

THE SIC SANCTIONS 'PEPE GANGA' FOR VIOLATIONS TO THE CONSUMER PROTECTION LAW

The Superintendence of Industry and Commerce (SIC), in its role as National Authority for Consumer Protection, fined **PEPE GANGA** with 64.000 USD after demonstrating that the company failed to provide quality in the post-sales service by not making the deliveries on the expected time.

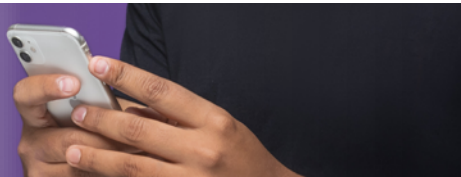
It was also possible to verify that **PEPE GANGA** did not disclose the prices of some of their products notoriously and accurately and that they did not report the number of units available within the advertising issued for some of the sales made during the anniversary campaign.

According to the investigation, **PEPE GANGA**, in many cases, failed to comply with the delivery times previously informed to consumers and, consequently, infringed the provisions of the Colombian Consumer Protection Law.

After reviewing the advertising used by **PEPE GANGA**, which was placed inside their commercial establishments and spread through different media, such as written, radio, and television, it was possible to determine that the obligation to inform consumers of the number of units available was not enforced, even though it was demonstrated within the administrative procedure that **PEPE GANGA** knew the adequate way to comply with the regulations.



THE SIC IS INVESTIGATING TELECOMMUNICATION SERVICE OPERATORS FOR INFRACTIONS TO THE CONSUMER PROTECTION REGIME



Mobile Number Portability is a right that all users of Colombian telecommunications services have when they make the decision to change mobile operator. This means that the mobile number that each person has is not tied to its current operator, but it can be “taken” when he or she changes the operating company.

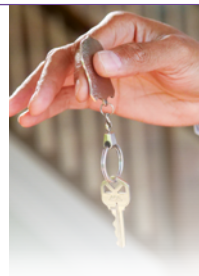
The Superintendence of Industry and Commerce (SIC) has identified sufficient causes that justify the opening of an investigation against the companies: **CLARO, TIGO, ETB, VIRGIN, MOVIL ÉXITO** and **AVANTEL**, for allegedly having:

- Ignored the obligation to abide by the maximum deadlines provided in the regulation to carry Mobile Number Portability process, when required by the user.
- Rejected requests for portability as a donor provider to other operators, without the respective support for each of the causes.
- Performed retrieval practices for outbound portability requesting users.
- Ignored the right of the user to choose the date to make the portability effective and, consequently, ignored the principle of free choice.

If the infraction is confirmed in the investigation, fines of up to 15,000 Minimum Monthly Legal Wages may be imposed to each company.

THE SIC ORDERED THREE COMPANIES TO REFUND THE MONEY FROM REAL ESTATE ASSETS NOT DELIVERED TO CONSUMERS

By ruling of September 16, 2021, the Deputy Superintendence for Jurisdictional Affairs of the Superintendence of Industry and Commerce (SIC) of Colombia resolved the lawsuit against **SETEYCO, INVERSIONES CAFI** and **ACCIÓN SOCIEDAD FIDUCIARIA**, after it was demonstrated that those companies did not deliver the promised real estate to the consumers, nor did they deliver the signature of the property deed within 5 years, thus violating the consumer protection regimen regarding legal guarantees, information and contractual protection.



On the other hand, it was argued that the fiduciary, as spokesperson for the autonomous assets, participated in the business carried out with consumers and acquired a series of obligations with them, which is why it can be considered as provider and responsible party in this case. In the ruling, the defendants were ordered to return the money paid by the consumers.