

(H. B. 4496)

(No. 383)

(Approved September 17, 2004)

AN ACT

To amend subsection (b) of Section 8 of Act No. 5 of April 23, 1973, as amended, better known as “Organic Act of the Department of Consumer Affairs” in order to temper the procedure for the approval of regulations, that require immediate action with what is established in Act No. 170 of August 12, 1988, as amended, known as the “Commonwealth of Puerto Rico Uniform Administrative Procedure Act.”

STATEMENT OF MOTIVES

Act No. 170 of August 12, 1988, as amended, better known as the “Commonwealth of Puerto Rico Uniform Administrative Procedures Act” was created for the purpose of establishing uniform rules in the agencies of the Commonwealth of Puerto Rico.

Through this amendment, it is intended that the Department of Consumer Affairs use the “Uniform Administrative Procedures Act” when promulgating regulations that require immediate action due to their urgent nature or to any other circumstances that demand the same, or to avoid serious damages to consumers, and thus, the public interest requires that the regulations or amendments thereto begin to govern without the delay of regular procedures.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Subsection (b) of Section 8 of Act No. 5 of April 23, 1973, as amended, better known as “Organic Act of the Department of Consumer Affairs,” is hereby amended to read as follows:

“Section 8.- Rules, regulations, orders, resolutions and determinations

(a) ...

(b) When the Secretary determines that there is a situation that requires immediate action to avoid serious damages to consumers, the Secretary shall adopt any order or regulations pursuant to the provisions of Section 2.13 of Act No. 170 of August 12, 1988, as amended, known as the “Commonwealth of Puerto Rico Uniform Administrative Procedures Act.”

(c) ...

(d) ...”

Section 2.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 383 (H.B. 4496) of the 7th Session of the 14th Legislature of Puerto Rico:

AN ACT to amend subsection (b) of Section 8 of Act No. 5 of April 23, 1973, as amended, better known as “Organic Act of the Department of Consumer Affairs” in order to temper the procedure for the approval of regulations, that require immediate action with what is established in Act No. 170 of August 12, 1988, as amended, known as the “Commonwealth of Puerto Rico Uniform Administrative Procedure Act”,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 6th of December of 2005.

Francisco J. Domenech
Director

