

EUROPEAN CONSUMER CENTRE IRELAND



For more information contact:

Caroline Curneen

European Consumer Centre Ireland

www.eccireland.ie

EUROPEAN CONSUMER CENTRE IRELAND



Our objective:

To increase consumer confidence in the Internal Market.

How:

Show consumers that if they have a cross-border complaint it will be heard and resolved.

EUROPEAN CONSUMER CENTRE IRELAND



Who are we?

Part of a network of 29 countries, located throughout the EU and the EEA

Funded and run by the European Commission, DG Health and Consumers, and national co-funders

In the Republic of Ireland this is the National Consumer Agency

EUROPEAN CONSUMER CENTRE NETWORK



ECC Staff Structure



- Director
- Legal Adviser - Qualified lawyer
- Team of advisers:
 - Dedicated case handlers who deal with consumer queries
 - Currently: 2 full-time staff, 1 part-time, all with legal background
- Alternative Dispute Resolution Officer: refers queries to ADR
- Interns: students or graduates of legal studies
- Administrator



What do we do?

- **Information** on EU and national consumer legislation to EU citizens
- **Advice** on cross-border consumer transactions
- **Assistance** with cross-border complaints
 - Liaison directly with company on the consumer's behalf
- **Promotion** – raising awareness of consumer rights nationally
- Input into EU consumer policy – consultations and questionnaires sent to the European Commission
- Input into consumer policy nationally – e.g. **Car Rental Report**



What we *don't* do!

- Engage in Irish-Irish disputes.
 - National B2C disputes are dealt with by the NCA
- Engage in non-consumer issues
 - Consumer legislation does not apply to B2B transactions
- Engage in financial services disputes
 - SOLVIT/Financial Services Ombudsman
- Deal with property issues- no specific EU legislation in this area
- Take legal action. We offer an alternative dispute resolution service
- Take enforcement action. In Ireland this is the remit of the National Consumer Agency

Consumers contact us:



- Online: www.eccireland.ie
- Online complaint form: www.eccireland.ie/about_us/contact.html
- Phone line: 01 8090600
- Phone line open from 9.30am to 1.00pm Monday to Friday

What advice does the ECC give?



- Consumer rights when buying goods or services in Europe
- What to take into account before making a cross-border purchase
- What you should do when making a cross-border purchase
- How to complain if things *do* go wrong
- Consumer rights are defined by European consumer legislation
- This provides a common framework of consumer protection across Europe



Complaints dealt with in 2008

- Contacted by more than 3,500 consumers
- 1,167 requests for information – referred to the appropriate organisation
- 1,838 cross-border consumer complaints requiring legal advice
- 568 cases – ECC Ireland staff or ECC Net Staff contacted the trader on behalf of the consumer (33% increase on 2007)

Main areas of work



Top 4 Complaint Areas

2008

1.	Air passenger rights	21.5%
2.	Cars	21%
3.	Electronic goods	16%
4.	Furniture	8.5%

Other areas: entertainment services, package holidays, timeshare, holiday clubs, etc.

Shopping online- help for consumers



- Your rights when shopping online
- Research websites
- How information helps you decide

www.eccireland.ie

Our Publications

- Air Passenger Rights reports
- eCommerce Reports
- Consumer guides- holidays/health/shopping
- Others: Annual reports, Price Comparison Surveys, Car Rental Reports



How does ECC consumer dispute resolution work? Sample Case



Irish consumer orders a camera from an English website



The camera arrives but is faulty



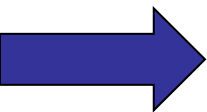
The unhappy consumer writes to the company and calls them, to no avail.



The consumer contacts the Irish ECC



ECC Ireland assesses the case, and requests paper work. If it decides the consumer has a case it contacts ECC UK



The UK ECC contacts the trader and establishes the consumer's legal right to a refund



The UK ECC informs the Irish ECC of the trader's decision. The Irish ECC informs the consumer



Irish consumer gets a refund

What happens when ECC Net cannot resolve the complaint?



- Cross-border litigation / European Small Claims Procedure
- Alternative Dispute Resolution (if available)
- Consider CPC – Consumer Protection Cooperation action
- Referral to a National Enforcement Body, e.g. CAR



Main legislation

- **UNFAIR COMMERCIAL PRACTICES**

Directive 2005/29/EC concerning unfair business-to-consumer commercial practices in the internal market

- **PROPOSED DIRECTIVE ON CONSUMER RIGHTS**

- **CONTRACT TERMS**

- Directive 93/13/EEC on unfair terms in consumer contracts

- **SALE OF GOODS & GUARANTEES**

- Directive 1999/44/EC on certain aspects of the sale of consumer goods and associated guarantees

- **DISTANCE SELLING**

- Directive 97/7/EC on the protection of consumers in respect of distance contracts

- **DOORSTEP SELLING**

- Directive 85/577/EEC to protect the consumer in respect of contracts negotiated away from business premises

- **AIR PASSENGER RIGHTS**

Regulation (EC) No. 261/2004 establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights

Other EU legislation



TIMESHARE & HOLIDAY CLUBS

Directive 2008/122/EC on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts

INJUNCTIONS

Directive 2009/22/EC on injunctions for the protection of consumers' interests

PACKAGE TRAVEL

Directive 90/314/EEC on package travel, package holidays and package tours

E-COMMERCE

Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects on information society services, in particular electronic commerce, in the internal market

MISLEADING ADVERTISING

Directive 84/450/EEC relating to the approximation of the laws, regulations and administrative provisions of the Member States concerning misleading advertising (amended by Directive 97/55/EC)

PRICE INDICATION

Directive 98/6/EC on consumer protection in the indication of the prices of products offered to consumers

ETC, ETC.

Product safety, product liability, Broadcasting, Consumer Credit, Toys, Food...

Specific Problems



1. Online purchases

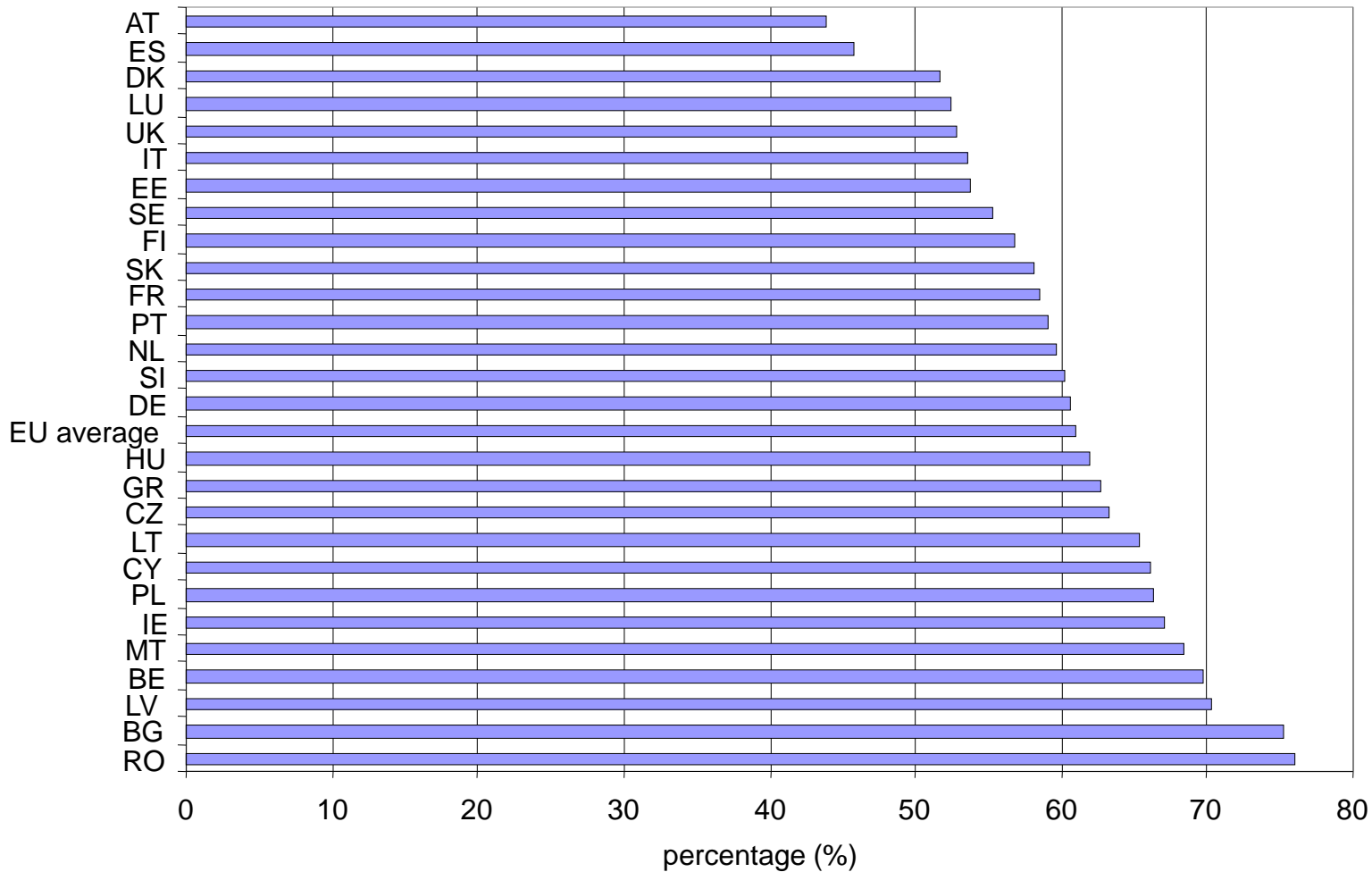
- Problems with Delivery

- After Sales Service

- Geographical Restrictions on Sales: EU Commission
Mystery Shopping report

- Micro Sites

Percentage of cross border online offers technically available to consumers for which the ordering process failed.



Specific Problems



2. Cars
 - Purchase of second hand cars
 - Vehicle matching scams
3. Scams – Acai Berries, fake tickets, counterfeit goods
4. Currency Issues
 - Refunds
 - Transaction charges

Contact us...



By Phone:

01 8090600

Email:

info@eccireland.ie

Post:

13a O'Connell St. Dublin 1

Web:

www.eccireland.ie

Questions??

