



LEGAL COOPERATIVE FRAMEWORK ANALYSIS

Within the ICA-EU Alliance

KEY HIGHLIGHTS FOR GUATEMALA

This one-pager aims to provide a brief overview of the most notable features of Guatemala's national cooperative legal framework, based on the work of the national legal expert.

The cooperative legislation of Guatemala in its global context is represented first by the "General Law of Cooperatives", Decree No. 82-78 of the Congress of the Republic, approved on December 7, 1978. The statutes constitute the internal legal regime of cooperatives, which include, among other aspects, the way in which cooperatives are administered and audited internally, its entities, authority, the exercise of legal representation, rules for the dissolution and liquidation of the cooperative and the necessary requirements for the reform of the statutes.

Cooperative Friendliness: In conformance of the almost widespread view of representatives and leaders of the national cooperative movement, taking into account the low support of the legislation to cooperatives, it can be concluded that the national legislation is limited in favor of cooperatives.

Key Recommendations for Improvement: Separate from the cooperative legislation, which exclusively regulates aspects concerning cooperatives, from the rules that create and regulate public bodies responsible for them, on the basis that, technically, subsistence in the same legal body is inadequate, rules of public law and private law, the latter of cooperative ownership.

Conclusions: Guatemala's cooperative legislation, evidences serious deficiencies and inadequacies. It is necessary to update the general regulatory framework of legal situations that generate economic and social development, in the consolidation of the National Cooperative Movement.