Consumer Rights Directive

Fields marked with \* are mandatory.

Part 1: About this questionnaire

On the basis of a request from the European Commission, the European Economic and Social Committee (EESC) is carrying out an assessment of the Directive on Consumer Rights (2011/83/EU). The findings of the assessment will be included in an information report that will feed into an evaluation of this directive (EN) being carried out simultaneously by the European Commission and will also serve as input into the EESC's future work on consumer policy.

When answering a question, you will be asked to tick one of the multiple choice answers provided. You can choose "don't know" as a response. You may also add comments.

Data is processed and published anonymously. Participation in the survey is voluntary.

Part 2: About your organisation

**\***2.1 - Name of your organisation in your language:

2.2 - Name of your organisation in English:

**\***2.3 - Email address of your organisation:

**\***2.4 - Give a brief description of what your organisation does

*1000 character(s) maximum*

**\***2.5 - Who does your organisation represent?

|  |  |
| --- | --- |
|  | Employers/businesses (e.g. small and medium businesses, industry, commerce, services and agriculture) |
|  | Workers (e.g. national trade unions, confederations and sectoral federations) |
|  | Consumers (consumer organisations) |
|  | Other |

**\***2.6 - Where is your organisation based?

**\***2.7 - In which of the following policy areas does your organisation operate?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Agriculture |  | Audiovisual and media |  | Budget |
|  | Climate action |  | Competition |  | Consumers |
|  | Culture |  | Customs |  | Development and cooperation |
|  | EU citizenship |  | Economic and monetary affairs |  | Education, training, youth |
|  | Employment and Social Affairs |  | Energy |  | Enlargement |
|  | Enterprise |  | Environment |  | Fight against fraud |
|  | Food safety |  | Foreign and security policy |  | Health |
|  | Human rights |  | Humanitarian aid and civil protection |  | Information technology |
|  | Institutional affairs |  | Justice & home affairs |  | Maritime affairs and fisheries |
|  | Multilingualism |  | Other |  | Regional policy |
|  | Research and innovation |  | Single market |  | Sport |
|  | Taxation |  | Trade |  | Transport |

Part 3: Consumer rights awareness

3.1 - Are you sufficiently aware of the following provisions:

|  |  |  |  |
| --- | --- | --- | --- |
|  | Yes | No | I don't know |
| **\***The number of days a consumer in the EU has to withdraw from an online contract? |  |  |  |
| **\***The price level at which consumer protection becomes applicable? |  |  |  |
| **\***The rules governing services, e.g. repair and renovation of properties, transport of goods and car rental? |  |  |  |

**\***3.2 - Which of the following awareness-raising measures regarding the provisions stemming from the Directive have you encountered?

|  |  |
| --- | --- |
|  | Information campaign(s) on consumer rights by national authorities (training seminars/events) |
|  | Events/conferences as part of the European Commission's information campaign on consumer rights |
|  | Infographics, videos and posters as part of the European Commission's information campaign on consumer rights |
|  | Cooperation of relevant authorities with associations of consumers and users |
|  | Other |

**\***3.3 - Article 25 of the directive stipulates that if the law applicable to the contract is the law of a Member State, consumers may not waive the rights conferred on them by national measures transposing the directive. Are the effects of infringement of the imperative nature of this directive known to you?

Please elaborate and give examples

Part 4: Implementation of consumer rights

**\***4.1 - Is the directive (and the national laws transposing it) implemented effectively in your country?

|  |  |
| --- | --- |
|  | Yes |
|  | No |
|  | I don't know |

**\***4.2 - Have the competent authorities in your country complied with the case-law of the European Court of Justice on consumer protection (obliging them to act with particular diligence in the protection of consumer rights)?

|  |  |
| --- | --- |
|  | Yes (please elaborate / give examples) |
|  | No (please elaborate / give examples) |
|  | Don't know (please elaborate) |

**\***4.2.1 - your elaboration/examples

**\***4.3 - Since June 2014 what have been the most visible changes stemming from the provisions of this directive regarding digital content (e.g. in relation to refund rights, pre-contractual information, standard withdrawal forms)?

Please elaborate

**\***4.4 - Where there are problems with the interpretation or application of the rights in the Directive, are there any appropriate means of recourse to enforce them?

|  |  |
| --- | --- |
|  | Yes |
|  | No |
|  | Don't know |

**\***4.5 - Do you think that similar infringements are treated in the same way across the individual Member States?

Please elaborate and give examples

**\***4.6 - Do you think that in the case of intra-EU infringement (i.e. an infringement that could trigger the competence of authorities from two or more Member States) coordination among national authorities is sufficiently effective, avoiding, for instance, multiple or inconsistent interventions?

Please elaborate and give examples

Part 5: The scope of the directive

**\***5.1 - Do you think that any of the provisions of the Directive should be modified?

|  |  |
| --- | --- |
|  | Yes |
|  | No |
|  | Don't know |

**\***5.2 - Should the directive be extended to more sectors?

|  |  |
| --- | --- |
|  | Yes |
|  | No |
|  | Don't know |

**\***5.3 - Where telephone calls are made by the consumer to the trader, the consumer should only pay the cost of calling a fixed or mobile number:

|  |  |
| --- | --- |
|  | Yes |
|  | No |
|  | Part of the cost of the call should be transferred to the trader |
|  | Don't know |

Part 6: Impact of the directive

6.1 - Since June 2014, which of the following statements regarding the impact of this directive are correct?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Increased | Decreased | Stayed the same | I don't know |
| **\***Intra-EU cross-border online sales have... |  |  |  |  |
| **\***Compliance costs for business have... |  |  |  |  |
| **\***Legal uncertainty for businesses has... |  |  |  |  |
| **\***Consumers' confidence while shopping online has... |  |  |  |  |
| **\***The occurrence of additional payments while shopping online has… |  |  |  |  |
| **\***Consumer confidence while buying online from other Member States has... |  |  |  |  |

**\***6.2 – Do you think that the relationship between the Consumer Rights Directive and other EU directives relating to consumer law is sufficiently clear?

|  |  |
| --- | --- |
|  | Yes |
|  | No |
|  | Don't know |

**\***6.3 - Looking back over the last two years, what do you think has been the most significant change stemming from the provisions of the Directive in consumer rights?

|  |  |
| --- | --- |
| Positive change | Negative change |
|  |  |

**\***6.4 - Looking back over the last two years, what do you think has been the most significant change stemming from the provisions of the Directive for businesses?

|  |  |
| --- | --- |
| Positive change | Negative change |
|  |  |