**Sofia Consumer Protection Conference on Consumer Day**

**29-30th April 2018**

**Consumer Law and Policy Today. Can we do better?**

As a member of the ECCG I was invited by the Bulgarian Presidency of the Council of the EU to this conference mainly to hear about the implementation of REFIT which are changes that have given a face lift to EU Consumer AND Marketing Law. The conference gave opportunity to Government and other stakeholders to express and exchange of views on the New Deal for Consumers’ Package which was presented by Commissioner Jourova. Commissioner Jourova was happy to announce that the REFIT proposals will provide stronger rules to protect consumers as regards redress and compensation.

NGOs have up to the 19th June to send their comments about this New Deal to the Commission.

FIRST Panel Discussion

Business representative Mr Pedro Oliveira, Senior Legal Advisor, Business Europe, also wants to have this change in the law as this law will give the trader the right to refuse a refund if he believes the good has been used. It would act as deterrant against abuse by the consumer. If a consumer is unhappy with the goods he would have to return it at his own expense and if trader sees that this has been used then trader has the right not to refund. Ms Ursula Pachl, Deputy DG, BEUC stated that this is a step back for the consumer as trader will use this step not to refund and who will pay the transport expenses if the trader returns the “used” good back to the consumer?

SECOND Panel Discussion

Ms Ursula Pachl, Deputy DG, BEUC expressed her concern on certain part of the New Deal and she mentioned a part of the law “Need for final judgement before going for collective redress”. Ursula said this was never discussed. Also as to how consumers can go together into another country which is the trader’s country is unclear but at least she said the door has been opened. I have included with this short summary of the conference 5 Fact Sheets that show in a very simple way the work that has been done.

The following 5 Fact Sheets explain the work that has been done.

**Fact Sheet 1**

President Juncker gave a more prominent place to consumer policy at the beginning of his

mandate in 2014. Since then, this Commission has delivered over 80% of the proposals in the

ten priority areas set out in President Juncker’s political guidelines. This fact sheet gives some of the main achievements so far in this mandate.

**Fact Sheet 2**

Mentions commercial excursions organized by traders for consumers to promote and sell goods. Additional rules are adopted and must be justified on grounds of public policy or the protection of private life of consumers.

**Fact Sheet 3**

Mentions off premises contracts; reinforced rules for penalties; Injunction procedures; Redress possibilities, basically stricter rules for dishonest traders

**Fact Sheet 4**

This deals with new collective mechanisms. Injunctions do not hared consumers possibilities to obtain at the same time redress or compensation. Public authorities are also not always in the position to act effectively to tackle harmful commercial practices. Now individuals can claim their rights through collective actions and seek at the same time redress e.g. compensation due to them.

Consumer Organisations can now through all Member States initiate representation action.

Pauline Azzopardi

ECCG Representative