



Key Facts on the new EU Consumer Rights Directive

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In the EU, consumer protection legislation guarantees that everyone has the right to be treated fairly when buying goods at the supermarket, paying the bill with the energy supplier or downloading music.

The Charter of Fundamental Rights, the European treaties and sector-specific EU legislation all guarantee a high level of consumer protection in the EU. European legislation guarantees consumers fair treatment, products which meet acceptable standards and a right of redress if something goes wrong.

These rules cover domestic and cross-border trade, combat unfair practices and give consumers the right to cancel the purchases they made online. But despite these successes, EU consumers do not always feel adequately protected and confident about making purchases, especially online and/or across borders. As consumer expenditure accounts for 56 % of EU GDP, boosting consumer confidence can directly translate into boosting economic growth.

The **new EU Consumer Rights Directive** – which applies in all Member States from 13 June 2014 – will strengthen consumer rights by giving consumers the same rights across the EU, while striking the right balance between consumer protection and business competitiveness.



Consumer and trader attitudes towards cross-border trade and consumer protection in the EU

- **59 %** of consumers felt confident making **online purchases** from companies **within their own country**, whereas **36%** were confident buying online **from other EU countries**.
- **53 %** of consumers had **bought something over the Internet** in the previous 12 months and **15 %** had bought online from **another EU country**.
- **23 %** of consumers had **bought** something based on **fraudulent advertising** in the previous 12 months, while **44 %** had **come across** fraudulent adverts.
- **30 %** of consumers experienced **delays in delivery of goods** bought online in their own country, whereas for **8 %**, the goods were **not delivered** at all.
- only **25 %** of EU traders **sell across borders**
- **40 %** of EU traders see the **cost of complying with different national consumer protection rules** as a **big obstacle** to trade.

Sources: Flash Eurobarometer 358 and 359 (2013)

What are the main advantages of the new consumer rules?



- They align and harmonise national consumer rules in several important areas, such as on the information consumers need to get before they purchase something, and their right to cancel online purchases. Increased harmonisation means that consumers can rely on same rights, wherever they shop in the EU.
- They strengthen consumer rights, ensuring a higher level of protection regardless of whether consumers are shopping on the high street or online, in their own country or elsewhere in the EU. For example, consumers will now have clearer information on prices, wherever and whichever way they shop, as traders will have to disclose the total cost of the product or service, as well as any extra fees.

How do the new rules help shoppers?

- No more cost-traps on the internet. From now on, online shoppers need to confirm that they accept paying for something before they are charged. It must be clearly indicated what is included in the price you are paying.
- No more pre-ticked boxes. Currently consumers shopping online may end up paying for services they don't want (such as priority boarding on planes), because they forget to un-tick boxes on websites. The new Consumer Rights Directive introduces a clear ban on pre-ticked boxes on websites for charging additional payments.
- Online shoppers will not have to pay for any charges of which they are not clearly informed before they make a purchase.
- Traders will not be allowed to charge more for credit card payments than it costs them to provide such a payment option.
- Traders operating hotlines for consumer complaints or questions, will not be able to charge more than the basic rate for such calls.



What about changing your mind and getting refunded?

- The period for consumers to pull out of any distance purchase (e.g. something bought online) or off-premises purchase (such as when a seller visits the consumer's home) is extended from the previous minimum 7 days, to a uniform 14 days across the EU. These 14 days start counting from the day the consumer receives the goods, and the consumer has the right to cancel the purchase for any reason. When a seller hasn't clearly informed the consumer about the right to cancel the purchases, the return period will be extended to a year.
- Consumers will now also be allowed to pull out from purchases after solicited visits from sellers and from online auction purchases from professional sellers.
- Traders must refund consumers within 14 days of cancellation, including standard delivery costs. Regarding goods, the trader can postpone the reimbursement until the goods are returned by the consumer or the consumer provides evidence that these goods have been sent to the trader.
- Consumers will be given a standard EU form to use if they want to cancel their purchases. This will make it easier for them to get out of contracts concluded outside of their home country.
- Traders wanting consumers to pay for the return of goods after cancellation must clearly inform them beforehand, and give at least an estimate of the cost for returning bulky goods.



Does the Consumer Rights Directive do anything about purchases of digital products?

- Anyone buying digital content will be able to get clearer information, including about details on which software and hardware the content works with, as well as information on copyright protections.
- Consumers will be able to pull out of purchases of digital content up to the point where downloading or streaming of the content begins.

Are there any implications for businesses?

- Common rules for businesses will make it easier for them to trade all over Europe.
- Businesses making sales by phone, mail or online, or away from their premises, will now have a single set of rules to follow. This creates a level-playing field and cuts cross-border transaction costs.
- As regards small businesses and craftsmen, there will be no right to pull out of a contract for urgent repairs and maintenance jobs. Member States can also exempt traders doing repairs or maintenance jobs in customers' homes for less than EUR 200 from certain information requirements.

For more information

<http://ec.europa.eu/justice/consumer-marketing/rights-contracts/directive>

This document is produced as part of an awareness raising campaign the European Commission is running, throughout 2014, in Bulgaria, Cyprus, Spain, Greece, Italy, Latvia, Poland, and Portugal. The campaign aims to empower consumers by providing information on their rights and how to exercise them.

Discover more at youreurope.eu #EU4Consumers