

Possible orientation for EU consumer policy, Slovakia

- EU consumer policy should focus more on the actual and practical enforcement of the law. In Slovakia we strongly feel EU directives and national legislation framework are protecting and helping consumers only in theory, when it comes to the real results for the consumer, there isn't one. Even with effective court resolution, official statement from trade inspection or from ministry of justice, consumer is not sure he will get his money back or will win the case.
- ADR should not be only a priority for EC, but also for all member states. National governments should finally realized they have to weaken the power and influence of courts and judges and change legal framework so not only judge is authorized to say conducted contract is invalid due to presence of unfair contract conditions, lack of consumer financial statement investigation or aggressive and misleading trade practices. EC should motivate state regulators and control bodies to take stricter actions against sinners in form of penalties, immediate trade licence cancellation and even personalised criminal action.
- We would love to have access to regularly and often updated database of court decisions relating to consumer cases, database of forbidden or misleading terms and illegal practices to be able to use them in ADR environment and at the court cases, too. We should try to find a way the court procedures in all member states take more less the same time, because in Slovakia it is very common older consumers die before the final result, because the court action takes years. There should be an effective way how to exchange court resolutions from all countries, so they can be translated and used for actions around Europe.
- We also believe EC should in cooperation with consumer organisations raise awareness and educate also layers, judges, prosecutors and all professionals who deal with consumer protection law and show them how important they are and can be.
- Very important thing for Slovakia and I believe also for all Middle and Eastern EU members is to get the same quality and content of food and other products brought to our markets from Western Europe. We know many types of products from for example Germany, Austria or France which, if going to be sold in Slovakia, Poland, Hungary, Czech republic or even more Eastern countries, contain less amount of cocoa (chocolate) or meat (ham) as the same branded product sold in Frankfurt or Vienna even for lower price. The same situation is with cosmetics, which contains different ingredients depending on the market it is dedicated for.
- EC should also focus on better media and public presentation of consumer protection on EU level and activities of ECCG group. Public don't care about Commissioners speeches, we all need concrete information on a daily bases which can be possibly used in our every-day life. Speaking from Slovak experience, national politicians don't care about consumer protection.

This field is just a trick for them sometime used as the populist tool to get interest of masses. Slovak politicians use to explain their own bad resolutions by implementation of new EU legislation. They use it as an excuse, so people don't actually know, what DGs and Commissioners are doing for them and why they should be interested in such a thing.

- It is also important to focus on financial literacy of Europeans, especially those from voluntary groups and protect them from misleading and aggressive advertisements which persuade us all that loans, mortgages and credits are the normal way of life.
- The best change in consumer environment from Slovakia is that in December 2015 should be already in use brand new Consumer Legislation Code with all national legislative framework, regulations and laws under one umbrella. This is actually prepared in cooperation with consumer organisations in Slovakia.
- The last thing is financing of the consumer organisations. We believe there does exist a good way how to finance consumer organisations from the national budgets by granting them finances from the penalties and fines of traders and service providers not behaving well. EU institutions can encourage national governments to accept this rule to strengthen the capacities of consumer organisations.

Online shopping – generally:

- Fight fraud effectively, insure data protection and their safety, establish clear rules for price transparency and additional fees should be our common aims.
- We should also focus on contract terms written in simple, clear and short form.
- Consumers should have the access to online shopping and services of certain quality everywhere.
- Consumers should know what is the difference between „good“ and „bad“ e-shop or service provider from the first sight, there should be commonly known guidelines which help them to avoid the track.

From Slovak perspective:

- In practice, sometimes there is a problem to prove the certain button or function really was or was not marked by readable way with the words „order with the duty of payment“ – advanced order, back order, purchase now...
- We had a case, where the website provider was changing contract terms every day, even a few times a day, so it was really tricky to prove under what conditions the consumers actually conducted their contracts.

- There is an obligation for sellers to give consumer his money back in the case he withdrew his online contract in period of 14 days, shipping costs and additional fees included. This can be tricky, when consumer ordered more products and decided to send back only some of them.
- It is necessary to modify the conditions of acceptance of goods by consumer – what are his possibilities in the case the product is broken; can he open a package in front of the courier? Has the courier an obligation to wait until consumer checks the whole order? What happens when consumer decides not to accept the order?
- Discount portals and vouchers issue is also open – web portals versus discount providers are very often blaming the other one and consumer is no able to get his money back.
- There should be clarified who takes the responsibility for the costs of contract withdraw – consumer or/and seller, and what happens when consumer send his claim of defected product by registered post?
- We cooperate closely with associations helping consumers with disabilities. Visually handicapped readers have very often no access to e-shops and websites they need. They miss the texted messages which are very often displayed only as the pictures of for example television or fridge. Such pictures are handicapped consumer not able to read even with modern assistant technologies.
- In the field of communication operators – consumers are not able to select the best offer, they are not able to compare what they got for their money...
- Cable tv providers still use sanctions when consumer decides to change them
- Web sites which offer space for the purchases between individual consumers should be considered as service providers with the level of legal responsibilities which will help to enforce the rights for consumers and certain quality of goods
- The rules should be the same for all traders. In practice big companies often establish their own conditions for consumers and no one is able to compete with them.

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