



The impact of counterfeiting on online consumer rights in Europe

ECC Malta welcomes you to the first edition of its Newsletter for this year. March is the month in which we celebrate World Consumer Rights Day and for this occasion the ECC Net has launched a report 'The impact of counterfeiting on online consumer rights in Europe'. We will go through useful tips on how consumers can avoid the risks involved when buying fake or counterfeit products online. As in previous issues, we will also be taking the opportunity to highlight a complaint with a positive outcome for the consumer, and we will see other developments in the consumer field which benefits consumers, particularly in the field of car rental.

BUYING COUNTERFEIT GOODS ONLINE?

What are the risks?

The 15th of March is the day dedicated to World Consumer Rights and for this occasion the European Consumer's Centres Network (ECC-Net) launched a report *'The impact of counterfeiting on online consumer rights in Europe'*. Though having traditionally targeted the luxury market, counterfeit products have now touched all consumer products such as medicine, cosmetics, children's toys, shoes or automobile parts are easily accessible thanks to online commerce. These online bargains seem incredibly attractive. ECC-Net advises not to buy counterfeit goods! Fake products may pose health, safety and financial risks to consumers and expose them to different sanctions in all EU countries.

While surfing the Internet looking for a bargain, chances are high that consumers come across very attractive offers which might be too good to be true. These products are most likely imitations of brand products. The Network explains why and how to avoid and what to do when you are trapped.

What are the risks involved when buying counterfeit goods online? Consumers who buy fake products can be exposed to different risks such as:

- The quality of counterfeit products is not guaranteed. They may pose safety or health risk to consumers. Toys, medicine and cosmetics may contain harmful ingredients.
- Customs may intercept and destroy packages containing counterfeit goods. By consequence, you don't receive the order you already paid for.
- Right holders may bill the costs related to the destructions of the fake goods.
- Who can you turn to when your counterfeit products become defective? Traders who sell fake goods are not prone to respect your guarantee rights.

To help consumers not to be trapped, ECC-Net publishes an online brochure with 10 tips on how to avoid buying fake products on the Internet.

[Download the brochure here.](#)



Safer Internet Day

ECC Malta together with the rest of the Network celebrated Safer Internet Day on the 7th of February by raising awareness about this important issue. For this occasion, the Network published important tips aiming to promote responsible and safe use of the internet. These 5 commandments as seen in this picture are targeted to the younger generation, parents or guardians, raising awareness about certain risks involved when using the internet and social networks.

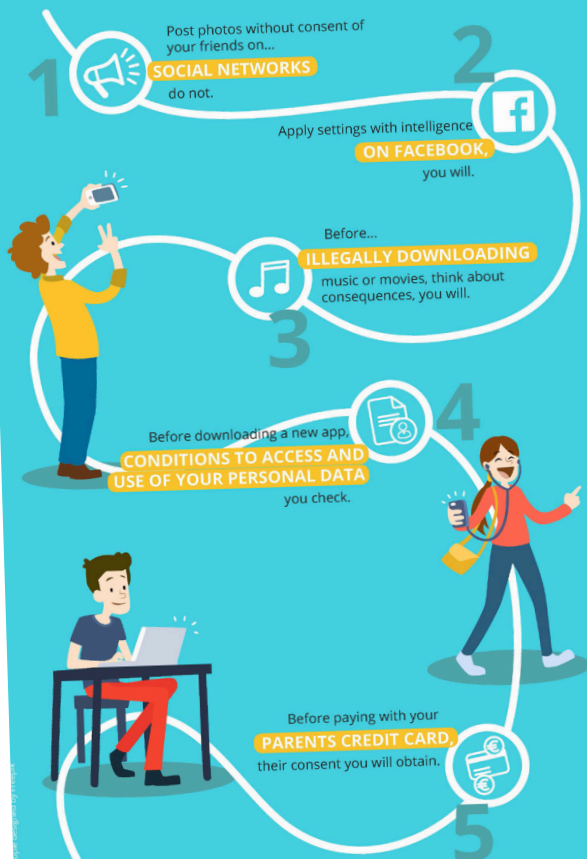


"Apologies, not available in your country!"

« Safer Internet Day »

To consider for caution commandments!

7 February



Help and advice for consumers in Europe
ECC-Net
European Consumer Centre

In case of cross-border complaint, the ECC of your country you contact!

www.ec.europa.eu/ecc-net

STAKEHOLDER'S DIALOGUE ON Unjustified 'Geoblocking'

What is geoblocking and how does it affect consumers? Geoblocking is when consumers are prevented from buying online from a website which is situated in a Member State other than the Member State of the consumer. Different practices are used by traders to prevent access to goods and services. For instance access to a website may be granted, but the consumer from abroad will be prevented from placing an order to the particular product or service or may be rerouted to other websites offering different prices or conditions or the product may not even be available. Another practice often used by online sellers is that where the consumer will not be able to continue with the payment because the trader's website asks for credit cards issued from a certain country only.

ECC Malta participated in a discussion amongst stakeholders organised by the Malta Business Bureau and the European Parliament Information Office. This discussion was an opportunity for stakeholders to discuss the opportunities and challenges that the European Commission proposal on 'unjustified geo-blocking and other forms of discrimination within the Digital Single Market' brings with it.

ECC Malta, highlighted that as a Network we encounter substantial amount of cases of discrimination against consumers including blocking of access to websites and rerouting to other websites. In this regard it was mentioned that whilst traders offer justification to consumers, there is a need for clearer rules in this regard.



Success Story

Last September a Maltese consumer rented a car for a family holiday in Italy. At the rental desk, he was offered breakdown assistance for an additional charge of €20 which the consumer accepted. Unfortunately, during the holiday, the consumer was involved in an accident and as stipulated in the rental agreement, he called for assistance at the numbers provided by trader; however to the consumer's disappointment none of his attempts were successful. Consequently, the consumer had to make alternative arrangements so that the rented vehicle could be towed to the designated place.

This arrangement resulted in the consumer incurring extra costs to the amount of €244. At the end of the rental period, the consumer requested from trader a refund of these costs, however despite several attempts, the trader failed to honour his obligations towards the consumer. In the circumstances, the consumer contacted our Centre for assistance. His case was shared with our colleagues at ECC Italy as the Centre where the trader is based and following their intervention, it was agreed that the trader will reimburse the full amount of €244 to the consumer.

FIVE TOP CAR RENTAL COMPANIES

Improved Treatment of Customers Thanks to Joint EU–Action

During 2016, more than 2000 consumers from across Europe complained with European Consumer Centres about car rental issues. This led to action being taken at EU level to safeguard the interests of consumers, and following a joint action of the European Commission and National Enforcement Authorities five major car rental companies have agreed to better align current car rental practices to the requirements of consumer legislation, set out by EU rules on consumer rights.

The European Commission and the National Authorities are now satisfied with the changes implemented by the car rental companies and have concluded this phase of the enforcement operation. This action has brought the following benefits to consumers:

- The total booking price will include all unavoidable charges. For instance if winter tyres are compulsory by law in certain countries, the price will be included in the headline price;
- Clear description of the main characteristics of the rental including fuel policy and deposit requirements;
- Clear information about additional insurance;

- Transparent fuel policies. Consumers will be always given the option to get the car with a full tank and bring it back full.

Furthermore, the car rental companies have agreed to adopt clear procedures when it comes to inspection for damages. The consumers will now be provided with reasons and evidence of any damage and will also be given the chance to challenge any damage before payment is taken.

Further information about this action can be found here - <http://eccnetmalta.gov.mt/car-rental-companies-improve-treatment-consumers-thanks-eu-wide-enforcement/>



European Consumer Centre Malta

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