

# BOLIVIA

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***Is there case law or any statutory regulation governing advertising and promotion incentives? Are there any special consumer protection laws? What role do free gifts, tie-in offers, sweepstakes, rebates and other benefits, play in this context?***

Under Bolivian Legislation, there are general principles that govern advertising and promotion incentives. Specific regulation has only been issued for regulated sectors, such as telecommunications, electricity and energy. Furthermore, consumer protection is briefly regulated by provisions included in Laws No. 2427 dated November 29, 2002, No. 2495 dated August 4, 2003 and No. 3076 dated June 20, 2005. By means of Supreme Decree No. 29519 dated April 18, 2008 the current administration approved specific regulation directed to protect consumers from price speculation.

***In your jurisdiction, are there any industry sectors which are subject to special regulations for advertising and promotion incentives (for instance the health products and pharmaceutical industries in some countries)? Please name applicable statutes and self-regulatory codes.***

In Bolivia, advertising of alcohol and other products are subject to special regulations when broadcasted at a schedule where children may be exposed (Code of Minors and Children). Additionally, there are specific limitations regarding the advertising of pharmaceutical products and legal consultancy. Furthermore, the advertising of tobacco in media has been specifically prohibited by Supreme Decree 29376.

***Does industry self-regulation replace or supplement government and legislative regulation of advertising and promotion incentives? Is self-regulation an effective tool?***

Bolivia does not have an advertising self-regulatory body.

***To what extent do promotional incentives extended to staff in public institutions pose legal issues in your jurisdiction (i.e., paying for travel and accommodation costs on the occasion of conferences, personal entertainment, hidden education sponsoring, sponsoring of school snacks for promotional purposes)?***

When consider extending promotional incentives to staff in public institutions it is important to consider that public staff is expressly prohibited by law to accept any gift or benefit from any person or entity. We highly recommend the utmost caution when extending promotional incentives to public institutions.

***Are there any formal disclosure requirements for promotional incentives (i.e., rule of separation of procurement from personal dealings, rules of employer consent requirements, written form requirements, adequacy of consideration granted for a service)?***

Bolivia has no formal disclosure requirements for promotional incentives.