



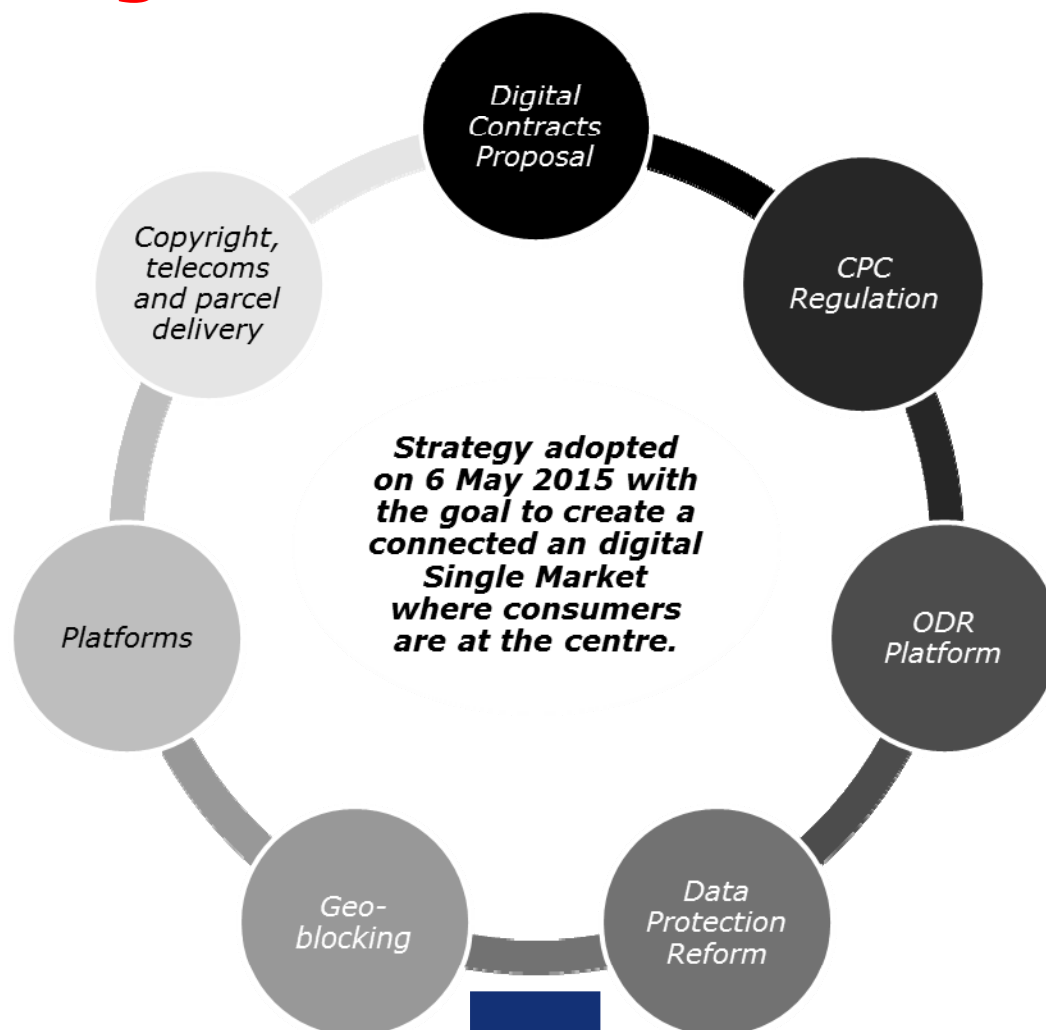
# European Consumer Consultative Group

## Update on Consumer Policy

7-8 October 2015

Despina Spanou  
Director, Consumers  
DG Justice and Consumers  
European Commission

# Digital Single Market





## Digital Contracts Proposal

- Objective: **unleash** the potential of e-commerce
- How: provide a set of harmonised EU rules for online purchases of **digital content** and further harmonise key mandatory EU contractual rights for domestic and cross-border online sales of **tangible goods**
- Timing: impact assessment ongoing. Adoption planned for early December
- **Thank you** for your contributions (individual and via the ECCG SubGroup opinions)!





## **Evidence:** Behavioural study on consumers' attitudes towards Terms and Conditions (T&Cs)

Coverage:

- 12 EU countries are studied in-depth

Research objectives:

- Furthering the evidence about consumers' decision-making when it comes to reading, understanding and accepting T&Cs
- Assessing the stakes involved with blind acceptance of T&Cs
- Investigating interventions that can improve the presentation of T&Cs as well as the consumers' trust in the online sellers and the quality of their T&Cs, both domestically and cross-border

The study will be finalised in February 2016 (some initial results may be available by late October 2015).





# **Evidence: Study on consumer vulnerability across key markets in the European union**

Coverage:

- EU 28 + Norway and Iceland (behavioural experiments in five countries)

Research objectives:

- Identify both drivers of consumer vulnerability, as well as marketing practices that are especially problematic for consumers
- Test and asses selected measures employed in Member States/EEA States to alleviate consumer vulnerability in specific sectors
- Mapping vulnerability patterns across three key markets: financial sector, energy sector and online environment
- The study will also provide recommendations on how to refine the Commission's evidence gathering and analysis to better reflect and report on the issue of consumer vulnerability in the Single Market





## Some preliminary findings:

- Overall, only 17,6% of survey respondents did not show any indication of vulnerability.
- The actual incidence of vulnerability varies greatly across vulnerability dimensions, sectors and indicators.
- Overall, 75% of survey respondents showed signs of vulnerability related to inability or failure to buy, choose or access suitable products.
- No demographic or personal characteristic is linked to any dimension of vulnerability 'across-the-board', but rather it depends on the specific type and measure of vulnerability that is being considered. For example, in general the results suggest that:
  - Younger consumers are more likely to have heightened risk of negative outcomes or impacts on well-being, and to having characteristics that limit ability to maximise well-being.
  - Older consumers tend to be more likely to have difficulties in obtaining or assimilating information, and to being unable to buy, choose or access suitable products.

The study will be finalised by the end of 2015.



## **Evidence: Behavioural study on the impact of marketing through social media, online games and mobile apps on children's behaviour**

### Coverage:

- EU 28 + Norway and Iceland
- Separate focus groups with children and parents in eight countries (FR, DE, NL, ES, PL, IT, SE, UK)
- Survey with parents in eight countries (FR, DE, NL, ES, PL, IT, SE, UK)
- Behavioural experiments with children in two countries (NL and ES)

### Research objectives:

- Parents' awareness and views on their children's exposure to online advertising, and how parents regulate children's online activities
- How children experience online advertising and how it influences their behaviour
- Potential measures to alleviate consumer vulnerability among children





# Revision of the UCPD Guidance

## Key objectives of updating the UCPD guidance

- Integrate **key case-law** developments at EU and national level
- Tackle challenges linked to new **on-line business models**/advertising strategies
- Explain the UCPD **interplay** with other horizontal (e.g. CRD, Data Protection) and sector-specific EU legislation (e.g. Financial Services, Telecom legislation)

**Overall: contribute to better enforcement of consumer law– especially in the Digital Single Market context.**

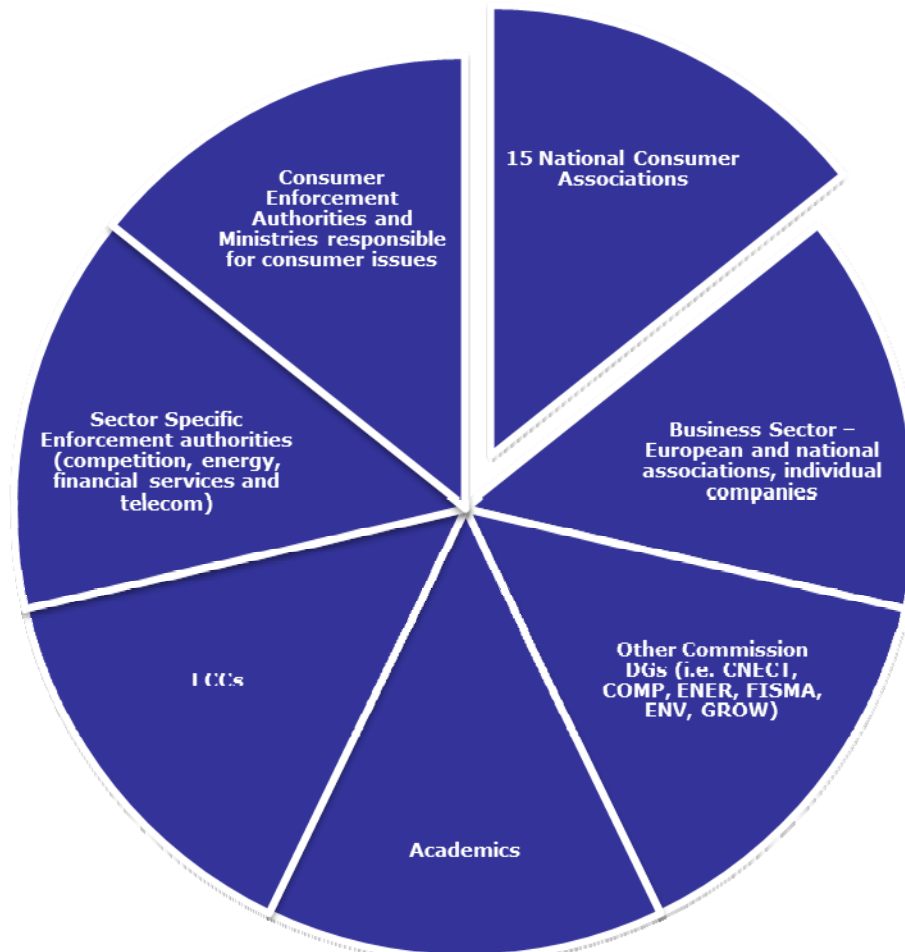






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## Workshop on the revision of the UCPD Guidance on 9 September 2015 – More than 170 Participants from:



## Workshop on the revision of the UCPD Guidance – Structure of the event

### Pre-meeting

- Meeting with the authorities of 14 Member States concerning the Awareness-Raising Campaign

### Presentations

- 9 detailed presentations on the main points in the revised UCPD Guidance: Scope of application (in light of case law of the Court of Justice), Interplay with sector-specific rules, Blacklisted practices, Online Sector, Travel and Transport, Financial Services and Immovable Property, Environmental Claims and on Comparison Tools, including work of the relevant Multi-Stakeholder Groups

### Q&A sessions

- Interventions from the floor and numerous questions to the Commission

### Follow - up

- Presentations have been sent to all stakeholders
- 3 weeks-time (until October 1st) for the stakeholders to provide written comments
- Finalisation with a view to publish in Spring 2016



## **Multi-stakeholder Groups on comparison tools and green claims**

- *The work of both Groups are feeding directly into the update of the UCPD Guidance*
- *On green claims:*
  - **September 2015: Publication of in-depth consumer market study on environmental claims (non-food)**
  - **Finalisation of multi-stakeholder advice with compliance criteria**
- *On comparison tools:*
  - **March 2015: Publication of dedicated study**
  - **Finalisation of principles to foster industry compliance**





## The new Package Travel Directive

- The **informal trilogues** were **concluded** with a political agreement **on 5 May 2015**. On 28 May 2015 the Competitiveness Council endorsed the outcome of the negotiations.
- On **18 September 2015** the **Council formally adopted its first reading position** and will transmit its position to Parliament.
- The plenary of the **European Parliament will vote** on the text in the **last week of October 2015**.
- **Following its entry into force (before the end of 2015) the MS will have 24 months to transpose the directive into their national law.**
- **The new rules will apply by summer 2018.**

## Main impacts

- The **extended definition of packages** will clearly cover **customised combinations** of travel services booked **online or off-line**, with full protection for travellers (e.g. pre-contractual information, cancellation rights, liability for proper performance, insolvency protection etc.).
- **Limited protection** will be provided for **"linked travel arrangements"**: warning that travellers are not being offered a package + in some cases insolvency protection.
- It is estimated that the extended protection will cover 120 million trips/year in the EU, thereby doubling the number of protected trips.



# Consumer Rights Awareness Campaign

*Aim: better awareness of the rights and obligations of consumers and traders (post CRD)*

*Kick-off: 17 March 2014, Athens, with Commissioner Mimica; extended 16 March 2015 by Commissioner Jourova to 2015 and 6 more countries*

*14 Countries: GR, ES, CY, PT, BG, LV, IT, PL, CZ, LT, EE, SK, HU, SL*

*Positive initial results:*

- **positive stakeholder feedback;**
- **in first year more than 200 media reports; hundreds more in 2015**
- **> 6 mio. viewers of internet clip online**
- **millions of additional viewers and listeners in some countries through use of public broadcasting slots.**

# Consumer Rights Awareness Campaign

## Lessons learnt during the campaign

- ***specific material and pre-meetings for business stakeholders***
- ***for kick-off meetings:***
  - cooperation of national ministries with EC representations
  - high-level EC presence, ideally Commissioner
- ***strong commitment by national authority essential***

## Next steps

- ***some material for national activities still available***
- ***ex-post evaluation under preparation***





## **ODR PLATFORM – state of play**

- *Completion of the regulatory framework*
  - *Adoption of Commission Implementing Regulation on 1 July 2015: it clarifies i.a. how to notify the list of ADR entities*
- *Technical development of the ODR platform*
  - *Online test of June: overall positive feedback, basis for final fine-tuning work*
  - *Development on track for launch in 2016 as per ODR Regulation – priorities: notification of ADR entities' module; multilingual dimension; B2C complaints module;*







## **ODR PLATFORM – NEXT STEPS**

- *Notification of ADR entities by national authorities*
  - *Notifications expected to take place between October and the legal deadline of January 2016*
  - *However ADR Directive transposition late in some Member States: Commission monitoring and working closely with Member States*
  
- *Training and awareness-raising activities*
  - *ODR contact points: kick-off meeting in Nov./Dec. to prepare the launch of the platform*
  - *Ex-ante study on-going to identify options on awareness-raising*





## Consumer Champion

**Website visitors** more than tripled from June 2015 (total of 2497 visitors) and **an increase of 480%** for returning visitors;

- **Page views** increased from **2,417 to 11,624 - a growth of 380%**;
- 516 active users: increase of 36%. **Sign-ups** were **up by 77%**
- local courses bring traffic to the platform.
- **online course applications increased by 73%** from 55 to 130





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**Thank you**

