ORGANIZATION FOR OFFICE OF CONSUMER COUNSEL

WHEREAS, the Office of Consumer Counsel was established within the executive branch by Public Law 12-36 for the purpose of providing for enforcement of consumer protection statutes, consumer education and assistance; and

WHEREAS, the objectives of the Office of Consumer Counsel, as specified in PL 12-36, Section 53630, are to aid in the development of preventive and remedial programs affecting the interests of the consumer public and to vigorously prosecute those who violate the consumer protection laws of the Territory; and

WHEREAS, the Office of Consumer Counsel shall conduct a program of public education, serve as catalyst between business and the consumers, review and evaluate consumer complaints, and conduct research for the improvement and implementation of new programs; and

Attorney General and shall be under the legal jurisdiction of the Attorney General for purposes of prosecuting consumer cases brought in the name of the Government of Guam to enforce consumer protection laws; and

WHEREAS, initially the bulk of work of this Office will be in research, data gathering and recommending laws to be introduced, and the Department of Commerce is best suited to aid in this initial task:

NOW, THEREFORE, in accordance with the foregoing, and pursuant to the authority vested in me by Section 9(c) of the Organic Act of Guam, the Office of Consumer Counsel established by Public Law 12-36 is hereby placed within the Department of Commerce as an autonomous division for administrative, logistical and support functions, with the Consumer Counsel reporting to the Attorney General on all legal matters.

Further, it is ordered that the attached Organizational Description of the Office of Consumer Counsel be, and is adopted as the organization of the Office of Consumer Counsel until such time as the Consumer Counsel has determined the needs of the Office, at which time he shall propose an organization best suited to his functions.

and Channel provided that:

- a. When angling, not more than three hooks are attached to the mainline, and no snagging methods are used. (See Section 7.03).
- b. Cast-net (talaya) fishing is performed in a manner not to endanger boats navigating the channel, and furthermore, that it is restricted to the hours of 3:00 A.M. to 7 A.M. daily. (See Section 7.02).
- 7.02 Net and Trap Devices. Net and trap devices of all kinds with the exception of talaya, shall not be used to take fish within the Agana Boat Basin or Channel.
- 7.03 <u>Definitions</u>. For the purposes of this regulation, the following terms are defined.
- a. Angling Fishing with a hook and line in an attempt to catch the fish by piercing a hook internally through the mouth of the fish.
- b. Snagging Fishing in a manner with violent jerking motions in an attempt to pierce the body of the fish externally.
- c. Cast-net Fishing Fishing by throwing the talaya. This is not to be confused with the use of <u>tecken</u> and <u>chenchulo</u>, which are strictly prohibited from the Boat Basin and Channel, due to their being a clear danger to the navigation of boats.

Dated at Agana, Guam this 30th day of November, 1973.

Governor of Guam

Attest:

RURT S. MUYLHIX

Lieutenant Gővernor

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ORGANIZATION FOR OFFICE OF CONSUMER COUNSEL

The Office of the Consumer Counsel is established as an autonomous division within the Department of Commerce. The office shall be headed by the Consumer Counsel under the cognizance of the Department of Commerce.

A. Functions:

The major functions of the Office of Consumer Counsel are as follows:

- 1. To conduct a comprehensive and continuing program of public education through dissemination of facts on consumer protection and assistance.
- 2. To encourage and assist business to correct, voluntarily, practices which have been or may become the subject of justified consumer complaint.
- 3. To provide a publicized and recognized central place for the receiving and screening of consumer complaints in all areas of consumer protection and assistance.
- 4. To provide a publicized and recognized central place for the receiving and screening of the viewpoint of the business and industrial community concerning all areas of consumer protection and assistance. Bringing buyer and seller together to voluntarily correct consumer exploitation will be done where possible.
- 5. To exercise a coordinating influence as the need arises over all agencies and Departments legally involved in the consumer protection and assistance areas.
- 6. To provide technical counseling in all areas of consumer protection and assistance.
- 7. To conduct research, gather statistics and make plans leading to improvement of present programs for consumer protection and assistance.
- 8. To coordinate the implementation of new programs and proposals for new legislation for consumer protection and assistance based on research, experience, and need.

B. Organization:

- 1. Director of Commerce. The Director of Commerce shall have administrative, budgetary, and supervisory responsibilities for the Office of Consumer Counsel.
- 2. Consumer Counsel. The Consumer Counsel shall represent this office and report to the Attorney General on all legal matters. He shall conduct legal research on all matters pertaining to consumer abuses, supervise the investigative process, prepare cases for prosecutions, and make court appearances.
- 3. Assistant Consumer Counsel. The Assistant Consumer Counsel shall serve as deputy and shall assist in all legal matters pertinent to consumer protection.
- 4. Consumer Agents. The consumer agents shall investigate all matters pertinent to complaints and business practices, such as pricing, advertising and marketing. The Agents shall assist consumer and business in resolving conflicts.
- 5. Research Analyst. The Research Analyst shall collect and analyze data on all aspects of consumer matters, publish and disseminate consumer information, and conduct a system of public consumer education.

C. Budget: The funding of the Office of Consumer Counsel shall be from the \$50,000 authorized by the 12th Guam Legislature. Supplemental appropriation may be requested as the need is determined. The Director of Commerce shall prepare the Annual budget of the Office of Consumer Counsel and shall render accountability for its expenditures.

FUNCTIONAL CHART
Office of Consumer Counsel

