skilled staff, and technological tools and infrastructure ensure that CPAs can fulfill the roles assigned to them.

Category 11 – Resources

Background: According to the Guidelines for Consumer Protection (United Nations 2016), countries “(...) should work towards ensuring that consumer protection enforcement agencies have the necessary human and financial resources to promote effective compliance (...)”

Components of Category 11 - Resources

26. Staff

Background: Building a well-trained staff with adequate skills is crucial to enable CPAs to fulfill their role. Providing staff with training, performance evaluations and revision of career paths, at least annually, forms part of the Minimum Package for the resources category. The Netherlands⁶⁶ and South Africa,⁶⁷ for example, include in the CPA's Annual Report relevant information regarding staff training, such as the funding allocated to that activity.

Enforcement and Implementation: Under Pillar 3, the survey asked CPAs how many full-time employees worked mostly on consumer protection matters. The CPAs were also asked how many full-time, non-administrative staff work in complaint handling, investigations, and sanctions, and to indicate how many of them were lawyers or attorneys.

27. Financial resources

Background: CPAs need sufficient budget to allow them to fulfill the roles assigned to them. Sufficient financial resources are essential to allow the CPAs to reach the Minimum Package for other components and categories addressed in this report, such as support staff, digital tools, education and awareness raising campaigns, among others.

Enforcement and Implementation practices: Under Pillar 3, the CPAs were asked to provide their annual budget for consumer protection in United States dollars for the last calendar year.

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⁶⁶ Authority for Consumers and Markets of the Netherlands, Annual Report 2023 (The Hague: Authority for Consumers and Markets, 2024). Available at: <https://www.acm.nl/system/files/documents/acm-jaarverslag-2023-nieuw.pdf>.

⁶⁷ National Consumer Commission of South Africa, Annual Report 2022/2023 (Pretoria: National Consumer Commission, 2024). Available at: <https://thencc.org.za/wp-content/uploads/2023/10/2022-23-Annual-Report.pdf>.



28. Digital tools

Background: This component highlights the need for CPAs to have adequate technological infrastructures to fulfill the roles assigned to them. Allocating funds for digital tools may result in an increase in efficiency that reduces costs related to administrative workload while facilitating the execution of the powers and tools of intervention of the authorities. To adequately address this component, CPAs need to have a unit or department responsible for planning and executing its digital solutions to operate and handle internal communications and tracking of cases, internally, and with businesses and consumers externally. Latvia is a good example for such planning regarding digital tools.⁶⁸

Enforcement and Implementation practices: Under Pillar 3, the Survey asked if the CPAs had digital solutions including third-party services to track and manage complaints; reduce manual workload in case management; store, access and manage digital documents; or running internet sweeps.

Survey Results for Resources

29. Staff:

A high number of surveyed countries provide performance evaluation and training to their staff working in consumer protection. CPAs in 93% of high-income countries and 100% of lower-middle income ones do so. In upper-middle income countries, training is provided in 95% of cases, and performance evaluations are provided in 86% of the cases, while in low-income countries, training is provided in 83% of cases and performance evaluation in 67% of countries surveyed. The countries reported much lower results when asked about providing a career path for staff: CPAs only have it in 64% in high-income, 68% in upper-middle income, 55% in lower-middle income, and 50% in low-income countries.

Surprisingly, upper-middle income countries have a higher number of employees per million digital market users than high-income countries, and more than double the number of attorneys per million users working on complaint handling, investigations, and cases. A possible explanation is that the agencies have economies of scale, that is, when the agencies are already well established and adequately resourced, they do not necessarily grow much bigger just because the country's GDP or digital market is bigger. Another possible explanation is that, at the higher income level, more tasks are automatized, with heavier use of IT tools, and possibly more experienced staff. For instance, for providing storage and access to documents, 93% of high-income countries in our sample have those systems, whereas that number drops to 77% for upper-middle income countries.

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⁶⁸ Consumer Rights Protection Centre of the Republic of Latvia, Operational Strategy 2024-2029 (Riga: Consumer Rights Protection Centre of the Republic of Latvia, 2024). Available at: <https://www.ptac.gov.lv/en/media/4431/download?attachment>



Lower-middle income countries seem to do better than low-income countries in the overall number of employees per million digital market users (Table 8). A possible explanation is that all CPAs need a certain set of minimum staff to function, a number that may not be that different between low-income and lower-middle income countries. The difference is that, for low-income countries, that same level of staff is used to serve smaller digital markets with fewer users, which are the variables that were used for this comparison. The number of attorneys per million users in low-income countries is similar to that in lower-middle income countries and significantly smaller than the number of attorneys per million users in high-income and upper-middle income countries.

TABLE 8. STAFF PER MILLION USERS OF DIGITAL MARKETS

No. Countries	Income Group	Employees		
		Total, per millions users	Non-administrative, per million users	Attorneys, per million users
9	High-income	28.27	13.30	1.48
19	Upper-middle income	52.09	23.55	4.45
7	Lower-middle income	7.62	5.82	0.55
5	Low-income	12.00	2.1	0.53
40	Global Average	33.94	15.47	2.61

Source: Data on digital market users is from Statista Market Insights
Note: These findings will be further analyzed, reviewed and checked for consistency once the World Bank expands the sample.

30. Financial resources

The survey asked CPAs if they agreed with the following statement: “The Consumer Protection Authority has sufficient budget to carry out the activities associated with handling complaints, investigations, hiring staff, and delivering training programs.” The CPAs answered in 28% of the cases that they strongly disagreed with the statement; 47% disagree, 15% were neutral with the statement, and only 10% agreed or strongly agreed. Disagreement (disagree and strongly disagree) with the statement happens in all low-income surveyed countries, but is also high across all income levels, with 72% in lower-middle income (45% disagree and 27% strongly disagree), 73% in upper-middle income (41% disagree and 32% strongly disagree), and 71% in high-income countries in our sample (50% disagree and 21% strongly disagree) (Figure 44).

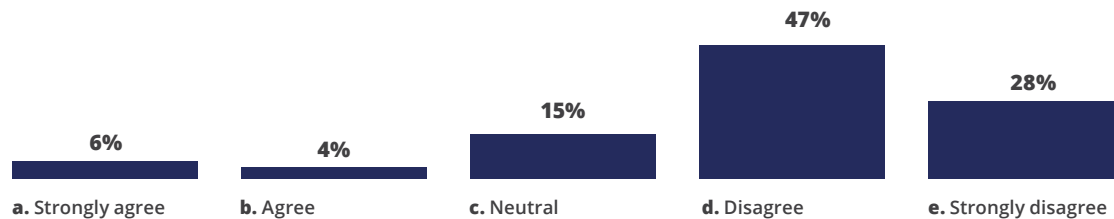


FIGURE 44. FINANCIAL RESOURCES

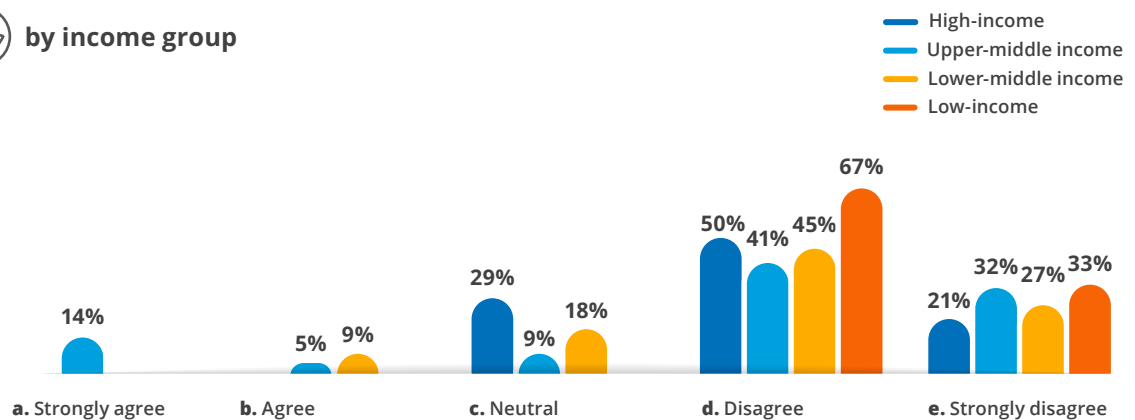
Do you agree with the following statement? The Consumer Protection Authority has sufficient budget to carry out the activities associated with handling complaints, investigations, hiring staff, and delivering training programs.



all respondents



by income group



Source: First wave - Consumer Protection Self-Assessment Survey, 2024.

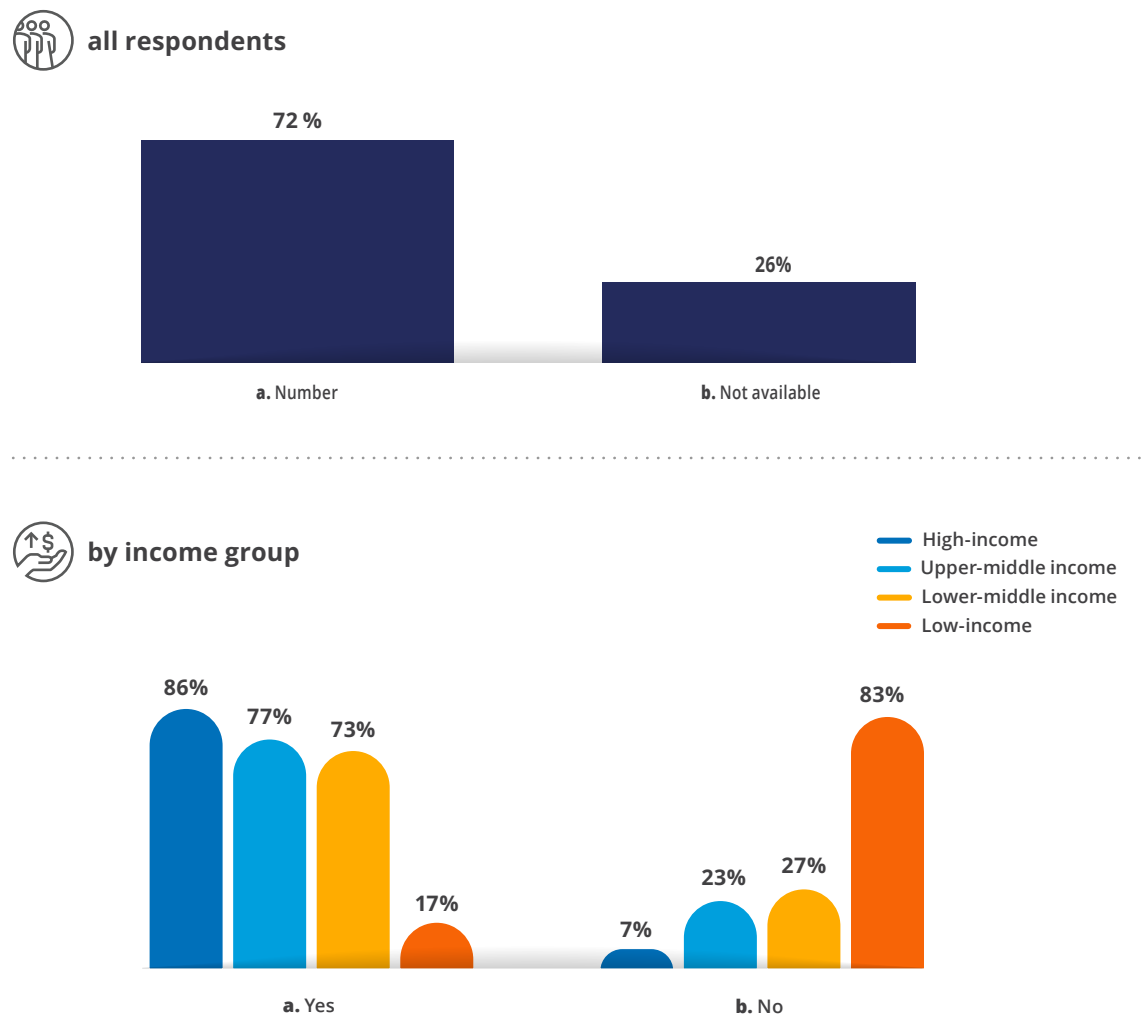
When normalized by the countries' GDP, and digital market total transaction value or digital market millions of users, low-income countries seem to have a more positive opinion than lower-middle income countries in terms of the agencies' budget. A possible explanation, similar to what happens with the level of staff, is that the agencies in low-income and lower-middle income countries generally function with the minimum budget required for the most basic operations. However, low-income countries have lower GDP and smaller digital markets (both in terms of value and users), hence the normalized budget is larger than that of lower-middle income countries.

31. Digital tools

In the surveyed countries, 72% have CPAs with units or departments responsible for planning and executing the CPA's digital solutions, but there is room for improvement at all income levels. Seven percent of high-income, 23% of upper-middle income, 27% of lower-middle income, and 83% of low-income surveyed countries do not have units or departments in charge of these matters (Figure 45).

FIGURE 45. DIGITAL SYSTEMS UNIT/DEPARTMENT

Is there a unit/department responsible for planning the authority's digital systems (e.g., design, development, maintenance, outsourcing) to operate internally and interact with consumers and businesses?



Source: First wave - Consumer Protection Self-Assessment Survey, 2024.

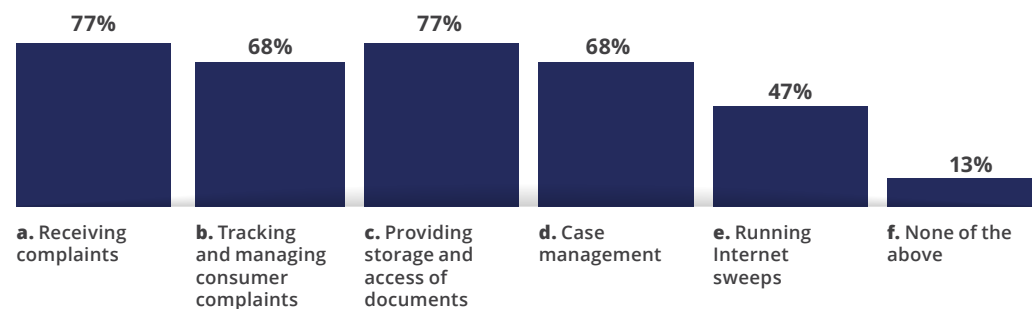


CPAs were also asked if they had digital solutions to meet certain goals related to their interactions with consumers and businesses; the research found the availability of these tools lacking, considering the roles the CPAs had. From the sample, 32% of the CPAs do not have case management tools, and 23% lack solutions providing storage and access to documents. Yet, 98% of the CPAs reported that they did have the power to conduct investigations and 72% of them reported publishing annual information on investigations conducted and finalized. The research found that 23% of the CPAs did not have systems for receiving complaints, and 32% did not have consumer complaints tracking and management tools, although 91% of them have a role of handling complaints, and 72% of the CPAs provided the number of complaints received in the last calendar year. The IT solutions that were the least common were, not surprisingly, solutions to run internet sweeps, with 53% of the CPAs in the sample not having it. In sum, and considering income level, 67% of low-income, 18% of lower-middle income, and five percent of upper-middle income did not have any of these solutions in place. More surprisingly, even high-income countries did not have some of these tools, with 21% of high-income countries in the sample lacking digital solutions for case management, seven percent for storing and accessing documents, 14% for receiving complaints, 14% for running internet sweeps, and 21% for tracking and managing consumer complaints (Figure 46).

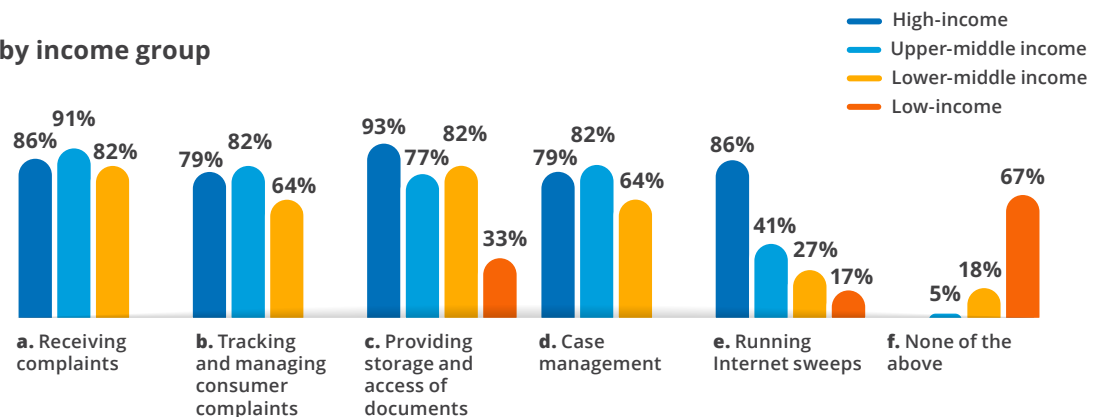
FIGURE 46. DIGITAL SOLUTIONS IN PLACE

Does the authority have digital solutions (including from third-party services) to meet the following goals?

 **all respondents**



 **by income group**



Source: First wave - Consumer Protection Self-Assessment Survey, 2024



CHAPTER 4. CONCLUSION

The GRIDMAP Consumer Protection Module Minimum Package aims at building consumer trust while promoting informed choices and a fair, secure, and contestable market. CPAs and policy makers can use this tool and its findings to improve their countries' legal framework, institutional arrangements, and implementation and enforcement actions. The World Bank and its development partners can use this tool to rapidly identify potential gaps and recommendations and provide a more tailored support to CPAs.

GRIDMAP offers a comprehensive framework and methodology for authorities to prioritize and determine how to better protect consumers. Consumer protection is crucial in the rapidly evolving digital economy, where transactions cross borders and complex issues arise.

This GRIDMAP Consumer Protection Module assesses the ability of authorities to enforce consumer protection laws and regulations, and the legal framework in which they operate.

This is important to ensure fair and transparent business practices, safeguard consumer rights, and promote trust in the digital marketplace.

GRIDMAP provides an overview of consumer protection regulations and practices, covering topics such as institutional arrangements, enforcement and implementation actions, self and co-regulation, education and awareness campaigns, transparent processes, and resources.

The findings highlight disparities in the adoption of consumer protection measures across different income levels and regions, as well as the importance of addressing emerging topics such as online intermediary liability and sustainable consumption. GRIDMAP therefore serves as a resource for understanding the complexities of consumer protection and can be used to guide the development of consumer protection policies and regulations in the rapidly evolving global economy.

The main highlights of the assessment reveal that countries at all income levels still have gaps in achieving the Minimum Package for a stronger regulatory framework (Pillar 1) for consumer protection.

However, CPAs do not just depend on the legal framework to be able to enforce and implement:

GRIDMAP also shows significant discrepancy and variations between the powers granted to CPAs (Pillar 2), and their actual enforcement and implementation practices (Pillar 3). This disparity, present in all regions, is particularly pronounced in AFR, and it underscores the need for better alignment between regulatory mandates, adequate resources, and practical enforcement measures.

The analysis also shows differences among authorities, depending on the legal framework they operate in. For instance, civil law systems favor using penalties and fines, while common law systems rely more heavily on warning letters, cease-and-desist orders, and publicizing an open investigation.

The findings and recommendations emphasize the need for harmonizing and strengthening consumer protection measures, addressing discrepancies between regulatory powers and practical enforcement, and promoting good practices in digital consumer protection, adapted to a country's maturity level.

GRIDMAP collected extensive data that could be further analyzed and applied. As part of the next steps, the World Bank will expand the sample to include more regions and provide more nuanced analysis.

The GRIDMAP methodology is an approach that can be leveraged for different topics and in different regulatory contexts. GRIDMAP will complement the findings on the Consumer Protection Module with an upcoming Module on Data Markets, which will consider different sets of regulations and authorities that can also help build trust for individuals and organizations in the marketplace. Additional modules may be added, focusing on different market authorities, and using the same methodology.



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Consumer Protection Module

ANNEXES



ANNEX I. GLOSSARY

Alternative dispute resolution mechanism (ADR)¹: Any procedure agreed to by the parties of a dispute, in which a neutral party assists them in reaching a voluntary, consensual agreement, and avoiding litigation. Types of ADR include arbitration, mediation, negotiated rulemaking, neutral factfinding, and minitrials.

Administrative staff: Workers within a company or organization who provide support or secretarial services.

Advocacy groups (consumer advocacy groups): Nongovernmental organizations which actively advocate for consumer rights, provide information and advice to consumers, and work towards influencing legislation and regulations that protect consumer interests. Their involvement enhances consumer empowerment and provides an alternative avenue for addressing consumer grievances.

Authority: Any consumer protection governmental (i.e. under any ministry or government body) or quasigovernmental department, commission, board, bureau, agency or institution having jurisdiction or authority to use intervention tools (i.e. compilation of testimonies, documents, and other information from third parties), persuasion tools (i.e. warning letters) or even sanctions (i.e. civil penalties and fines) to fight unfair and deceptive practices against consumers.

Appropriate disclosures²: This principle refers to the duty of businesses to provide clear and accurate disclosures about themselves, the goods or services offered, and the transaction conditions so that consumers have information sufficient to make an informed decision about a transaction.

Business-to-consumer (B2C): It is a type of business transaction where a company sells products or services directly to consumers who are end-users of its products or services.

Circular economy³: A model of production and consumption which involves sharing, leasing, reusing, repairing, refurbishing, and recycling existing materials and products as long as possible. In this way, the life cycle of products is extended, and waste is reduced to a minimum.

Civil law⁴: A legal system structured around a comprehensive and detailed code or statutes that clearly outline everything, from the procedures for handling claims to the punishment for offenses. Unlike common law systems, civil law court decisions are not necessarily binding in other cases, even if the facts are similar.

Claim⁵: A request to a court, government department, or company for something such as money or property that you believe you have a legal right to.

Common law⁶: A legal system based on court decisions rather than codes or statutes. It relies on case law and legal precedent to guide its decisions.

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¹ U.S. Department of Labor (2024).

² Toolkit for protecting Digital Consumers (OECD 2018). [Link](#)

³ Conceptualizing the Circular Economy: An Analysis of 114 Definitions (Kirchherr, J., D. Reike and M. Hekkert, 2017). [Link](#)

⁴ Legal Information Institute. [Link](#)

⁵ Legal Information Institute. [Link](#)

⁶ Glossary of Legal Terms (United States Courts). [Link](#)



Consumer⁷: A natural person, regardless of nationality, who acquires or uses goods or services of a kind ordinarily acquired for personal domestic or household purposes.

Consumer associations: These refer to organized and widely representative groups of individual consumers granted legal standing to bring legal cases on their behalf. They can also provide consumers with independent and objective advice on products and services based on tests and surveys they conduct.

Contractual provisions: These refer to specific terms, conditions, or clauses included in a contract to outline the rights, responsibilities, and obligations of the parties involved. They are legally binding and serve as the foundation for the contractual relationship between the parties.

Coregulation: An approach to regulation where the government collaborates with industry stakeholders or self-regulatory organizations to establish, administer, and/or enforce rules and standards. It involves a shared responsibility between the government and regulated entities, striking a balance between industry self-governance and exclusive governmental supervision, monitoring, and control. An example of co-regulation would be certification issued by the official authorities of data protection or consumer protection for a code of conduct or a trustmark.

Compel: To force or oblige someone to do something, especially by authority or law.

Cross-border cooperation⁸: International cooperation between consumer authorities and with partner agencies, such as other regulatory and law-enforcement agencies, at both the regional and global levels, leading to a more consistent regulatory environment and enforcement for consumers and businesses in the increasingly global marketplace.

Digital tools – digital solutions: Technological platforms or software that can be used to assist the authority in performing its functions - for example, to receive and process complaints, to handle cases.

Distant Selling Contract or ‘contracts concluded at distance’: It refers to contracts concluded between an economic operator and a consumer by any means of distance communication such as telephone, e-mail, fax, or website, where there is no face-to-face contact with consumers.

Domestic cooperation⁹: Cooperation between consumer protection enforcement authorities and other domestic authorities such as bank regulators, telecommunications regulators, privacy regulators, and competition/antitrust regulators in enforcing consumer protection laws, which enables information sharing, collaboration guidance for businesses, and enforcement action.

Handle: To process, manage, or do the work required for something.

(Internet or Online) Intermediaries (such as apps, social networks, online platforms, and Marketplace platforms)¹⁰: Service providers that bring together or facilitate transactions between third parties on the Internet. They provide access to host, transmit, and index content, products, and services originated by third parties on the Internet, or provide Internet-based services to third parties.

Internet sweeps: A comprehensive search or monitoring effort conducted over the internet. This can involve scanning the web for specific information, checking for compliance with legal or regulatory standards, or looking for evidence of illicit activities.

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7 United Nations Guidelines for Consumer Protection (UNCTAD 2016). [Link](#)

8 Toolkit for protecting Digital Consumers (OECD 2028). [Link](#)

9 Toolkit for protecting Digital Consumers (OECD 2018). [Link](#)

10 The Economic and Social Role of Internet Intermediaries (OECD 2010). [Link](#)



Liability: The legal responsibility or obligation of an individual or entity to answer for their actions or omissions that result in harm, damage, or loss to others.

Liability of Online intermediaries: The legal responsibility of service providers, such as internet service providers (ISPs), social media platforms, and other online platforms, for the content that is published or transmitted through their services by third parties.

Legal framework: This concept includes various types of mandatory rules, such as regulations, laws, guidelines, rules, case law, statutes, regional trade agreements, self-regulation, and coregulation that apply in a particular country in the field of consumer protection and defense.

Marketplace ('digital marketplace', 'e-commerce marketplace', or 'online marketplace')¹¹: A digital platform that brings together buyers and third-party sellers of consumer goods and facilitates payment for such goods.

Minimum Package: Essential regulatory provisions, institutional arrangements and implementation and enforcement actions that need to be in place as a cornerstone of what eventually may become a stronger, more developed framework, in order to build markets that are trustworthy and safe.

Online Dispute Resolution (ODR)¹²: A public-facing digital space for parties to resolve disputes or cases. Court-implemented ODR is hosted or supported by the judicial branch and designed specifically to meet the needs of the public, not lawyers, judges, or court staff. ODR can include tools for gathering legal information, exploring options, and managing a case from start to finish without setting foot in a courthouse.

Online endorsements: Expressions of support or approval for a product, service, or brand that are made on the internet, particularly through social media platforms, websites, or blogs.

Online marketplace¹³: A digital platform that brings together buyers and third-party sellers of consumer goods and facilitates payment for such goods.

Online transaction - E-commerce transaction¹⁴: The sale or purchase of goods or services, conducted over computer networks by methods specifically designed to receive or place orders. Payment and delivery do not have to be conducted online.

Pillar: Each module of the GRIDMAP is structured under three pillars reflecting a minimum package for: i) Legal framework, ii) Institutional arrangements, and iii) Implementation and enforcement. Each Pillar is divided into categories, defined as specific topics of relevance, and each category is further divided into components. Every component is analyzed using at least one specific question in the self-assessment questionnaire.

Post-sales consumer service: Any service provided after a product or service has been sold to a customer. It includes delivery, installation, maintenance, and support, customer service, technical support, warranties, repairs, and replacements.

Redress¹⁵: Any sums paid, offered, or awarded in respect of any claim as a result of an authority's efforts. This includes benefits, gestures of goodwill, ex gratia payments, refunds, discounts, any reduction in the loan outstanding or outstanding liabilities, any amount added to a pension and/or any interest or capital recovered.

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11 The role of online marketplaces in protecting and empowering consumers (OECD 2022) [Link](#)

12 National Center for State Courts. [Link](#)

13 The role of online marketplaces in protecting and empowering consumers (OECD 2022) [Link](#)

14 E-commerce Measurement (UNCTAD 2017) [Link](#)

15 Law Insider [Link](#)



Sanction¹⁶: A penalty or other type of enforcement used to bring about compliance with the law or with rules and regulations.

Self-regulation¹⁷: An alternative to traditional forms of regulation, self-regulation is generally characterized by a group of economic agents, such as firms in a particular industry or professional group, voluntarily formulating rules and codes of conduct that regulate or guide the behavior, actions, and standards of its members, for which the industry itself is responsible for enforcing. Examples of self-regulation include codes of practice, industry-based accreditation arrangements, and voluntary adoption of standards.

Seller: In a business deal, the seller is the person or business that offers something for sale.

Substantiate: Provide evidence or proof to support or verify a claim, argument, or position.

Sustainable development¹⁸: Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Third parties: Generally refers to individuals or entities that are not primary participants in an interaction or transaction, and who may be indirectly involved in or affected by the interaction or transaction. For instance, in investigations carried out by the authority concerning consumer claims, some of the third parties involved could be business associations, chambers of commerce, etc.

Transaction confirmation¹⁹: Also known as a trade confirmation, or simply, a confirmation (or “confirm”), this document is used by the parties of a transaction to specify its commercial terms (i.e. pricing terms, the notional amount of the transaction, etc.).

Unavoidable charges: Charges that inflate costs or prices while adding little to no value. Businesses often impose them on captive consumers or use deceptive commercial practices to hide or mask them.

Unfair and deceptive business²⁰: Those fraudulent and deceptive commercial practices that cause actual harm to consumers or that pose an imminent threat of such harm if not prevented, such as:

- ▶ A practice of making misrepresentations of material fact, including implied factual misrepresentations, that cause significant detriment to the economic interests of consumers.
- ▶ A practice of failing to deliver products or provide services to consumers after the consumers have paid.
- ▶ A practice of charging or debiting consumers’ financial, telephone, or other accounts without authorization.

Unsolicited commercial communications²¹: Any form of commercial communication, distribution, transmittal or publication of information or material that the recipient has not specifically requested. This includes electronic mail, postal mail, and internet or web-based advertisement.

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¹⁶ Glossary of Legal Terms (United States Courts) [Link](#)

¹⁷ Alternatives to traditional regulation (OECD) [Link](#)

¹⁸ Report of the World Commission on Environment and Development (United Nations General Assembly 1987) [Link](#)

¹⁹ Thomson Reuters Practical Law [Link](#)

²⁰ Recommendation of the Council concerning Guidelines for Protecting Consumers from Fraudulent and Deceptive Commercial Practices Across Borders (OECD 2023) [Link](#)

²¹ Law Insider [Link](#)



ANNEX II. CONSUMER PROTECTION MODULE SURVEY

Context - Institutional Data

This section collects some general information to better understand the context that the Consumer Protection Authority works in.

Authority Profile

1. Country *

2. Name of the Consumer Protection Authority.*

3. Is this agency... Check all that apply.

- ☐ An independent authority (i.e. not under any ministry or government body)
- ☐ Joint with the competition authority
- ☐ Under another ministry or government body (please specify)

4. Is there a different authority/ies dealing with consumer protection in the following areas? Check all that apply.

- ☐ Financial consumer protection
- ☐ Utilities (e.g. energy)
- ☐ Telecommunications
- ☐ Food safety
- ☐ Product safety
- ☐ Federal vs. State
- ☐ None of the above



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FULLSCREEN

5. What is your nation's legal system?

- ☐ Civil law
- ☐ Common law
- ☐ Mixed legal system

6. Please provide the Authority's official Website.

☐ Website address

☐ Not available

7. Please provide the contact information about the primary respondent. *

Full Name

Position

Email Address

Phone Number (include a country code)



Pillar 1

Legal Framework

This pillar builds on general principles based on the World Bank's experience working with countries and the recommendations of UNCTAD and the OECD.

The Minimum Package approach proposes focusing on five regulatory components²²:

- ▶ Overarching legal framework
- ▶ Fair business and advertising practices
- ▶ Appropriate disclosures
- ▶ Effective processes for transaction confirmation and payment
- ▶ Measures to address privacy and security risks
- ▶ Product safety across e-commerce supply chains
- ▶ Meaningful access to effective mechanisms to resolve disputes.

Considerations:

- This pillar applies a broad definition of legal framework, considering laws, regulations, jurisprudence, guidelines, and other legal instruments that you may use in your country.
- You should answer yes as long as your country's legal framework covers an issue, whether it is your agency or another one that has the authority to do so.
- In federal or similar systems that give consumer protection competencies to regional authorities, you should answer yes if a majority of states or regions cover the issue.
- If your legal framework covers an issue using a more general law, but you still apply that more general law to the specific topic we are asking about, you should still answer yes.
- Please review the GRIDMAP glossary for any questions on how we are using a specific term in this survey.

Overarching legal framework

8. Does your legal framework prohibit (directly or indirectly) businesses from using contractual provisions that would take away or limit all consumer rights?

- ☐ Yes
- ☐ No

9. When something goes wrong with an online transaction, does the legal framework address the liability of intermediaries?

- ☐ Yes
- ☐ No

²² In calculating the assessment for each pillar, the answers provided by CPAs to the questions in the survey were used to evaluate the categories and components described throughout the report. Pillar 1 was initially structured into seven components, as outlined in the survey completed by the CPAs and reproduced in Annex II. For the purposes of the assessment and the report, these seven components were consolidated into five categories under Pillar 1.



10. Does your legal framework impose any of the following regarding intermediaries? Check all that apply.

- ☐ The intermediary has an obligation to take down illegal, dangerous, or fake products, services or content within a certain time upon notice of the violation (notice and take down)
- ☐ Some limits or qualifications to an intermediary's liability for third party seller content, products or services
- ☐ An intermediary's obligations depend on the nature of its role in online transactions
- ☐ None of the above

11. Does your legal framework include any of the following provisions to help consumers make decisions with environmental impact?

- ☐ Labeling for energy efficiency
- ☐ Labeling for recyclability
- ☐ Labeling on product durability
- ☐ None of the above

Fair business and advertising practices

12. Does the legal framework cover unfair and deceptive business practices? Check all that apply.

- ☐ Unfair business practices (e.g. unfair contract terms) are prohibited
- ☐ Deceptive business practices are prohibited
- ☐ Businesses must be able to substantiate any claims in their advertising (i.e. have evidence of the claims they make at the time they are making them)
- ☐ Environmental claims that mislead consumers are prohibited
- ☐ Special protections are provided to one or more special categories of consumers (e.g. children or the elderly)
- ☐ None of the above

13. Does the legal framework protect the integrity of online ratings, endorsements, and reviews? Check all that apply.

- ☐ Prohibit fake or misleading online endorsements, ratings and reviews
- ☐ Prohibit restricting consumers' ability to make negative reviews or ratings
- ☐ None of the above



14. Does the legal framework mandate the following as to unsolicited commercial communications (...)? Check all that apply.

- ☐ Unsolicited commercial communications have to meet certain conditions to be legal
- ☐ Recipients of unsolicited commercial communications can access an easy mechanism to opt-out (for example, unsubscribe button in email marketing communications)
- ☐ None of the above

Appropriate disclosures

15. Does the legal framework have the following information requirements about online sellers (...)? Check all that apply.

- ☐ Require businesses to disclose enough information to enable consumers to contact them
- ☐ Allow interested parties to request e-commerce intermediaries to deliver information about sellers operating in those e-commerce marketplaces
- ☐ None of the above

16. Does the legal framework provide for a minimum standard of information regarding goods and services that shall be disclosed by the seller to consumers BEFORE completing transactions?

- ☐ Yes
- ☐ No

17. Does the legal framework impose any of the following requirements regarding contractual terms and conditions? Check all that apply.

- ☐ Clear and transparent contractual terms and conditions shall be disclosed before completing online transactions
- ☐ Vague, obscure or abusive clauses in consumer contracts are void
- ☐ Right of withdrawal for consumers in digital transactions under certain conditions
- ☐ None of the above

18. Does the legal framework mandate disclosing clearly all knowable unavoidable charges?

- ☐ Yes
- ☐ No



Effective processes for transaction confirmation and payment

19. Does the legal framework require a transaction record for digital transactions?

- ☐ Yes
- ☐ No

20. Does the legal framework protect consumers from being liable for any of the following charges? Select as many as apply. Please note that this may be part of financial consumer protection regulations or alike in your country.

- ☐ Fraudulent charges
- ☐ Unauthorized charges
- ☐ None of the above

Measures to address privacy and security risks

21. Does the legal framework require companies to give consumers' control over the use of their personal data (e.g., the right to access, delete, opt out of data sales and marketing, and rectify their data)? Check all that apply.

- ☐ There is legislation that covers all consumer personal data
- ☐ There is specific legislation for sectorial consumer personal data
- ☐ None of the above

22. Does the legal framework require businesses to provide reasonable data security measures for consumer personal data?

- ☐ Yes
- ☐ No

Product safety across e-commerce supply chains

23. Does the legal framework impose any of the following requirements to ensure product safety across e-commerce supply chains (...)? Check all that apply

- ☐ Sellers shall not offer, advertise or market goods or services that pose an unreasonable risk to the health or safety of consumer
- ☐ Sellers shall co-operate with the competent authorities to prevent distribution of banned, and/or recalled products, and/or prevent illegal distribution of restricted products.
- ☐ None of the above



Meaningful access to effective mechanism to resolve disputes

24. Does the legal framework require companies to give consumers any of the following for goods/products purchased online in case they arrive damaged or defective, don't work as advertised, or don't work for their intended purpose? Check all that apply.

- ☐ Minimum warranty
- ☐ Option to return
- ☐ Option to a refund
- ☐ None of the above

25. Does the government (e.g., the Authority, courts or another government entity) provide any of the following alternative dispute resolution (ADR) mechanisms to facilitate the settlement of B2C disputes? Check all that apply.

- ☐ Offline Mediation or Conciliation
- ☐ Offline Arbitration
- ☐ Online Mediation or Conciliation, the process happens completely online
- ☐ Online Arbitration, the process happens completely online
- ☐ None of the above

26. Does the legal framework require certain private online actors to provide Online Dispute Resolution (ODR) mechanisms for online consumers?

- ☐ Yes
- ☐ No

27. To provide consumer redress, does the legal framework: (...)? Check all that apply.

- ☐ Allow consumers to file claims against sellers before administrative authorities to obtain redress
- ☐ Allow consumers to file claims against sellers before courts to obtain redress
- ☐ Allow consumer associations or advocacy groups to file claims against sellers before administrative authorities to obtain redress
- ☐ Allow consumer associations or advocacy groups to file claims against sellers before courts to obtain redress
- ☐ Allows for the filing of consumer protection class actions to obtain redress
- ☐ None of the above



Pillars 2-3

Institutional Oversight and Implementation / Enforcement

These Pillars emphasize the importance of:

- ▶ Enforcement authorities and their powers;
- ▶ Cooperation with other authorities;
- ▶ Self and co-regulation mechanisms;
- ▶ Education, awareness, and digital consumer competence;
- ▶ Transparency and accountability;
- ▶ Resources.

Pillar 2 covers the legal framework that applies to the Authorities, and Pillar 3 collects data on how the Authorities use the tools and powers they have at their disposal. It also measures resources given to the Authorities to use those tools.

The data we collect will be analyzed to provide a maturity assessment profile for each country.

Please review the GRIDMAP glossary for any questions on how we are using a specific term in this survey.

Enforcement authorities and their powers

28. What are the roles the Authority performs under the consumer protection law? Check all that apply.

- ☐ Mediation/ arbitration
- ☐ Handle complaints
- ☐ Auditing/ inspections
- ☐ Public outreach/ education
- ☐ Investigations
- ☐ Enforcement
- ☐ Policy making or rule making
- ☐ None of the above

29. What type of enforcement powers does the Authority have? Check all that apply.

- ☐ Bring civil court actions (for example, does the Authority have the power to bring a civil court action to stop a business misconduct, levy a fine, or recover money for consumers)
- ☐ Administrative (for example, does the Authority have the power to issue an administrative order to stop business misconduct, levy a fine, or recover money for consumers)
- ☐ Power to refer certain actions to criminal authorities
- ☐ None of the above

30. Does the Authority have legal discretion not to handle every single complaint received?

- ☐ Yes
- ☐ No

31. Can the Authority decide on its own to start an investigation without the need to receive an outside complaint (for example, on the basis of media reports, consumer surveys)?

- ☐ Yes
- ☐ No



32. Does the Authority have any of the following investigative powers? Please respond yes even if the authority requires court approval to exercise those powers. Check all that apply.

- ☐ Compel testimony from the business under investigation
- ☐ Compel documents or information from the business under investigation
- ☐ Compel documents or information from third parties
- ☐ Enter premises of the business without their consent
- ☐ None of the above

33. How does the Authority prioritize which cases to bring? Check all that apply.

- ☐ Broader Authority priorities/strategic plan
- ☐ Consumer detriment (evaluating harm to consumers)
- ☐ Risk-based analysis (for example evaluating risk to consumers in a certain sector or from certain types of practices)
- ☐ Based on analysis of Consumer Surveys conducted by the Authority
- ☐ None of the above

34. What sanctions and persuasion tools can the Authority use with respect to a business? Check all that apply. Please also indicate yes even if an option requires judicial approval.

- ☐ Warning letters
- ☐ Penalties or fines
- ☐ Obtaining money from the business to compensate the consumers for damage
- ☐ Cease-and-desist orders
- ☐ Initiate or refer a criminal prosecution
- ☐ License suspension or revocation, and/or bans on businesses engaging in a particular line of business
- ☐ Initiate a civil enforcement proceeding in a judicial court
- ☐ Initiate an enforcement proceeding in an administrative tribunal
- ☐ Addressing fraud to consumers through own powers or through civil courts
- ☐ Publicize an open investigation of a company (e.g., "name and shame")
- ☐ None of the above



38. Does the Authority have any arrangements with foreign authorities that allow any of the following? Check all that apply.

- ☐ Sharing confidential / personal information for separate but coordinated investigations by each authority(s)
- ☐ Taking joint actions different from investigations (e.g., joint letters)
- ☐ Conducting joint investigations
- ☐ None of the above

39. Number of investigations or cases during the last calendar year in which the Authority shared evidence or information with a foreign Authority?

- ☐ Number*
- ☐ Not available

Self and co-regulation mechanisms

40. Regarding self and co-regulatory mechanisms, which of the following applies? Check all that apply.

- ☐ The legal framework allows them (consider a yes answer even if an authorization is required)
- ☐ The legal framework allows the Authority to provide incentives for businesses that adhere to self or co-regulation mechanisms (e.g., regulatory relief, cost savings, financial, reputational, sanctions reductions).
- ☐ They are not allowed by the legal framework

41. During the last calendar year, which roles did the Authority perform regarding self and co-regulation in consumer protection? Check all that apply.

- ☐ Providing incentives to those businesses that adhere to self or co-regulation mechanisms (e.g., regulatory relief, cost savings, financial, reputational, and sanctions reductions)
- ☐ Engaging stakeholders in developing regulations (e.g., providing feedback to regulations, co-designing workshops, co-creating code of conducts)
- ☐ Approving or accrediting private actors to run self or co-regulation mechanisms, for example trust seals or dispute resolution mechanisms
- ☐ Monitoring or performing evaluations of the co-regulation mechanism
- ☐ None of the above



42. Has the Authority endorsed or authorized any business or industry association to use any of the following co-regulatory mechanisms? Check all that apply.

- ☐ Voluntary codes of conduct or guidelines
- ☐ Dispute resolution mechanisms
- ☐ Trust seals/certifications/accreditations
- ☐ Other. Please specify

- ☐ None of the above

Education, awareness and digital consumer competence

43. Does the Authority carry out any of the following to inform consumers about their rights or provide them advice? Check all that apply.

- ☐ Provide online content directed to consumers
- ☐ Carry out awareness raising campaigns
- ☐ Collaborate with third parties (consumer associations, chambers of commerce, etc.) to inform consumers of their rights or provide them advice
- ☐ Other. Please specify

- ☐ None of the above

44. Does the Authority carry out any of the following education and awareness campaigns to inform businesses to facilitate compliance? Check all that apply.

- ☐ Provide online content directed to businesses
- ☐ Carry out awareness raising campaigns
- ☐ Collaborate with third parties (business associations, chambers of commerce, etc.) to inform businesses of their obligations
- ☐ None of the above



45. Number of education campaigns conducted during the last calendar year (e.g., workshops, online campaigns, online courses, events)

☐ Consumer education campaigns

☐ Business education campaigns

☐ Joint campaigns with businesses to educate or raise awareness among consumers or other businesses

☐ Not available

Transparency and processes

46. Does the Authority have standard procedures to guide carrying out the following activities? (e.g., internal procedures that the Authority has to guide a new employee in knowing how to handle the following activities) Check all that apply.

☐ To register complaints

☐ To carry out Investigations

☐ For dispute resolution

☐ None of the above

47. Are the standard procedures that guide staff activities audited?

☐ Yes, by a government internal audit unit

☐ Yes, by a third party

☐ No

48. Does the Authority publish the following information online? Check all that apply.

☐ Annual report on Consumer protection

☐ Information on investigations conducted and finalized (at least annually)

☐ Information on remedies obtained for consumers

☐ Information on sanctions and penalties

☐ None of the above



49. Number of consumer complaints received during the last calendar year.

☐ Number

☐ The authority publishes this number online

☐ Not available

50. Number of consumer complaints resolved during the last calendar year.

☐ Number

☐ The authority publishes this number online

☐ Not available

51. Amount recovered for consumers during the last calendar year (in USD)

☐ Amount in USD

☐ The authority publishes this number online

☐ Not available

52. Number of cases the authority investigated during the last calendar year.

☐ Number

☐ The authority publishes this number online

☐ Not available

Resources

53. Does the authority provide any of the following to its staff working in consumer protection? Check all that apply.

☐ Training (at least annual)

☐ Staff performance evaluation (at least annual)

☐ Career path for staff (at least revised annually)

☐ None of the above



54. How many full-time employees in the Authority work mostly on consumer protection?

☐ Number

☐ Not available

55. How many full-time non-administrative staff work in complaint handling, investigations and sanctions? and from those, how many are attorneys?

☐ Total number (unique individuals)

☐ Total number of attorneys among the non-administrative staff (unique individuals)

☐ Not available

56. Do you agree with the following statement? The Consumer Protection Authority has sufficient budget to carry out the activities associated with handling complaints, investigations, hiring staff, and delivering training programs.

☐ Strongly agree

☐ Agree

☐ Neutral

☐ Disagree

☐ Strongly disagree

57. Please provide the latest annual budget of the Authority that is related to consumer protection (in USD)

☐ Amount USD

☐ Not available

58. Is there a unit/department responsible for planning the Authority's digital systems (e.g., design, development, maintenance, outsourcing) to operate internally and interact with consumers and businesses?

☐ Yes

☐ No





ANNEX III. EXAMPLES

TABLE AIII 1. REGULATIONS EXAMPLES PER CATEGORY

CATEGORY	COMPONENT	EXAMPLES
Category 1 - Fair Business and Advertising Practices	Prohibition of unfair and deceptive business practices	Article 9 of the Consumer Protection Act of Malaysia²³ provides an umbrella provision for misleading and deceptive practices: “No person shall engage in a conduct that (a) in relation to goods, is misleading or deceptive, or is likely to mislead or deceive, the public as to the nature, manufacturing process, characteristics, suitability for a purpose, availability or quantity, of the goods; or (b) in relation to services, is misleading or deceptive, or is likely to mislead or deceive, the public as to the nature, characteristics, suitability for a purpose, availability or quantity, of the services.” The Act also includes several provisions which complement the umbrella provision with specific examples. Section 5(a) of the Federal Trade Commission (FTC) Act of the United States of America²⁴ includes an umbrella provision stating that “(...) unfair or deceptive acts or practices in or affecting commerce, are hereby declared unlawful.” The US FTC has derived from this short umbrella provision the main consumer protection framework for the use, to holistically protect consumers, including through extensive rulings, guidelines and regulations. For example, the Guides for the Use of Environmental Marketing Claims²⁵ provides that “(...) sellers should employ competent and reliable scientific and accounting methods to properly quantify claimed emission reductions and to ensure that they do not sell the same reduction more than one time.” Section 10 of the Marketing Act of Sweden²⁶ provides that “In the course of marketing a trader may not make any incorrect statement or other representation that is misleading with respect to the trader’s own or another person’s business activity. The first paragraph particularly applies to representations which concern (...) 2. the product’s origin, uses and risks such as impact on health or environment.” Resolution 11/2021 of the Southern Common Market (MERCOSUR) on Hyper vulnerable Consumers.²⁷

23 Consumer Protection Act 1999 as of 1 November 2019 of Malaysia. Available at: https://www.aseanconsumer.org/file/pdf_file/CONSUMER%20PROTECTION%20ACT%201999%20AMENDMENT%202019%20.pdf.

24 Federal Trade Commission Act of the United States of America. Available at: <https://www.govinfo.gov/content/pkg/COMPS-388/uslm/COMPS-388.xml>.

25 Federal Trade Commission Guides for the Use of Environmental Marketing Claims. Available at: <https://www.ftc.gov/sites/default/files/attachments/press-releases/ftc-issues-revised-green-guides/greenguides.pdf>.

26 The Marketing Act of Sweden of 2008. Available at: <https://www.government.se/contentassets/747603b3d1a04351b1773524c7de3c84/2008486-marketing-act/>.

27 Resolution 11/2021 of the Southern Common Market (MERCOSUR). Available at: https://normas.mercosur.int/simfiles/normativas/85763_RES_011-2021_ES_Proteccion%20Consumidor%20Hipervulnerable.pdf.



- 28 Consumer Protection Act of 2007 of Ireland, as amended by the Consumer Rights Act of 2022 of Ireland. Available at: <https://revisedacts.lawreform.ie/eli/2007/act/19/section/55/revised/en/html>.
- 29 Consumer Code of France, as amended by Article 52 of Law no. 2016-1321 of October 7, 2016 of France. Available at: https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000006069565/.
- 30 Federal Trade Commission Guides Concerning Use of Endorsements and Testimonials in Advertising. Available at: <https://www.ftc.gov/legal-library/browse/federal-register-notices/16-cfr-part-255-guides-concerning-use-endorsements-testimonials-advertising>.
- 31 More information regarding the “Do Not Call Register” of Argentina available at: <https://nollame.aaip.gob.ar/>.
- 32 More information regarding the “National Do Not Call Register” managed by the Federal Trade Commission of the United States of America available at: <https://www.donotcall.gov/faq.html>.
- 33 More information regarding the “National Customer Preference Register” of India available at: <https://traa.gov.in/preference-registration>.
- 34 More information regarding the “No Call, No Text and No Electronic Messages Registration System” in the Philippines available at: <https://www.pna.gov.ph/articles/1149528>.



Category 1 - Fair Business and Advertising Practices	Control unsolicited commercial communications	Article 36(3) of the Nigeria Data Protection Act of 2023³⁵ provides that, “Where personal data is processed for direct marketing purposes, the data subject shall have the right to object, at any time, to the processing of personal data concerning the data subject (...).” Provision 4/2009 of the National Directorate for the Protection of Personal Data of Argentina³⁶ provides that senders of commercial communications “must include a notice informing the data subject of the right to withdraw or block, in whole or in part, his/her name from the database and the mechanism provided for its exercise (...)”, and also “verify that the mechanisms provided for the exercise of the right of withdrawal or blocking have sufficient operational capacity to respond to the eventual exercise of such right by the data subjects.”
	Appropriate Disclosures	Article 76 bis of the Federal Consumer Protection Law of Mexico³⁷ provides that “The supplier shall provide the consumer, prior to entering into the transaction, with his physical address, telephone numbers, and other means to which the consumer can turn to present his complaints or request clarifications.” Article 27.1 of the Consumer Protection Act of 2008 of South Africa³⁸ provides that “(1) An intermediary must: (a) disclose prescribed information to: (i) any person whom the intermediary solicits or agrees to represent with respect to the sale of any property or services, or from whom the intermediary accepts any property for the purpose of offering it for sale; and (ii) any person from whom the intermediary solicits an offer, or to whom the intermediary offers to supply or supplies: (aa) any service to be performed by a third person; or (bb) any goods or property belonging to a third person; and (b) keep the prescribed records of all relationships and transactions contemplated in this section.”
	Product or services information	Article 2.2 of the Consumer Protection Act of 2018 of Egypt³⁹ acknowledges the right of consumers to “obtain all information and correct data about the services or products bought, used or presented.” The Act also states in its Article 4: “The Supplier shall inform the Consumer of all essential data about the products, in particular the source of the product, its price, its features and its basic characteristics, and any other data specified by the executive regulations of this law according to the nature of the product.” Article 6.III of the Consumer Defense Code of Brazil⁴⁰ acknowledges the rights of consumers to “adequate and clear information about the different products and services, with correct specification of quantity, characteristics, composition, quality, applicable taxes and price, as well as the risks they present.”
	Transparent and clear and terms and conditions	Section 31 of Consumer Protection Act of 1979 of Thailand⁴¹

35 Nigeria Data Protection Act, 2023. Available at: https://ndpc.gov.ng/Files/Nigeria_Data_Protection_Act_2023.pdf.

36 Provision 4/2009 of the National Directorate for the Protection of Personal Data of Argentina, available at: <https://www.argentina.gob.ar/normativa/nacional/disposici%C3%B3n-4-2009-151221/texto>

37 Federal Consumer Protection Law of Mexico. Available at: https://www.profeco.gob.mx/juridico/pdf/l_lfpc_ultimo_camdip.pdf.

38 Consumer Protection Act of 2008 of South Africa. Available at: https://www.gov.za/sites/default/files/gcis_document/201409/321864670.pdf.

39 Consumer Protection Act of 2018 of Egypt. Available at: <https://cpa.gov.eg/Portals/0/Law/English%20version%20CPA%20LAW.pdf>.

40 Law N° 8.078 of September 11th, 1990 of Brazil. Available at: https://www.planalto.gov.br/ccivil_03/leis/l8078compilado.htm.

41 https://aseanconsumer.org/file/post_image/The%20Consumer%20Protection%20Act%201979.pdf.



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**Category 3 -
Transaction,
privacy and
safety****Transaction
confirmation**

Article 118 of the Federal Competition and Consumer Protection Act of 2018 of Nigeria⁴⁷: “Except where it is impracticable to do so, an undertaking shall provide a written record of each transaction to any consumer to whom goods or services are sold or supplied, and include in that record at least- (a) the undertaking’s full name, or registered business name; (b) the address of the premises at which, or from which, the goods or services are sold or supplied; (c) the date on which the transaction occurred; (d) a name or description of any goods or services supplied or to be supplied; (e) the unit price of any particular goods or services supplied or to be supplied; (f) the quantity of any particular goods or services supplied or to be supplied; (g) the total price of the transaction, before any applicable taxes; (h) the amount of any applicable taxes; and (i) the total price of the transaction, including any applicable taxes.”

**Secure
payments**

The European Union Payment Services Directive⁴⁸ provides in Article 71.1: “The payment service user shall obtain rectification of an unauthorized or incorrectly executed payment transaction from the payment service provider only if the payment service user notifies the payment service provider without undue delay on becoming aware of any such transaction giving rise to a claim, including that under Article 89, and no later than 13 months after the debit date.” Moreover, the Directive provides in Article 73.1 that “Member States shall ensure that, without prejudice to Article 71, in the case of an unauthorized payment transaction, the payer’s payment service provider refunds the payer the amount of the unauthorized payment transaction immediately, and in any event no later than by the end of the following business day, after noting or being notified of the transaction, except where the payer’s payment service provider has reasonable grounds for suspecting fraud and communicates those grounds to the relevant national authority in writing. Where applicable, the payer’s payment service provider shall restore the debited payment account to the state in which it would have been had the unauthorized payment transaction not taken place. This shall also ensure that the credit value date for the payer’s payment account shall be no later than the date the amount had been debited.”

⁴⁷ Federal Competition and Consumer Protection Act of 2018 of Nigeria. Available at: <https://fccpc.gov.ng/wp-content/uploads/2022/07/FCCPA-2018.pdf>.

⁴⁸ Directive (EU) 2015/2366 of the European Parliament and of the Council of November 25th, 2015. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32015L2366>.



Category 3 - Transaction, privacy and safety

Protect personal information

Article 34.1.(a) of the Nigeria Data Protection Act of 2023⁴⁹ acknowledges the right to access of data subjects by stating that: "A data subject has the right to obtain from a data controller, without constraint or unreasonable delay: (a) confirmation as to whether the data controller or a data processor operating on its behalf, is storing or otherwise processing personal data relating to the data subject, and where that is the case: (i) the purposes of the processing, (ii) the categories of personal data concerned, (iii) the recipients or categories of recipient to whom the personal data have been or will be disclosed, particularly recipients in third countries or international organizations, (iv) where possible, the period for which the personal data will be stored, or, if not possible, the criteria used to determine that period, (v) the existence of the right to request from the data controller rectification or erasure of personal data, or restriction of processing of personal data concerning the data subject or to object to such processing, (vi) the right to lodge a complaint with the Commission, (vii) where the personal data is not collected from the data subject, any available information as to their source, and (viii) the existence of automated decision-making, including profiling, the significance and envisaged consequences for the data subject." Articles 34.1.(c) and (d) of the Act also acknowledge the rights to correct and erase of data subjects, respectively, as follows: "A data subject has the right to obtain from a data controller, without constraint or unreasonable delay (...) (c) the correction or, if correction is not feasible or suitable, deletion of the data subject's personal data that is inaccurate, out of date, incomplete, or misleading; (d) the erasure of personal data concerning the data subject, without undue delay." Moreover, Article 36 of the Act acknowledges the right to object of data subjects under certain scenarios: "(1) A data subject shall have the right to object to the processing of personal data relating to the data subject. (2) A data controller shall discontinue the processing of personal data, unless the data controller demonstrates a public interest or other legitimate grounds, which overrides the fundamental rights and freedoms, and the interests of the data subject. (3) Where personal data is processed for direct marketing purposes, the data subject shall have the right to object, at any time, to the processing of personal data concerning the data subject, which includes profiling to the extent that it is related to such direct marketing. (4) Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes."

Article 18 of the General Data Protection Law of Brazil⁵⁰ acknowledges the rights to access, correct and erase of data subjects, among others, as follows: "The holder of personal data has the right to obtain from the controller, in relation to the holder's data processed by him, at any time and upon request: I - confirmation of the existence of treatment; II - access to data; III - correction of incomplete, inaccurate or outdated data; IV - anonymization, blocking or elimination of unnecessary, excessive or processed data that does not comply with the provisions of this Law; V - portability of data to another service or product provider, upon express request, in accordance with the regulations of the national authority, observing commercial and industrial secrets; VI - deletion of personal data processed with the holder's consent, except in the cases provided for in art. 16 of this Law; VII - information on public and private entities with which the controller shared data use; VIII - information about the possibility of not providing consent and the consequences of refusal; IX - revocation of consent, pursuant to § 5 of art. 8th of this Law."

49 Nigeria Data Protection Act, 2023. Available at: https://ndpc.gov.ng/Files/Nigeria_Data_Protection_Act_2023.pdf.

50 Law N° 13.709 of August 14th, 2018 of Brazil. Available at: https://www.planalto.gov.br/ccivil_03/_ato2015-2018/2018/lei/l13709.htm.



**Category 3 -
Transaction,
privacy and
safety**

**Provision of
data security
measures**

Article 24 of the Personal Data Protection Act of Singapore⁵¹ provides that, “An organization must protect personal data in its possession or under its control by making reasonable security arrangements to prevent: (a) unauthorized access, collection, use, disclosure, copying, modification or disposal, or similar risks; and (b) the loss of any storage medium or device on which personal data is stored.”

Personal Health Information Protection Act of Ontario⁵²

Section 20 of the Data Privacy Act of 2012 of the Philippines⁵³ provides that: “(a) The personal information controller must implement reasonable and appropriate organizational, physical and technical measures intended for the protection of personal information against any accidental or unlawful destruction, alteration and disclosure, as well as against any other unlawful processing. (b) The personal information controller shall implement reasonable and appropriate measures to protect personal information against natural dangers such as accidental loss or destruction, and human dangers such as unlawful access, fraudulent misuse, unlawful destruction, alteration and contamination. (c) The determination of the appropriate level of security under this section must take into account the nature of the personal information to be protected, the risks represented by the processing, the size of the organization and complexity of its operations, current data privacy best practices and the cost of security implementation. Subject to guidelines as the Commission may issue from time to time, the measures implemented must include: (1) Safeguards to protect its computer network against accidental, unlawful or unauthorized usage or interference with or hindering of their functioning or availability; (2) A security policy with respect to the processing of personal information; (3) A process for identifying and accessing reasonably foreseeable vulnerabilities in its computer networks, and for taking preventive, corrective and mitigating action against security incidents that can lead to a security breach; and (4) Regular monitoring for security breaches and a process for taking preventive, corrective and mitigating action against security incidents that can lead to a security breach. (d) The personal information controller must further ensure that third parties processing personal information on its behalf, shall implement the security measures required by this provision. (e) The employees, agents or representatives of a personal information controller who are involved in the processing of personal information shall operate and hold personal information under strict confidentiality if the personal information is not intended for public disclosure. This obligation shall continue even after leaving the public service, transfer to another position or upon termination of employment or contractual relations.”

51 Personal Data Protection Act 2012 of Singapore. Available at: <https://sso.agc.gov.sg/Act/PDPA2012?WholeDoc=1>.

52 <https://www.ontario.ca/laws/statute/04p03>.

53 Republic Act 10.173 – Data Privacy Act of 2012 of the Philippines. Available at: <https://privacy.gov.ph/data-privacy-act/>.



**Category 3 -
Transaction,
privacy and
safety****Provision of
data security
measures**

Article 46 of the General Data Protection Law of Brazil⁵⁴ provides that “Processing agents must adopt security, technical and administrative measures capable of protecting personal data from unauthorized access and accidental or unlawful situations of destruction, loss, alteration, communication, or any form of inappropriate or unlawful processing. 1) The national authority may provide for minimum technical standards to make the provisions of the caput of this article applicable, considering the nature of the information processed, the specific characteristics of the processing and the current state of technology, especially in the case of sensitive personal data, as well as the principles set out in the caput of art. 6 of this Law. 2) The measures referred to in the caput of this article must be observed from the design phase of the product or service until its execution.”

**Category 3 -
Transaction,
privacy and
safety****Prevention of
distribution
of banned
and regulated
products**

Article 5 of Argentina Consumer Protection Law⁵⁵ provides that, “Goods and services must be provided in such a way that, used in foreseeable or normal conditions, do not present any danger for the health or physical integrity of the consumers or users.” Moreover, Article 6 of the law states that “Goods and services, including utilities, that may pose a risk to the health or physical integrity of consumers or users, must be commercialized observing the mechanisms, instructions and standards established or reasonable to guarantee their safety.”

Article 31 of the Canada Consumer Product Safety Act⁵⁶ states: “If the Minister believes on reasonable grounds that a consumer product is a danger to human health or safety, he or she may order a person who manufactures, imports or sells the product for commercial purposes to recall it.” Article 32 of the Act states that, under certain scenarios, “The Minister may order a person who manufactures, imports, advertises or sells a consumer product (...)” to take any of the following measures: “(a) stopping the manufacturing, importation, packaging, storing, advertising, selling, labeling, testing or transportation of the consumer product or causing any of those activities to be stopped; and (b) any measure that the Minister considers necessary to remedy a non-compliance with this Act or the regulations, including any measure that relates to the product that the Minister considers necessary in order for the product to meet the requirements of the regulations or to address or prevent a danger to human health or safety that the product poses.” The Act also states in Article 33 that “If a person does not comply with an order made under section 31 or 32 within the time specified, the Minister may, on his or her own initiative and at that person’s expense, carry out the recall or measure required.”

54 Law N° 13.709 of August 14th, 2018 of Brazil. Available at: https://www.planalto.gov.br/ccivil_03/_ato2015-2018/2018/lei/l13709.htm.

55 Consumer Protection Law of Argentina. Available at: <https://servicios.infoleg.gob.ar/infolegInternet/anexos/0-4999/638/texact.htm>.

56 Canada Consumer Product Safety Act (S.C. 2010, c. 21). Assented to 2010-12-15. Available at: <https://laws-lois.justice.gc.ca/eng/acts/c-1.68/page-1.html>.

**Category 3 -
Transaction,
privacy and
safety****Prevention of
distribution
of banned
and regulated
products**

Section 15.(b) of the Consumer Product Safety Act of the US⁵⁷ provides that, "Every manufacturer of a consumer product, or other product or substance over which the Commission has jurisdiction under any other Act enforced by the Commission (other than motor vehicle equipment as defined in section 30102(a) (7) of title 49, United States Code), distributed in commerce, and every distributor and retailer of such product, who obtains information which reasonably supports the conclusion that such product: (1) fails to comply with an applicable consumer product safety rule or with a voluntary consumer product safety standard upon which the Commission has relied under section 9; (2) fails to comply with any other rule, regulation, standard, or ban under this Act or any other Act enforced by the Commission; (3) contains a defect which could create a substantial product hazard described in subsection (a)(2); or (4) creates an unreasonable risk of serious injury or death, shall immediately inform the Commission of such failure to comply, of such defect, or of such risk, unless such manufacturer, distributor, or retailer has actual knowledge that the Commission has been adequately informed of such defect, failure to comply, or such risk." Section 15.(c).(1) of the Act also provides that "If the Commission determines (after affording interested persons, including consumers and consumer organizations, an opportunity for a hearing in accordance with subsection (f) of this section) that a product distributed in commerce presents a substantial product hazard and that notification is required in order to adequately protect the public from such substantial product hazard, or if the Commission, after notifying the manufacturer, determines a product to be an imminently hazardous consumer product and has filed an action under section 12, the Commission may order the manufacturer or any distributor or retailer of the product to take any one or more of the following actions: (A) To cease distribution of the product. (B) To notify all persons that transport, store, distribute, or otherwise handle the product, or to which the product has been transported, sold, distributed, or otherwise handled, to cease immediately distribution of the product. (C) To notify appropriate State and local public health officials. (D) To give public notice of the defect or failure to comply, including posting clear and conspicuous notice on its Internet website, providing notice to any third party Internet website on which such manufacturer, retailer, distributor, or licensor has placed the product for sale, and announcements in languages other than English and on radio and television where the Commission determines that a substantial number of consumers to whom the recall is directed may not be reached by other notice. (E) To mail notice to each person who is a manufacturer, distributor, or retailer of such product. (F) To mail notice to every person to whom the person required to give notice knows such product was delivered or sold. Any such order shall specify the form and content of any notice required to be given under such order."

57 Consumer Product Safety Act of the United States of America. Available at: https://www.cpsc.gov/s3fs-public/pdfs/blk_media_cpssa.pdf?epslanguage=en.



**Category 4 -
Dispute
Resolution
and Redress****Post-sales
consumer
services**

Article 82 of the Federal Consumer Protection Law of Mexico⁵⁸ provides that, “The consumer may choose to request the restitution of the good or service, the rescission of the contract or the reduction of the price, and in any case, the bonus or compensation, when the thing or object of the contract has concealed defects that make it unfit for the uses to which it is usually destined, that diminish its quality or the possibility of its use, or does not offer the safety that given its nature is normally expected of it and its reasonable use. When the consumer opts for rescission, the supplier is obliged to reimburse the price paid (...).” Additionally, Article 92 of the Law states that “Consumers shall have the right, at their choice, to the replacement of the product or to the refund of the amount paid, upon delivery of the purchased product, and in any case to a price rebate, in the following cases: I. When the net content of a product or the quantity delivered is less than that indicated on the package, container, packaging or when measuring instruments are used that do not comply with the applicable provisions, considering the tolerance limits allowed by the regulations; II. If the good does not correspond to the quality, brand, or specifications and other substantial elements under which it was offered or does not comply with the official Mexican regulations; III. If the repaired good is not in an adequate condition for its use or destination, within the warranty period; and IV. In the other cases provided for by this law.”

Article 56 of the Consumer Protection Act of 2008 of South Africa⁵⁹ states: “(1) In any transaction or agreement pertaining to the supply of goods to a consumer there is an implied provision that the producer or importer, the distributor and the retailer each warrant that the goods comply with the requirements and standards contemplated in section 55, except to the extent that those goods have been altered contrary to the instructions, or after leaving the control, of the producer or importer, a distributor or the retailer, as the case may be. (2) Within six months after the delivery of any goods to a consumer, the consumer may return the goods to the supplier, without penalty and at the supplier’s risk and expense, if the goods fail to satisfy the requirements and standards contemplated in section 55, and the supplier must, at the direction of the consumer, either— (a) repair or replace the failed, unsafe or defective goods; or (b) refund to the consumer the price paid by the consumer, for the goods. (3) If a supplier repairs any particular goods or any component of any such goods, and within three months after that repair, the failure, defect or unsafe feature has not been remedied, or a further failure, defect or unsafe feature is discovered, the supplier must— (a) replace the goods; or (b) refund to the consumer the price paid by the consumer for the goods.”

**Alternative
dispute
resolution
mechanisms**

Article 70.1 of the Consumer Protection Act of 2008 of South Africa⁶⁰ states: “A consumer may seek to resolve any dispute in respect of a transaction or agreement with a supplier by referring the matter to an alternative dispute resolution agent who may be— (a) an ombud with jurisdiction, if the supplier is subject to the jurisdiction of any such ombud; (b) an industry ombud accredited in terms of section 82(6), if the supplier is subject to the jurisdiction of any such ombud; (c) a person or entity providing conciliation, mediation or arbitration services to assist in the resolution of consumer disputes, other than an ombud with jurisdiction, or an accredited industry ombud; or (d) applying to the consumer court of the province with jurisdiction over the matter, if there is such a consumer court, subject to the law establishing or governing that consumer court.”

58 Federal Consumer Protection Law of Mexico. Available at: https://www.profeco.gob.mx/juridico/pdf/l_lfpc_ultimo_camdip.pdf.

59 Consumer Protection Act of 2008 of South Africa. Available at: https://www.gov.za/sites/default/files/gcis_document/201409/321864670.pdf.

60 Consumer Protection Act of 2008 of South Africa. Available at: https://www.gov.za/sites/default/files/gcis_document/201409/321864670.pdf.

**Category 4 -
Dispute
Resolution
and Redress****Alternative
dispute
resolution
mechanisms**

Law 26.993 of Argentina⁶¹ creates the “Conciliation Service for Consumer Relationships” (COPREC), a government-sanctioned system that enables individual consumers to file claims to businesses for amounts up to 55 minimum wages using and online platform. These claims are assigned randomly to various independent attorneys accredited by the Government to act as Conciliators. The procedure is free of charge for the consumer, who also does not require legal assistance, and can be carried out entirely through electronic means of communication.

Article 5 of the European Union Directive on Consumer Alternative Dispute Resolution⁶² states: “1. Member States shall facilitate access by consumers to ADR procedures and shall ensure that disputes covered by this Directive and which involve a trader established on their respective territories can be submitted to an ADR entity which complies with the requirements set out in this Directive. 2. Member States shall ensure that ADR entities: (a) maintain an up-to-date website which provides the parties with easy access to information concerning the ADR procedure, and which enables consumers to submit a complaint and the requisite supporting documents online; (b) provide the parties, at their request, with the information referred to in point (a) on a durable medium; (c) where applicable, enable the consumer to submit a complaint offline; (d) enable the exchange of information between the parties via electronic means or, if applicable, by post; (e) accept both domestic and cross-border disputes, including disputes covered by Regulation (EU) No 524/2013; and (f) when dealing with disputes covered by this Directive, take the necessary measures to ensure that the processing of personal data complies with the rules on the protection of personal data laid down in the national legislation implementing Directive 95/46/EC in the Member State in which the ADR entity is established. 3. Member States may fulfill their obligation under paragraph 1 by ensuring the existence of a residual ADR entity which is competent to deal with disputes as referred to in that paragraph for the resolution of which no existing ADR entity is competent. Member States may also fulfill that obligation by relying on ADR entities established in another Member State or regional, transnational or pan-European dispute resolution entities, where traders from different Member States are covered by the same ADR entity, without prejudice to their responsibility to ensure full coverage and access to ADR entities.”

Article 40.5 of Law 7/2017⁶³ of Spain provides that, “Businesses concluding contracts of sale or provision of services online, as well as e-commerce platforms or online marketplaces, shall include on its website a link that allows an identifiable and easy access to the European Union’s online dispute resolution platform referred to in Regulation 524/2013 of the European Parliament and of the Council of 21 May 2013.” As stated in its recitals, the aforementioned Regulation⁶⁴ created an European Union-level ODR platform operated by the European Commission, instrumented as an interactive website offering a single point of entry to consumers and traders seeking to resolve disputes out-of-court which have arisen from online transactions. The ODR platform allows consumers and traders to submit complaints by filling in an electronic complaint form that is transmitted to an ADR entity that is competent to deal with the dispute concerned. To qualify as an ADR entity that can receive claims submitted through the ODR platform, those entities must have been listed as such by the competent authority of a Member State of the European Union, in accordance with Directive 2013/11 of the European Union.⁶⁵

61 Law 26.993 of Argentina. Available at: <https://servicios.infoleg.gob.ar/infolegInternet/anexos/235000-239999/235275/norma.htm>.

62 Directive 2013/11/EU of the European Parliament and of the Council of May 21st, 2013. Available at: <https://eur-lex.europa.eu/eli/dir/2013/11/oj>.

63 Law 7/2017 of November 2nd, 2017 of Spain. Available at: <https://boe.es/buscar/act.php?id=BOE-A-2017-12659&tn=0&p=20220802>.

64 Regulation (EU) No 524/2013 of the European Parliament and of the Council of May 21st, 2013. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R0524>.

65 Directive 2013/11/EU of the European Parliament and of the Council of May 21st, 2013. Available at: <https://eur-lex.europa.eu/eli/dir/2013/11/oj>.



66 Law of the Republic Of Indonesia Number 8 Year 1999 concerning Consumer Protection. Available at: https://www.aseanconsumer.org/file/pdf_file/04%20Law-No.-8-Concerning-Consumer-Protection.pdf.

67 Law N° 8.078 of September 11th, 1990 of Brazil. Available at: https://www.planalto.gov.br/ccivil_03/leis/l8078compilado.htm.

68 Consumer Code of Italy. Available at: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2005-09-06;206!vig=>.

69 Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce'). Available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32000L0031>.



Category 5 - Online Emerging topics

Liability of Online intermediaries in the digital marketplace

Article 75 of the Electronic Communications and Transactions Act of South Africa⁷⁰: "(1) A service provider that provides a service that consists of the storage of data provided by a recipient of the service, is not liable for damages arising from data stored at the request of the recipient of the service, as long as the service provider: (a) does not have actual knowledge that the data message or an activity relating to the data message is infringing the rights of a third party; or (b) is not aware of facts or circumstances from which the infringing activity or the infringing nature of the data message is apparent; and (c) upon receipt of a take-down notification referred to in section 77, acts expeditiously to remove or to disable access to the data. (2) The limitations on liability established by this section do not apply to a service provider unless it has designated an agent to receive notifications of infringement and has provided through its services, including on its web sites in locations accessible to the public, the name, address, phone number and e-mail address of the agent. (3) Notwithstanding this section, a competent court may order a service provider to terminate or prevent unlawful activity in terms of any other law."

Article 19 of the Brazilian Civil Rights Framework for the Internet⁷¹: "In order to ensure freedom of expression and prevent censorship, the provider of internet applications can only be subject to civil liability for damages resulting from content generated by third parties if, after an specific court order, it does not take any steps to, within the framework of their service and within the time stated in the order, make unavailable the content that was identified as being unlawful, unless otherwise provided by law. 1) The referred court order must include, under penalty of being null, clear identification of the specific content identified as infringing, allowing the unquestionable location of the material. 2) The implementation of the provisions of this article for infringement of copyright or related rights is subject to a specific legal provision, which must respect freedom of speech and other guarantees provided for in art. 5o of the Federal Constitution. 3) The compensation disputes for damages arising from content made available on the internet related to the honor, reputation, or personality rights, as well as the removal of related contents by internet application providers, can be presented to special small causes courts. 4) The judge, including within the proceeding set forth in 3), can anticipate, partially or in full, the effects of the request contained in the initial petition, to the extent that undisputable proof exists of the fact, considering society's collective interest in the availability of the content on the internet, as long as the requirements of truthiness of the author's claims, the reasonable concern of irreparable damage, or damage that is difficult to repair are met."

Sustainable Consumption

The European Council Directive 92/75/EEC,⁷² the Greenhouse and Energy Minimum Standards Determinations of Australia, that underpin the Greenhouse and Energy Minimum Standards Act 2012 of Australia⁷³ and the Technical Labeling Regulation (RETIQ) of Colombia⁷⁴ are different examples of regulation of labeling which inform energy efficiency of products.

The US FTC has issued Guides for the Use of Environmental Marketing Claims⁷⁵ that include examples related to the correct use of labels on recyclability.

⁷⁰ Electronic Communications and Transactions Act 25 of 2002 of South Africa. Available at: <https://www.gov.za/documents/electronic-communications-and-transactions-act>.

⁷¹ Brazilian Civil Rights Framework for the Internet. Available at: https://www.planalto.gov.br/ccivil_03/_ato2011-2014/2014/lei/l12965.htm.

⁷² European Council Directive 92/75/EEC of September 22nd, 1992. Available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A31992L0075>.

⁷³ More information available at: <https://www.energyrating.gov.au/industry-information/understand-requirements/legislative-framework>.

⁷⁴ Technical Labeling Regulation (RETIQ) of Colombia of September 18th, 2015. Available at: <https://www.minenergia.gov.co/es/misional/energia-electrica-2/reglamentos-tecnicos/reglamento-t%C3%A9cnico-de-etiquetado-retiq/>.

⁷⁵ Available at: <https://www.ftc.gov/sites/default/files/attachments/press-releases/ftc-issues-revised-green-guides/greenguides.pdf>.



ANNEX IV. METHODOLOGY

The construction of the Consumer Protection Module proceeded in five steps, following the GRIDMAP Module construction methodology. For each module, the GRIDMAP methodology involves a process that includes five steps, as described in Figure AIV.1 below. Table AIV.1 briefly describes the steps and points to more detailed information sections elsewhere in the module.

FIGURE AIV 1. GRIDMAP METHODOLOGY - MODULE CONSTRUCTION





TABLE AIV 1. CONSUMER PROTECTION MODULE CREATION PROCEDURE

Step	Brief description	Further information
 1. Define Minimum Package and survey	Sources for the Minimum Package include reports and recommendations from international organizations (e.g., OECD, UNCTAD, APEC) and consumer protection networks and associations (e.g., ICPEN), as well as WB's experience in operations in the Philippines, Rwanda, Uruguay, and Saudi Arabia. The Consumer Protection Minimum Package includes 5 categories, 17 components for Pillar 1; and 6 categories for Pillars 2 and 3, with 12 components for Pillar 2 and 8 components for Pillar 3. The survey has 62 questions, grouped into 3 sections: Context – seven questions; Pillar 1 – 20 questions; Pillar 2&3- 32 questions; and three questions for the Bank of Good Practices. The validation of the Minimum Package involved feedback from experts, specialized working groups at OECD and APEC, and consumer protection associations.	Pillar 1 Minimum Package description– Chapter 2 Sections II and III Pillar 2 and 3 Minimum Package description – Chapter 3 Sections II and III Consumer Protection Survey - Annex II
 2. Data collection	Over 75 Consumer Protection Authorities (CPAs) were invited to participate in the first wave of countries to collect data. By the end of June 2024, the team had contacted over 70 Authorities, 58 Authorities had submitted their surveys (some without answering all questions). Other authorities are still collecting information to complete their surveys. Future versions of the report may include information from additional countries.	Authorities that participated in First Wave - Annex V
 3. Validation process and data analysis	The team analyzed the data obtained through the survey within and across regions, income level groups, and underlying legal system. Most of the results at this level of aggregation are consistent with the expectations based on expert opinion. In cases where country responses had many missing values or results varied widely from expectations, the team engaged in a validation process that included requiring CPAs to provide additional information and review by the team of the legal framework and information available in public reports. By mid-July 2024, the team had run the validation process for 24 country surveys, updating the results for all of them. This update was based on additional information provided by countries, and the analysis performed by the team of the legal framework and information on the CPAs' websites. Findings per category in this report use the completed surveys in the Global database for 53 countries.	Authorities that participated in First Wave - Annex V



Annex IV, Step 4.

Pillars 2 & 3 – Chapter 3,
Sections II and III.

developing comprehensive Maturity Assessment Profiles (MAPs) to show the countries' maturity in the different areas assessed vis a vis the average of the region and of their income level. This section explains how this methodology was applied to the consumer protection module.⁷⁶

76 For an overall explanation on the methodology, please see the GRIDMAP Framework and Methodology document, Methodology chapter.



Step 1. Define Minimum Package and survey

Identify elements, components, and categories per Pillar

For the Consumer Protection Pillar 1, the team reviewed work done by UNCTAD and the OECD Consumer Policy Committee, and identified the core principles that these instruments had in common and with the World Bank work on the topic. These principles were then translated into Pillar 1 for the legal framework for consumer protection. Three of the categories are covered in a high-level way to signal their importance for consumer protection, although, such topics are in-depth reviewed in other documents. These topics are payment protection, which is covered in depth by the work done by the World Bank on financial consumer protection; data security and privacy, which is covered more in depth in the Data markets module of GRIDMAP; and product safety, which may merit its own module down the road.

Online and offline regulations.

Bread and butter regulations apply, and only in some cases do digital aspects need additional nuance or specific provisions to address.

While many questions for Pillar 1 are relevant for both the offline and the online world, the consumer protection questions in Pillar 1 reflect some nuances needed to protect online consumers. Table AIV.2 below shows which components are equally relevant for both online and offline, which components require some nuances when applied in the online context, and which components are specific to the online environment.

TABLE AIV 2. ONLINE AND OFFLINE REGULATIONS

Category	Consumer Protection Pillar 1 Components
Fair business and advertising practices	Prohibition of unfair and deceptive business practices
	Integrity of online endorsements, ratings and reviews
	Control unsolicited commercial communications
Appropriate disclosures	Online seller accessible information
	Products or services information
	Transparent and clear terms and conditions
	Clear and complete pricing
Transaction, privacy, and safety	Transactions confirmation
	Secure payments ^a
	Protect personal information ^b
	Provide data security measures
	Prevent distribution of banned and regulated products
Dispute resolution and redress	Post-sales consumer services
	Alternative dispute resolution mechanisms
	Effective Redress
Emerging topics	Liability of Online Intermediaries in the digital marketplace
	Sustainable Consumption

Similar regulation for offline and online selling

Common regulation for offline and online, plus online specific regulation

Online selling specific regulation

Notes: a. Payments are covered at the Good Practices for Financial Consumer Protection (2017, WB-FCI); b. Privacy issues will be covered in depth in GRIDMAP Module 2 (Data markets).



The World Bank team relied on its experience working on strengthening institutions to build Pillars 2 and 3, and analyzed relevant work and surveys done at different points in time by other international organizations.

These included the OECD Consumer Protection Enforcement in a Global Digital Marketplace (2018), and the census done by the Global Privacy Alliance, among others⁷⁴. Pillars 2 and 3 measure the institutional arrangements, and implementation and enforcement actions by the Authorities, respectively.

Pillar 2 categories look at the Authorities' roles and their powers, persuasion tools and sanctions, cooperation arrangements with other Authorities, self-regulation and co-regulation mechanisms, education and awareness, transparency and processes, and resources.

TABLE AIV.3. CONSUMER PROTECTION PILLAR 2- INSTITUTIONAL ARRANGEMENTS CATEGORIES



Note: GRIDMAP Categories considered among others the following sources:

a. Toolkit for Protecting Digital Consumers (OECD 2018); b. Within the Approaches to the Regulatory Framework included in OECD Toolkit; c. WB-FCI analysis; d. Guidelines for Consumer Protection (UN, 2016).

Pillar 3 questions ask if the Authority has used recently the powers that it does have (Pillar 2). We also ask about the Authorities resources, their internal processes, and whether they make public some critical pieces of their work. Collecting and interpreting some of these data was challenging, as often Authorities had a different way to report on their activities, and they parceled out or approximated responses based on the data they collect. For some of the survey answers, such as the number of employees or the Authorities' budget, which have until now only been used in deep dives in specific countries, the team will develop an analysis as part of the second phase of this initiative.

For each of the three Pillars, the World Bank team defined a Minimum Package. The Minimum Package is understood as those essential regulatory provisions, institutional arrangements and implementation and enforcement actions that need to be in place as a cornerstone of what eventually may become a stronger, more developed consumer protection framework.

Survey questionnaire development

The survey includes five types of questions:

Context questions; Binary response questions; Multiple response questions; Questions that require data as a response; and Bank of good practices. The team developed the survey based on World Bank experience working with countries and the review mentioned above.

Experts and international bodies Minimum Package validation

The team validated the draft survey questions, methodology and Minimum Package with international experts and created strong ties with relevant international partners in the process (Table AIV.4).

This helped the team iterate on the survey questions and answer options based on the experts' opinion, including clarifying the language to accommodate different implementation models. The team also iterated the survey as a result of over 75 interviews with the Authorities, to clarify and refine questions.⁷⁷

⁷⁷ In addition to the high-level guidelines by the UN and the OECD, to build the minimum package in Pillars 2 and 3 the World Bank reviewed technical documents on institutional arrangements such as the UNCTAD Guidelines on Consumer Protection: Agency Structure and Effectiveness that UNCTAD designed for agencies in the MENA Region to complement the UN Guidelines on Consumer Protection, the ASEAN High Level Principles on Consumer Protection and the ASEAN Roadmap 2025, the OECD Consumer Policy Toolkit (2010), the OECD Consumer Protection Enforcement in a Global Digital Marketplace (2018), the OECD Implementation Toolkit on Legislative Actions for Consumer Protection Enforcement Cooperation (2021), the EU Biennial overview of actions carried out by national authorities under Regulation (EU) 2017/2394 on consumer protection cooperation (2022). For a complete list of sources see "References".



TABLE AIV 4. INTERNATIONAL PARTNERS

OECD Committee on Consumer Policy (CCP)

The team presented the survey at the beginning of November 2023 at **OECD-CCP**. The initiative was very well received, and Committee members provided valuable feedback that was incorporated in the survey.



The team also identified potential collaboration opportunities with the OECD, including the possibility of working on a potential joint research project with the OECD on the impact of consumer regulations in 2025.

The World Bank was also invited to participate in the OECD Ministerial on Consumers in Fall 2024, including on a session to discuss the importance of consumer protection for development.

Foro Iberoamericano de Agencias de Protección al Consumidor (FIAGC)

The survey was shared with **FIAGC** and the Secretariat received the initiative in a very positive manner and helped disseminate it among its members to encourage participation.

APEC Economic Committee (EC)

The team presented the initiative to the EC Working Group on **Online Dispute Resolution** in January 2024, and the delegates from the economies and the academia present were very supportive.

ISO

The World Bank has participated in the **ISO** working group **developing standards for Online Dispute Resolution** since Winter 2022.

The team has benefited from this experience to incorporate the learnings from the ongoing ISO discussions in the design of the questions for dispute resolution and redress, and more importantly to inform the team's engagement with clients in deep dives in the context of projects.

International Consumer Protection Enforcement Network (ICPEN)

The World Bank was admitted as an observer in ICPEN at the beginning of March 2024.

ICPEN has been very supportive of this initiative and has helped distribute the survey among its members.

The World Bank team was able to present some preliminary results during the ICPEN meeting in Poland at the beginning of May 2024, and received positive feedback from the Authorities.

During the same meeting the team launched, together with ICPEN, the first **consumer protection awards**.⁷⁸ This contest complements the work being done under the World Bank and the International Competition Network Competition Advocacy Contest, and is a way to collect good practices from the Authorities on relevant topics.

**UNCTAD**

The team also discussed with **UNCTAD**, as GRIDMAP complements ongoing efforts by UNCTAD to map regulations in the e-commerce space.

78 "Consumer Protection Contest", World Bank, last accessed <https://www.worldbank.org/en/events/2024/09/03/2024-consumer-protection-contest>





Step 4. Assessment construction

The objective of the GRIDMAP Assessment for the Consumer Protection Module is to provide countries with a standardized evaluation of the status of their legal framework, institutional arrangements and implementation and enforcement. This may help countries identify areas where work needs to be done. Each country will be able to compare its results in the GRIDMAP Assessment to the results corresponding to the Minimum Package, as well as averages by regions and income groups.

An independent Assessment by Pillar is calculated to provide relevant insight to countries as to where the potential for improvement is. The three Pillar Assessments are averaged into a final Overall Assessment, but the analysis by Pillar is relevant for interpretation purposes and identification of future actions

The overall GRIDMAP Assessment is:

GRIDMAP Overall Assessment

$$= \frac{(Pillar\ 1\ Assmt.\ +\ Pillar\ 2\ Assmt.\ +\ Pillar\ 3\ Assmt.)}{3}$$

While the Assessment by Pillar provides detailed information regarding the strengths of each country and the most relevant areas of opportunity, the GRIDMAP Overall Assessment stresses the importance of comprehensiveness and covering all Pillars. That is, for safe and trustworthy digital markets to develop, it is necessary to have at least the Minimum Package for each Pillar.

Within each Pillar, each category and component has a different relevance. Hence, in calculating the Assessment for each Pillar, weights are used to reflect the relative importance of each component. Weights were defined by the team, considering the opinions of senior officials from Authorities in several countries, experts in international organizations such as OECD and ICPEN, World Bank experts, and experts in the private and academic sector. For each Pillar, the weights of all the components in that Pillar must sum up to one hundred (100%), hence the specific weight of each component reflects the relative priority of that component within the Pillar, and the total number of components. Since Pillar 1 has more components than Pillars 2 and 3, the weights of components in Pillar 1 will in general be lower than the weights of components in Pillars 2 and 3. This should not be interpreted as components in Pillar 1 being less important than those in the other two Pillars. Weights must be interpreted specifically in the context of each Pillar.



The categories, components, maximum points, Minimum Package points and weights for each Pillar of the Consumer Protection module are detailed in Table AIV.5

TABLE AIV 5. CATEGORIES, COMPONENTS, MAXIMUM POINTS (MAX POINTS), MINIMUM PACKAGE POINTS (MP POINTS) AND WEIGHTS FOR EACH PILLAR OF THE CONSUMER PROTECTION MODULE

Pillar 1: Legal Framework	Max Points	MP Points	Weight
1. Fair business and advertising practices			
Prohibit unfair and deceptive business practices	5	4	8.0%
Integrity of online endorsements, ratings and reviews	2	1	5.7%
Control unsolicited commercial communications	2	1	3.0%
2. Appropriate disclosures			
Online seller accessible information	2	1	8.0%
Products or services information	1	1	8.0%
Transparent and clear terms and conditions	3	2	8.0%
Clear and complete pricing information	1	1	5.7%
3. Transaction, privacy and safety			
Transactions confirmation	1	1	5.7%
Secure payments	2	2	5.7%
Protect personal information	2	1	3.0%
Provide data security measures	1	1	3.0%
Prevent distribution of banned and regulated products	2	1	3.0%
4. Dispute resolution and redress			
Post-sales consumer services	3	2	5.7%
Alternative dispute resolution mechanisms	5	4	8.0%
Effective redress	5	3	8.0%
5. Emerging topics			
Liability of Online Intermediaries in the digital marketplace	4	2	5.7%
Sustainable Consumption	3	2	5.7%
Total	44	30	100.0%



Pillar 2: Institutional Oversight	Max Points	MP Points	Weight
6. Enforcement Authorities and their powers			
Authority's role	11	6	6.0%
Powers and tools of intervention	9	6	11.0%
Conduct related powers and sanctions	10	6	11.0%
7. Cooperation			
Domestic Cooperation	3	2	8.0%
Cross-Border cooperation	3	2	6.0%
8. Self and co-regulation mechanisms			
Self and co-regulation mechanisms	3	2	6.0%
9. Education, awareness and digital consumer competence			
Education and awareness campaigns	6	4	8.0%
10. Transparency and processes			
Clear processes	3	3	11.0%
Communications and outreach	4	3	8.0%
11. Resources			
Staff	3	2	11.0%
Financial Resources	1	1	8.0%
Digital tools	1	1	6.0%
Total	57	38	100.0%



Pillar 3: Implementation / Enforcement	Max Points	MP Points	Weight
6. Enforcement Authorities and their powers			
Conduct related powers and sanctions	10	5	16.0%
7. Cooperation			
Domestic Cooperation	1	1	12.0%
Cross-Border cooperation	1	1	8.0%
8. Self and co-regulation mechanisms			
Self and co-regulation mechanisms	7	4	12.0%
9. Education, awareness and digital consumer competence			
Education and awareness campaigns	3	2	16.0%
10. Transparency and processes			
Clear processes	2	1	8.0%
Communications and outreach	4	4	12.0%
11. Resources			
Digital tools	5	3	16.0%
Total	33	21	100.0%

The outcome of a particular regulatory framework depends, among other things, on its comprehensiveness and overall strength. Having clearly defined obligations in one area but complete absence of regulation in another area will likely not provide an optimal result. Covering, at least partially, all the areas of regulation that are relevant is desirable. Hence, in calculating the Assessment for each Pillar, the team considered not only the sum of the points achieved, but also if the Minimum Package is present in all of the components. To reflect this, each Pillar Assessment comprises two elements:

1. The weighted average of points received in all components receives an 80% weight in the Pillar Assessment.

-
2. The overall strength, estimated as the weighted sum of components covering at least the Minimum Package, receives 20% weight in the Pillar Assessment.

Every Pillar Assessment was computed by a variation of the standard weighted average formula to ensure that the values are normalized to fall between 0 and 1. The approach involves dividing the sum of the multiplication of the points for each component with their respective weights by the sum of the multiplication of the maximum points for each component with their respective weights. This approach was previously used in the construction of the GovTech Maturity Index (Dener et al. 2021).



For each country, the Pillar Assessment is calculated according to the following formula:

Where:

- x_i denotes the points received for component i
- w_i denotes the weight given to component i
- x_{max_i} denotes the maximum possible points for component i
- y_i is a dummy variable that takes value of 1 if the minimum package points are attained for component i and 0 otherwise
- y_{max_i} denotes the maximum possible points for variable y_i , which implies summing 1 for all components
- N denotes the number of components in each Pillar.

Pillar

$$= 0.8 \left(\frac{\sum_{i=1}^N x_i w_i}{\sum_{i=1}^N x_{max_i} w_i} \right) + 0.2 \left(\frac{\sum_{i=1}^N y_i w_i}{\sum_{i=1}^N y_{max_i} w_i} \right)$$

The Pillar Assessments and the GRIDMAP Overall Assessment have the following characteristics:

- ▶ An increase in the points obtained by any country in any of the questions in the survey increases the score in the corresponding Pillar Assessment, as well as the Overall GRIDMAP Assessment.
- ▶ The score in all three Pillar Assessments and in the Overall GRIDMAP Assessment is between zero and one. Scores are zero if and only if all components record zero scores, while they are one if and only if all components record the maximum possible points.
- ▶ The Assessment is flexible and could incorporate additional components or variables in future versions.

For each Pillar Assessment and for the Overall GRIDMAP Assessment, different levels of maturity will be defined. The purpose is not to rank countries in terms of performance, but to illustrate the current state of regulation, to identify good practices and areas for possible improvement. The maturity levels to be considered are:

- ▶ Developing
- ▶ Emerging
- ▶ Established

The scores associated with each maturity level and the corresponding maturity level of each country are still under definition and will be included in future versions of the report.

Step 5. Results reporting

Results have been presented in this report, and an online dashboard that will present these results in detail is under construction.

For those questions where the World Bank asked for numbers, such as number of complaints or number of cases, the first wave of GRIDMAP only reports answers as if they were a binary YES/NO question. "Yes" means the country provided the information and "No" means the country left these questions without an answer. In the next iteration of the analysis, we will analyze in detail those responses that were provided, which will imply normalizing some of them to make them comparable between countries, for example, calculating the number of cases for every million users of ecommerce, and also analyzing several responses together, for example, calculating the percentage of complaints received that are solved, or the amount recovered on average by complaint. The analysis of normalized data and in reference to other variables has already been tested with the data responses regarding staff and budget provided by the Authorities. This analysis is presented in Chapter 3, Section III.



ANNEX V. ECONOMIES INCLUDED IN THE CONSUMER PROTECTION MODULE

1. Argentina	15. Ecuador	29. Malawi	43. Rwanda
2. Armenia	16. El Salvador	30. Malaysia	44. Seychelles
3. Azerbaijan	17. Eswatini	31. Mauritius	45. South Africa
4. Barbados	18. Fiji	32. Mexico	46. Spain
5. Botswana	19. France	33. Morocco	47. Sudan
6. Brazil	20. The Gambia*	34. Netherlands	48. Türkiye
7. Bulgaria	21. Georgia	35. Nigeria	49. Uganda
8. Burundi	22. Germany*	36. Pakistan	50. United Kingdom
9. Cambodia	23. Guatemala	37. Panama	51. United States
10. Chile	24. Italy	38. Paraguay	52. Uruguay
11. Colombia	25. Kenya	39. Peru	53. Vietnam
12. Congo, Rep.	26. Latvia	40. Philippines	54. Zambia
13. Costa Rica	27. Libya	41. Poland	55. Zimbabwe
14. Dominican Republic	28. Madagascar	42. Portugal	

*Note: * In these economies, the task of enforcing regulations is carried out by the courts, so the evaluation considered these characteristics. These economies are not included in the Assessment calculation or in the average survey results presented in Chapter 2 and 3.*



Global Regulations, Institutional Development, and
Market Authorities Perspective Toolkit (GRIDMAP)

Consumer Protection Module



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