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COMMITTEE**

EU Consumer Policy strategy 2007-2013

Empowering consumers, enhancing their welfare, effectively protecting them

REVIEW OF CONSUMER POLICY STRATEGY 2002–2006

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INTRODUCTION

The aim of this Report is to review and evaluate the Consumer Policy Strategy for years 2002–2006.

The report consists of three parts. The first part focuses on the evaluation and the impact of the Strategy on national consumer policies. The second part presents the review of actions undertaken under the Strategy (detailed information in Annex I). Finally the third part gives an overview on consumer consultation and participation in the Commission consultative bodies (detailed information in Annex II).

1. EX-POST EVALUATION OF THE IMPACT OF THE CONSUMER POLICY STRATEGY 2002-2006 ON NATIONAL CONSUMER POLICIES

In 2006, a study was commissioned on the impact of the strategy on national consumer policies. The impact was examined through the actions and opinions of national policymakers, but also national stakeholders with an interest in consumer policy, notably consumer and business organisations in the 25 MS. The findings of the evaluation are presented below as summary answers to the evaluation questions. The full report is published at http://ec.europa.eu/consumers/overview/cons_policy/index_en.htm.

Development of national strategies: the EU Strategy has encouraged the new Member States (MS) to put in place a consumer policy strategy. Whilst this is not the case for the old MS, they nevertheless take account of the EU Strategy to ensure compatibility.

Shared objectives, issues and policy instruments: the three main objectives of the EU Strategy - a high common level of consumer protection across EU, effective enforcement of consumer protection rules and proper involvement of consumer organisations in EU policies - are largely shared by the MS. The integration of consumer concerns in other relevant policy areas and the evidence base for consumer policy are less or even much less shared. The new MS put more emphasis than the old ones on the involvement of consumer organisations in the national policies. These new MS also devote even less attention than the old ones to the integration of consumer concerns in other relevant policy areas and to the evidence base inspiring the consumer policy. There is much interest of the MS concerning the effective enforcement of consumer protection rules, and the new MS measure the needed improvements at that level in terms of resources, cooperation and monitoring.

EU strategy as one of the influencing factors on national policies: the EU strategy had an impact on national consumer policies but it was smaller than the impact on the priorities of the domestic policy, the concerns of the public and the legislation resulting from membership of EU. Without the EU Strategy the respondents state that most of the national policies would have been different, but to a limited extent only.

Initiatives and actions carried out: the different EU initiatives and actions carried out as part of the EU Strategy did not equally influence the national consumer policies. The actions that are judged to have had most effects on MS are: safety of consumer goods and services, legislation on consumer economic interests in the new MS, enforcement cooperation between MS in the old MS, information and data on the safety of goods and services in the new MS and consumer information and education in the new MS. The actions that are judged not relevant or having had little effect are: financial services in the old MS, services of general

interest in the new MS, international trade, standardisation & labelling issues (according to consumer organisations), redress (according to business organisations), support to consumer organisations in the old MS, consumer information and education in the old MS and support and capacity building of consumer (according to consumer organisations).

Involvement of stakeholders in the elaboration and implementation of national strategies: At national level, stakeholders are nearly always involved in the definition and implementation of national consumer policy. While representatives of the business are mainly involved through consultation, the consumer organisations appear to be more actively involved, through e.g. participation in working groups or seminars in addition to the consultations. Most stakeholders consider that their involvement, in particular in discussion groups or round table discussions, leads as a minimum to a better understanding and at best to an agreement between stakeholders, both favouring policy acceptance.

2. REVIEW OF ACTIONS OF CONSUMER POLICY STRATEGY 2002-2006

Considerable progress has been achieved in the accomplishment of Consumer Policy actions between 2002-2006. The main actions are set out below. Annex I provides a detailed report on all the EU actions with a consumer impact.

Consumer interests reflected in different policy areas

Concerning the safety of consumer goods and services several initiatives were adopted on services and general product safety. The revision of the cosmetic directive was finalised and revised directive on phthalates in toys was adopted.

To safeguard consumer economic interests a number of initiatives were launched or following the Green Paper on EU Consumer protection. Notably the Unfair Commercial Practices Directive was adopted in May 2005 and the revision of the consumer aquis was begun.

Concerning services, the Directive on services in internal market was adopted in 2006. The measures set out in the Financial Services Action Plan have been implemented and the White Paper on Financial Services was adopted to complete the implementation process. The White Paper on the Services of General Interest was published in 2004. The Commission has also undertaken several initiatives in transport, energy, water, postal services, telecommunications and motor industry.

In the area of electronic commerce a series of initiatives were undertaken to increase consumer confidence in e-commerce and to improve electronic commerce security.

The Commission also sought to increase the consumer involvement in the competition issues (the position of 'consumer liaison officer has been created in DG Competition).

Concerning environment policy, the Commission undertook several initiatives aimed at limiting the impact of environmental hazards to human health. The EU Eco-label was developed and the REACH proposal adopted.

The Commission established the Transatlantic Consumer Dialogue (TACD) to discuss trade issues with consumer organisations.

Enforcement of consumer protection rules

The Commission adopted the Consumer Protection Cooperation Regulation which lays down the legal basis for administrative co-operation between Member States. The Consumer Safety Network was created to ensure the enforcement of product and service safety.

The Commission has also developed the Alternate Dispute Resolution (ADRs) to facilitate consumer disputes settlement and established the European Consumer Centres (ECC).

A number of initiatives have been undertaken to enforce judicial cooperation in civil matters - the Directive to improve access to justice in cross-border disputes and proposals on contractual (Rome I) and non-contractual (Rome II) obligations.

Involvement of consumer organisations in EU policies

The Commission set up the European Consumer Consultative Group (ECCG) which consists of the consumer organisations representatives from each Member State.

The Green Paper on European Transparency Initiative was adopted which intends to establish minimum standards for consultation and a system of registration.

The Commission has carried out many initiatives which aimed at consumer information and education. It has also organised training courses for the staff of consumer organisations.

Improvement of the quality of consumer policies

The Commission has established internal Impact Assessment Guidelines to ensure that the impact on consumers' economic interests is properly taken into account.

In order to develop knowledge-based consumer policy the Commission has gathered statistics, produced surveys and consumer satisfaction indicators.

3. CONSUMER CONSULTATION AND PARTICIPATION

The Consumer Policy Strategy 2002-2006¹ established, as one of its three key objectives, a need for proper involvement of consumer organisations in all EU policies in order to integrate consumer interests into all EU policies.

Commission services generally consult consumer organisations as part of a broad consultation of all stakeholders. The Commission recently launched a debate on the minimum standards with the “European Transparency Initiative”². DG SANCO is currently reviewing its consultation practice and consumer representatives are one of the key representatives in the peer review group that has recently been established for this purpose.

Consultation with stakeholders is also a key element of the Commission’s impact assessment approach. Consumer organisations participate in some Commission committees or working groups in order to promote consumer interests in a specific policy field. They also meet bilaterally with Commission services on an ad hoc basis.

Consumer organisations have a forum, the European Consumer Consultative Group (ECCG) which is increasingly being used as a forum to discuss the integration of consumer interests in other policies.

Consumer participation in terms of numbers, quality and the financial support provided vary considerably from one Directorate-General to another. It mostly depends on financial resources but also on the level of recognition of consumer interest by other Commission services. Other barriers to consumer participation are insufficient expertise and the lack of communication within and between Commission services and consumer organisations.

Consumers are consulted on the wide range of issues. Their interests are not only represented in product and food safety and public health area. Consumers also participate in the Commission advisory bodies in the field of agriculture, transport, energy, telecommunications, fisheries and environment. They also contribute to trade-related dialogues. Furthermore the Commission has increased consumers’ involvement in financial services and competition policy by creating the ECCG sub-groups on these two issues. Consumer interests are also taken into consideration in number of other EU policy areas.

The details of how consumer organisations are consulted set out in Annex II.

¹ COM(2002) 208, 7.5.2002.

² COM(2006) 194.

ANNEX I

OBJECTIVE 1: A HIGH COMMON LEVEL OF CONSUMER PROTECTION

| Action | Description | Timeframe | State of play | Assessment |
|---|---|--|---|------------|
| Safety of consumer goods and services | | | | |
| 1. Commission Communication on the safety of services [Lead service: SANCO] | Identify the needs, possibilities and priorities for Community action on the safety of services and prepare a report on the issue | 4 th Q ³ 2002 <i>Revised</i> <i>timeframe: 2nd Q 2003</i> | The report was adopted by the Commission in June 2003 ⁴ and was considered by the Council and Parliament in the second half of 2003. | ✓ |
| 2. Commission proposals on the safety of services [Lead service: SANCO] | Finalise the appropriate proposals for Community action on the safety of services | 4 th Q 2003 <i>Revised</i> <i>timeframe: 4th Q 2004</i> | In accordance with the Council resolution, initiatives aiming at data collection on development of best practices have been launched. | ✓ |
| 3. Guidelines to ensure co-ordination between the new General Product Safety Directive (GPSD) and vertical Community legislation on product safety [Lead service: SANCO] | Finalise a guidance document on the relationships between the GPSD and Community vertical legislation on product safety | 2 nd Q 2003 <i>Revised</i> <i>timeframe: 4th Q 2003</i> | 1 st chapter publication November 2003 and 2 nd chapter in November 2005. | ✓ |
| 4. Guidelines on notification by producers and distributors of dangerous products [Lead service: SANCO] | Prepare a guide on the contents, criteria and forms for information on dangerous products to be provided, according to the GPSD, by producers and distributors to the competent | 2 nd Q 2003 <i>Revised</i> <i>timeframe: 1st Q</i> | Published December 2004 | ✓ |

³ Q = Quarter
⁴ COM(2003) 313.

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| | authorities | 2004 | | |
| 5. Decision to launch the assessment of certain product safety standards [Lead service: SANCO] | Identify the priorities for publication of safety standards under the new GPSD | 4 th Q 2002 | A first group of standards was published 4.4.2004 | ✓ |
| 6. Decision to publish the reference of certain product safety standards and launch new standardisation mandates [Lead service: SANCO] | Publish the references of certain existing safety standards and launch some standardisation mandates under the new GPSD | 4 th Q 2003 <i>Revised timeframe: 2nd Q 2004</i> | A second group of standards was published 22.7.2006 | ✓ |
| 7. Workshop on chemicals in products/articles [Lead service: SANCO] | Identify safety issues and potential questions for scientific committees in relation to the release of chemicals from products and articles. | 2 nd Q 2002 | The workshop and an additional one took place in 2003. The results have contributed to the definition of a project on chemicals in consumer products ⁵ . | ✓ |
| 8. Revision of the Toys Directive [Lead service: ENTR] | Finalise a proposal for a revision of the Toys Directive | 2003 <i>Revised timeframe: 1st Q 2007</i> | A proposal for a revised Directive is expected to be ready by December 2006/beginning of 2007, once the proposal for a horizontal legislative approach to harmonisation of legislation on products has been adopted. | ➡ |
| 9. Revision of the Low Voltage Directive [Lead service: ENTR] | Finalise a proposal for the revision of the Low Voltage Directive regulating the safety of electrical products | 2003 <i>Revised timeframe: no decision taken</i> | It has been decided to postpone any decision to revise this directive until the results of the revision of the "New and Global Approach" are known. | ➡ |
| 10. Revision of the Cosmetics Directive [Lead service: ENTR] | Finalise a proposal for the revision of the Directive regulating the safety of cosmetics | 2003 | Adoption by the Council and the European Parliament of the directive on the revision of the | ✓ |

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More information available on: http://europa.eu.int/comm/consumers/cons_safe/news/prod_safety_en.htm

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| | | | Council directive 76/768/EEC relating to cosmetic products ⁶ . Adoption by the Commission of several directives on technical adaptation (through comitology procedure). | ✓ |
| 11. Revised proposal for a Directive on phthalates in toys [Lead service: ENTR] | Ensure a permanent solution for preventing risks to child health from phthalates in toys | 2002 <i>Revised timeframe: 4th Q 2005</i> | Directive (2005/84/EC) dealing with this issue was adopted by Council and Parliament on 14 December 2005 | ✓ |
| 12. Proposal for a revised Council Recommendation on Fire Safety in Hotels [Lead service: SANCO] | Finalise a proposal to update and reinforce the Council Recommendation on Fire Safety in Hotels | 3 rd Q 2003 <i>Revised timeframe: 4th Q 2004</i> | Preparatory work has been undertaken but there is disagreement between Member States on how to finalise it. | ➡ |
| 12.bis Proposal for a horizontal legislative approach harmonisation of legislation on products (market surveillance framework) (DG ENTR) [Lead service: ENTR] | Revise the legislative technique of the New Approach and develop a horizontal framework for the free circulation of industrial products (e.g. obligations of economic operators, market surveillance system etc.) | 4 th Q 2006 | Work is in progress. The adoption by the Commission is foreseen end of 2006. | ➡ |
| 12. ter. Recast of Framework directive on the approval of motor vehicles and their trailers [Lead service: ENTR] | Finalise proposal updating the motor vehicle type approval directive, incorporating provisions on vehicle recalls and on safety of certain components | 2007 | Common position expected before the end of 2006; final adoption in 2007 | ➡ |
| Legislation on consumer economic interests | | | | |
| <i>Commercial practices</i> | | | | |

⁶ Directive 2003/15/EC of the European Parliament and of the Council of 27 February 2003 amending Council Directive 76/768/EEC on the approximation of the law of the Member States relating to cosmetic products (OJ L 66, 11.3.2003, p. 26).

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| 13. Proposals following the Commission's Green Paper on EU Consumer Protection [Lead service: SANCO] | Follow-up communication to Green Paper and associated actions. | 2 nd Q 2002 | Follow-up Communication published on 11 June 2002 ⁷ . | ✓ |
| | Further research on consumer and business attitudes to the internal market. | 2 nd Q 2002 | Eurobarometer surveys of businesses and consumers carried out in April – September 2002 and published in November 2002 ⁸ . Workshop held in January 2003 at which ex ante Impact Assessment by GFA management was published. Extended Impact Assessment and expert legal analysis published ⁹ . | ✓ |
| | | | Proposal for a directive on Unfair Commercial Practices adopted by Commission on 18 June 2003 ¹⁰ . Adoption of the Unfair Commercial Practices Directive on 11 May 2005 ¹¹ . | ✓ |
| <i>Review of the existing acquis</i> | | | | |
| 13 bis. Review of legislation relating to EU consumer protection [Lead service: SANCO] | Prepare a document setting out a strategy for the review of EU consumer protection legislation | <i>Revised timeframe: 4th Q 2006</i> | Commitment in follow-up Communication to the Green Paper on Consumer Protection ¹² to carry out a comprehensive review of the acquis. The document will identify the priorities for review and necessary preparatory work. | ➔ |
| 14. Amendment to the timeshare directive [Lead service: SANCO] | Review of the Directive on Timeshare in order to update it and protect consumers against the new developments that have appeared in the timeshare market since the adoption of the | <i>Revised timeframe: 4th Q 2006</i> | Part of the overall strategy (cf .13 bis). However, priority is given to a proposal for amendment of the Directive on Timeshare. | ➔ |

⁷ COM(2002) 289.

⁸ http://europa.eu.int/comm/consumers/cons_int/safe_shop/fair_bus_pract/green_pap_comm/studies/index_en.htm

⁹ http://europa.eu.int/comm/consumers/cons_int/safe_shop/fair_bus_pract/impact_assessment_en.pdf

¹⁰ COM(2003) 356.

¹¹ Directive 2005/29/EC (OJ L 149, 11.6.2005, p. 22).

¹² http://europa.eu.int/comm/consumers/cons_int/safe_shop/fair_bus_pract/green_pap_comm/communication_en.pdf

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| | Directive | | | |
| 15. Amendment to the package travel directive [Lead service: SANCO] | Review of the Directive on Package Travel in order to update it and strengthening consumer protection in this area | <i>Revised timeframe: 4th Q 2006</i> | Part of the overall strategy (cf .13 bis) | ➔ |
| 16. Report on the Directive on price indication [Lead service: SANCO] | Report on the application of the Directive on Price Indication (98/6/EC) accompanied by a proposal as requested by the Directive | <i>Revised timeframe: 2nd Q 2006</i> | Communication on the implementation of the Directive on Price Indication adopted on 21 June 2006 ¹³ | ➔ |
| 17. Report on the Directive on injunctions [Lead service: SANCO] | First report on the Directive on Injunctions For the Protection of Consumers' Interests (98/27/EC) and propose any revisions considered necessary. | 3 rd Q 2003 <i>Revised timeframe: 4th Q 2006</i> | Under preparation. | ➔ |
| 17a. Codification of the Injunctions Directive as amended [Lead service: SANCO] | Proposal published 12.5.2003 (COM(2003) 241 final) | 1 st Q 2004 | Proposal published 12.5.2003 (COM(2003) 241 final) | ✓ |
| 18. Report on the Directive on distance selling [Lead service: SANCO] | To report on Directive 97/7/EC on the Protection of Consumers in Respect of Distance Contracts and consult interested parties on its application and suitability. | <i>Revised timeframe: 3rd Q 2006</i> | The implementation report was adopted on 21 September 2006. The deadline for consultation on the report is 21 November 2006. | ➔ |
| 19. Report on the Directive on certain aspects of the sale of consumer goods and associated guarantees [Lead service: SANCO] | -Report on the Directive on certain aspects of the sale of consumer goods and associated guarantees (99/44/EC); in particular regarding the use made by Member States of consumers' obligation to report a lack of conformity within a time limit. -Report on the application of this Directive examining in particular the case for introducing the producer's direct liability and, | Revised timeframe: 4 th Q 2006 | The implementation report is being prepared and should be adopted by the Commission by the end of 2006. | ➔ |

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COM(2006) 325.

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| | if appropriate, accompanied by a proposal | | | |
| Law governing consumer contracts | | | | |
| 20. Follow-up to the Communication on European Contract law [Lead services: SANCO, JLS, MARKT, ENTR, LS] | -Identify areas in which the diversity of national legislation in the field of contract law may undermine the proper functioning of the internal market and the uniform application of Community law. -Describe in more detail the option(s) in the area of contract law selected following the consultation. In this context, the improvement of existing ECC legislation will be pursued. -Develop an action plan for the chronological implementation of the Commission policy conclusions. -Propose the co-ordination of research activities. These activities could lead to the elaboration of a general frame of reference establishing common principles and terminology. | 4 th Q 2002 <i>Revised timeframe: 1st Q 2003</i> | The Commission Action Plan “A more coherent European contract law” was adopted on 12. 2. 2003 ¹⁴ . It summarises the problems identified during the consultation process, which concern the need for uniform application of EC contract law as well as the smooth functioning of the internal market. This Action Plan suggests a mix of non-regulatory and regulatory measures in order to solve those problems. In addition to appropriate sector-specific interventions, this includes measures : - to increase the coherence of the EC <i>acquis</i> in the area of contract law, - to promote the elaboration of EU-wide general contract terms, - to examine further whether problems in the European contract law area may require non-sector-specific solutions such as an optional instrument. | ✓ |
| 20bis. Follow-up to the Action Plan “A more coherent European contract law” [Lead services: SANCO, JLS, MARKT, ENTR, LS] | - Increase the coherence of the EC <i>acquis</i> in the area of contract law, via the preparation and elaboration of a Common Frame of Reference, - Promote the elaboration of EU-wide general contract terms, and - Examine further whether problems in the European contract law area may require non-sector-specific solutions such as an optional instrument. | 2003 - 2007 | The Action Plan suggested the preparation of a Common Frame of Reference (CFR) via research to be supported by the 6 th Framework programme for research and technological development. A Commission Communication setting out the process of preparation of the CFR was adopted in 2004. Mechanisms to involve stakeholders, Member States and EC institutions in the process of preparation and elaboration of the CFR were developed. In 2005 the Commission adopted its first Annual progress report on the CFR project, following which the research topics concerning consumer contract law were | ➔ |

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COM (2003) 68.

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| | | | prioritised. In 2005 the Council adopted conclusions on the Annual progress report supporting the prioritisation of consumer contract law topics. In 2006 the EP expressed support to the continuation of the CFR project via two resolutions. | |
| 21. Review of existing consumer contract law [Lead services: SANCO, RTD, JLS, MARKT, ENTR, LS] | Review existing consumer contract law in order to identify inconsistencies and gaps, with a view to simplifying and completing the consumer contract law <i>acquis</i> . | 2004- 2006 | The Commission will seek to increase coherence between instruments, which are part of the EC consumer contract law <i>acquis</i> . Proposals will, where appropriate, take into account the Common Frame of Reference (see point 20a). The Commission's initial findings as well as possible options for a reform will be presented for public consultation as a part of a Green Paper by the end of 2006. This Green Paper will identify a number of contractual issues relevant for the consumer <i>acquis</i> that could be addressed horizontally in a framework instrument (please see point 13 bis). | ▲ |
| Services | | | | |
| 21 bis. Directive on services in the Internal Market [Lead service: MARKT] | The directive aims at finalising the services internal market to the benefit of both economic operators and consumers by achieving freedom of establishment and free movement of services. Specific provisions in the services section also provides for basic rights for "recipients" of services, including consumers. It also promotes quality standards. The directive puts in place supervision and a convergence programme. | Adopted in 2006 | The Services Directive was proposed in January 2004. A modified proposal was presented in April 2006. The Council reached a common position on 31 May 2006. The Services Directive is expected to be published before the end of 2006. It will enter into force the day after its publication. | |
| Financial services | | | | |
| 22. Implementation of the measures set out in the Financial Services Action Plan and the Road Map. | Many of the individual legislative proposals make provision for the protection of consumers. This will require wide | 2002-2004 | All measures of the FSAP have been adopted on time. Transposition in the MS is being closely monitored. Transposition tables on the state of | ✓ and ➔ |

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| [Lead service: MARKT] | consultation with all stakeholders including consumers. | | implementation are published at regular intervals. | |
| <p>22. bis. White paper on Financial Services Policy 2005-2010. Implementation and enforcement of FSAP measures in the Member States</p> <p>[Lead service: MARKT]</p> | <p>The White Paper focuses on completing unfinished business and on implementation and enforcement. Only few areas for further action have been identified. Emphasis is put on retail integration and on enhanced integration of consumers' interests and needs into financial services policy making.</p> | <p>2005-2010</p> | <p>A joint MARKT/SANCO group of national consumer organisations has been created (FSCG - financial services consumer group) as a sub-group of the already existing ECCG. The objective of the group is to enhance the dialogue with consumer representatives on ongoing and future initiatives in financial services relevant to consumers, to build up expertise in this field and to obtain input into financial policy making.</p> <p>MARKT publishes a biannual newsletter on financial services issues relevant to consumers: FIN-FOCUS. The newsletter is free of jargon and is translated into all official languages.</p> <p>An expert group on customer mobility in relation to bank accounts has been established. The objective of this group is to identify any barriers to customer mobility in relation to bank accounts and to advise the Commission on how those barriers shall be addressed. A maximum of 8 plenary meetings will take place, starting in September 2006.</p> <p>A conference to highlight the issue of consumer financial capability will be organised in March 2007.</p> <p>Workshops have been held to review the Simplified Prospectus for UCITS, a key consumer document. There has been consumer/investor input at these workshops.</p> <p>A White Paper (WP) on mortgage credit is in the course of preparation and it will be based on the results of a number of initiatives: a Green Paper,</p> | |

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| | | | <p>published in 2005; the work of two working groups, one with stakeholders dedicated to funding issues, one with Member States Representatives dedicated to general issues; the work of a working group for a “Mortgage Dialogue” including both industry and consumers representatives, with the aim of finding common solutions to the following issues: information, advice, early repayment and APR.</p> <p>FIN-NET: DG Internal Market supports work of the group and ensures secretariat; 2 meetings per year.</p> <p>Dolceta project: web-based tool for educational institutions, governments to use for financial training.</p> | |
| <p>23. Retail Payments and Fraud Prevention Action Plan on non-cash means of payment [Lead services: MARKT]</p> | <p>In particular work on aspects of retail payment security and the deployment of new means of payments. The legal and technical security aspects are covered in the Fraud Prevention Action Plan for non-cash means of payments and in the revision of some existing legislative acts. The intention is to create a single phone line in the EU for "card stop" (for lost or stolen cards). It is also proposed to include several consumer education and awareness raising projects.</p> | 2002-2006 | <p>The Action Plan is progressing as planned. The single phone number has proven difficult to implement, but work proceeds. The education and awareness initiatives will be co-ordinated within the broader Commission consumer education framework.</p> | ➔ |
| <p>24. Replace the Consumer Credit Directive (87/102) and its two modifications by a new, substantially updated directive [Lead service: SANCO]</p> | <p>Modernise the existing Directive in order to ensure a genuine internal market in consumer credit while at the same time guaranteeing a high level of consumer protection; achieve a better balance of rights and obligations between the consumer and the supplier of credit, and to increase the degree of harmonisation.</p> | ongoing | <p>Following the initial proposal for a Consumer Credit Directive of 11 September 2002 and the first modified proposal of 28 October 2004 (which focused on the reactions the EP position in 1st reading), a new modified proposal was adopted on 7 October 2005 which provides a consolidated text and contains some additional changes in substance on the basis of new developments and external consultations. Council held an orientation debate on 29 May 2006 concluding in support for full harmonisation but broad rejection of the mutual</p> | ➔ |

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| | | | recognition principle (which the Commission had suggested as complement for full harmonisation where flexibility for Member States remains). The FIN Presidency envisages achieving a political agreement at the 4-5 December Council. | |
| 25. Proposal for a comprehensive legislative framework for payments in the internal market (including provisions on refunds) [Lead service: MARKT] | Transform Recommendation 97/489 on electronic means of payment into binding legislation; update directive 97/5 on cross-border payments in order to add supplementary legal aspects for retail payments in the internal market. | <i>Commission proposal COM (2005) 603 final adopted 1.12.2005</i> | Commission proposal currently being negotiated between EP and Council. | ➔ |
| 26. Creation of a forum for financial services users (FINUSE) [Lead service: MARKT] | Obtain input from consumers and other users of financial services on EU initiatives. | 4 th Q 2002 <i>Revised timeframe: 1st Q 2004</i> | FIN-USE has been created in March 2004. The objectives of the experts are: to obtain input from consumers and other users of financial services at an early stage on EU initiatives in the field of financial services, to identify key financial services issues that affect users in the Internal Market, to identify and propose to the Commission areas for in-depth research, to analyse the results of the research and formulate appropriate policy recommendations FIN-USE forum currently consists of 14 members and holds 6/7 meetings per year. An evaluation of FIN-USE was completed in mid-August 2006 positively. | ✓ |
| 26. bis. Review the Distance Marketing Financial Services Directive (2002/65) | Review of the application of Directive 2002/65. Report to the European Parliament and the Council on the problems facing both consumers and suppliers seeking to buy and sell financial services, and submit, where appropriate, proposals to amend or further harmonise in particular the provisions on information and right of withdrawal. | 2008 | A Commission Communication (COM (2006) 161 final) was adopted on 6 April 2006. The Communication explains that, due to late implementation by a large majority of Member States, a report on this review as requested by the Directive will not be submitted in 2006. The Communication also outlines the next steps, including a study as groundwork for the report. The study launched in February 2006 on the impact of the mentioned Directive on the conclusion of cross-border financial service contracts between professionals and consumers has not been awarded | ➔ and |

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| | | | (results notice in the Official Journal of the European Union of 10 June 2006, OJ: 2006/2 109-115955). The Commission will re-launch the preparatory work with a view to issuing the report in 2008. | |
| Electronic commerce | | | | |
| 27. Commission Recommendation on consumer confidence in electronic commerce [Lead service: SANCO] | Contribute to the introduction of EU Guidelines for good on-line business practice and help to develop consumers' confidence in cross-border e-commerce by a Recommendation setting out principles for good on-line business practice and their effective implementation | 2 nd Q 2002 <i>Revised timeframe: 3Q 2003</i> | The idea of a Recommendation was abandoned. A Commission Staff Working Document (SEC(2004) 1390) was published on 8.11.2004 entitled "Consumer Confidence in E-Commerce: lessons learned from the e-confidence initiative". The Commission Services were of the view that the e-confidence exercise and the European Trustmark Requirements had been a useful process on the road to strengthening consumer confidence in e-commerce. It was suggested that the concerned stakeholders, and in particular BEUC and UNICE, consider updating and finalising this EU code of best practices in e-commerce. Business, in particular, should revisit the mechanism for certification and monitoring. | ➔ |
| 28. (DG INFSO) [Lead service: INFSO, JRC] | Take a series of measures encompassing awareness-raising, technological support, regulation and international co-ordination | 2002 <i>Revised timeframe: ongoing</i> | - awareness raising: establishment of best practices, in collaboration with Member States. - technological support: in response to the Communication ¹⁵ "A strategy for a Secure Information Society – Dialogue, partnership and empowerment", proposes a dynamic and integrated approach that involves all stakeholders (including the European Standardisation Bodies). In this context, the Network and Information Security Steering | ✓and ➔ |

¹⁵

COM(2001) 298.

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| | | | <p>Group (NISSG) is updating its report of June 2003 "Response from CEN and ETSI to the Communication on Network and Information Security: Proposal for a European Policy Approach"¹⁶</p> <p>- regulation: The Commission established ENISA – the European Network and Information Security Agency in 2004 as an independent body of the Community. The Agency has two bodies on which consumer organisations are represented, the Management Board and the Permanent Stakeholders Group.</p> <p>- international coordination: collaboration with OECD in the framework of OECD guidelines for the security and information systems and networks. Security is also a focal point for the follow-up of the World Summit on Information Society</p> | |
| Services of General Interest (SGI) | | | | |
| <p>28bis. Green Paper on Services of General Interest [Lead services: SG and all sectoral DGs]</p> | <p>The Green paper intends to stimulate a discussion on the role of the EU in promoting the provision of high-quality public services for the benefit of citizens and business in Europe.</p> <p>It takes into account the context of globalisation and liberalisation, and raises the question whether there is a need for creating a general legal framework for services of general interest at Community level. The Green paper reviews several topics, among which universal service and consumer</p> | 2003 | <p>The Green Paper was adopted on 21 May 2003¹⁷. The public consultation period ended on 15 September 2003. Comments received can be consulted at the following address:</p> <p>http://europa.eu.int/comm/secretariat_general/services_general_interest/index_fr.htm</p> | ✓ |

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See <http://www.cenorm.be/cenorm/businessdomains/businessdomains/iss/actvity/nisissuewithtoc1.pdf>

¹⁷

COM(2003) 270.

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| | protection. | | | |
| 28tre. White Paper on Services of General Interest [Lead services: SG] | <p>The debate launched by the Green Paper met with considerable interest and was welcomed by many interested parties. The Commission draws conclusions from the debate in the present White Paper. The White Paper also confirms the Commission's intention to base its policies on the principles identified in the Green Paper on Services of General Interest (2003), and in the 2000 Communications on Services of General Interest in Europe</p> <p>The White Paper acknowledged that the provision of services of general interest must be organised in such a way that a high level of consumer and user rights is ensured.</p> <p>It confirms the following principles: access to services, affordability of services, clear definition of basic obligations, full transparency, redress mechanisms and dispute settlement.</p> | 2004 | <p>The White Paper was adopted on 12 May 2004 (COM(2004)374 final).</p> <p>The White Paper announces a follow-up horizontal communication on SGIs</p> | ✓ |
| 28 quarter Horizontal communication on SGIs [Lead services: SG] | One of the key questions raised by the 2003 Green Paper and the 2004 White Paper concerned the need for a framework directive on services of general interest. The Commission considers appropriate to re-examine this issue in a horizontal communication on SGIs. | 2007 | Horizontal communication on SGIs is due by the end of 2007. | ➡ |
| 29. Involve consumer representatives in policy, evaluation and monitoring of SGI [Lead services: all sectoral DGs and | -Develop mechanisms at EU level for involving consumer representatives in the development of policies for SGIs, and to | 2002-2006 | Consumer representatives were invited to contribute to the Green paper on services of general interest (see point 28 bis). They are invited to hearings organised | ➡ |

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| SANCO] | ensure their participation in the monitoring and evaluation of outcomes delivered for consumers -Promote, in co-operation with Member States and consumer groups, the setting up of bodies representing the interests of consumers in individual SGIs. | | by sectoral DGs. The European Consumer Consultative Group is informed of the developments in the area of services of general interest. | |
| 30. Improve the sector reporting and to strengthen the consumer focus [Lead services: all sectoral DGs] | Work in co-operation with sectoral DGs and consumer groups to highlight consumer issues in sector reporting. | 2002-2006 | | ➔ |
| 31. Communication on a methodology for conducting horizontal evaluations and Commission annual report on horizontal evaluation. [Lead services: MARKET/ DG SANCO/DG ECFIN] | Produce a coherent and consistent methodology for evaluating the performance in SGI sectors, including assessments of the quality of services and consumer satisfaction and to report annually on this. | 2002-2006 | A “methodological note for the horizontal evaluation of services of general economic interest” ¹⁸ was published on 18 June 2002. It provides for the production of yearly reports in which the monitoring of consumers’ opinions about the performance of services of general interest is a key aspect. A report was published in January 2003 including the results of the eurobarometer 58 on consumers' opinions on services of general interest ¹⁹ . Two Commission reports have been subsequently published in 2004 and 2005. A report has been published in June 2004 including data from the focus group on consumer satisfaction about services of general interest. A report has been published in September 2005 including data from a Eurobarometer on services of general interest. Another Eurobarometer on consumer protection in the Internal Market was published in | ✓ |

¹⁸ COM(2002) 331.

¹⁹ http://europa.eu.int/comm/internal_market/en/update/economicreform/cardiff-03-full_en.pdf

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| | | | September 2006. | |
| 31. bis. 2006 horizontal evaluation report on network industries providing SGEI [Lead services: DG ECFIN / SECGEN] | 2006 report - the 3rd one of an annual analysis of the performance in network industries providing SGEI. It will include data from a Eurobarometer, a focus group and a study on consumer satisfaction about services of general interest. It will cover assessments of the regulatory and legislative environment, market performance, quality, affordability and consumer satisfaction. | March - November 2006 | Various DGs contributed, first draft ready by early September, ISC in October, publication in November 2006. | ➔ |
| 31. ter. Evaluation of the methodology used to assess the performance of network industries providing Services of General Economic Interest (SGEI) [Lead service: DG MARKT] | Its purpose is to provide the European Commission with an in-depth assessment of the Methodological Note that was used to prepare the three horizontal assessments reports of 2004, 2005 and 2006, and to elaborate on potential improvements and future orientations of horizontal assessments of the performance of network industries. The evaluation will also determine whether the Commission is best placed to carry out these horizontal evaluations. It is an external evaluation. | January – July 2007 | The tender will be published end of summer 2006. | ➔ |
| 32. Development of a system of benchmarking in certain areas of services of general interest [Lead services: all sectoral DGs] | Work with Member States and other public authorities on a system of benchmarking in areas of SGI not covered by sector reporting or the regular horizontal evaluation | 2002-2006 | Sectoral reporting is being developed in areas of SGI such as transport, telecommunications, energy and postal services. Further sectors where reporting is not developed yet could be included in the horizontal SGI evaluation of the Commission (see action 31) in the future. For example, water sector may be considered (see new action 39bis). Therefore, action 32 can be deleted since its main purpose is covered in other actions of this rolling plan. However, it is still important that sectoral DGs continue and deepen their reporting and benchmarking efforts in the SGI area both in sectors already covered and in "new" sectors and strengthen the consumer focus, as | ✘ |

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| | | | mentioned in action 30. | |
| 33. Monitoring of consumer satisfaction in the area of services of general interest [Lead service: SANCO] | <p>-Continue regular Eurobarometer surveys and qualitative focus group surveys in order to monitor levels of consumer satisfaction in the SGI.</p> <p>A consumer satisfaction survey was launched in 2006 with a view to develop more rigorous indicators for measuring consumer satisfaction, including in some SGIs areas energy/postal</p> | 2002-2006 | <p>The results of Eurobarometer 58 on consumers' opinions on services of general interest were published on 28 January 2003²⁰.</p> <p>A similar Eurobarometer survey covering the new Member States was published in December 2003.²¹</p> <p>The results of Eurobarometer 219 on consumers' opinions on services of general interest were published on October 2005.²²</p> <p>A new Eurobarometer on consumers' opinions on services of general interest is expected to be published in the 4th quarter of 2006. A focus group survey on consumers and services of general interest has taken place and results have been published in December 2003.²³</p> <p>A new focus group survey on consumers and services of general interest has taken place in the second quarter of 2006 and results are expected to be published in the third quarter of 2006.</p> <p>A call for tender on "The development of consumer satisfaction indicators; pilot survey on consumer satisfaction" was launched in 2003. The work was finalised at the beginning of 2005 and the final report and executive summary are now available.²⁴</p> | <p>✓</p> <p>✓</p> <p>✓</p> <p>➔</p> |

²⁰ The report and data are available at: http://europa.eu.int/comm/consumers/cons_int/serv_gen/cons_satisf/index_en.htm

²¹ The report and data are available at: http://ec.europa.eu/consumers/cons_int/serv_gen/cons_satisf/index_en.htm

²² The report and data are available at: http://ec.europa.eu/consumers/cons_int/serv_gen/cons_satisf/index_en.htm

²³ The report and data are available at: http://ec.europa.eu/consumers/cons_int/serv_gen/cons_satisf/index_en.htm

²⁴ The report and executive summary are available at: http://ec.europa.eu/consumers/topics/facts_en.htm

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| | | | This methodology has been used to launch surveys on consumer satisfaction. Results are expected to be published in the second half of 2006. | |
| SIG – Transport | | | | |
| 34. Commission Proposal for a regulation concerning requirements relating to air transport contracts. [Lead service: TREN] | Clarify air passenger contracts and improve the rights of consumers | 2003 <i>Revised timeframe: ongoing</i> | A public consultation on airlines' contract with passengers was organised from June to September 2002. A public hearing took place on 14 March 2003. 46 contributions were received, of which 13 from consumer organisations. A summary of the responses is available on the Internet at: http://europa.eu.int/comm/transport/air/rights/doc_consult_contracts/summary_consultation_paper_en.pdf The Commission services are currently examining how to address the issues raised by the results of the consultation. | ➔ |
| 34 bis. Commission Proposal for a regulation concerning rights of passengers with reduced mobility in air transport [Lead service: TREN] | Provide passengers with reduced mobility with a non-discrimination guarantee and ensure provision of special assistance free of charge | 2006 | Regulation (EC) N° 1107/2006 of the European Parliament and of the Council concerning the rights of disabled persons and persons with reduced mobility when travelling by air has been adopted on 5 July 2006. | ✓ |
| 35. Produce consumer reports on air service quality [Lead service: TREN] | Focus on indicators of service quality including notably flight punctuality, flight cancellations, denied boarding because of overbooking, loss and damage of baggage and complaints filed by passengers. | 2007-2008 | The first reactions of the industry to the need of both a voluntary and legislative actions in this area were negative. A meeting with stakeholders took place on 12 July 2006. | ➔ |
| 36. Commission Proposals extending Community measures protecting air passengers' rights to other modes of transport. | Extend the Community measures protecting passengers' rights as far as possible to include other modes of transport other than air transport, and in particular the railways, | 2002-2004 | In the White Paper "European transport policy for 2010: time to decide" the European Commission envisaged the establishment of passengers' rights in | ✓ |

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| <p>[Lead service: TREN]</p> | <p>maritime transport and, as far as possible, urban transport services. This concerns in particular service quality and the development of quality indicators, contract conditions, transparency of information and extra-judicial dispute settlement mechanisms.</p> | | <p>all modes of transport.</p> <p>In its Communication on strengthening passenger rights within the European Union of 16 February 2005, the Commission presented a policy approach on how to extend passenger protection measures regardless of the means of transport by identifying a number of actions to be taken at the Community level to guarantee and strengthen inter alia the rights of persons with reduced mobility.</p> <p>Most recently in its Communication of 22 June 2006 'Keep Europe moving - Sustainable mobility for our continent, Mid-term review of the European Commission's 2001 Transport White Paper' (COM (2006) 314 final), the Commission has committed itself to examine how increased quality of service and assurance of passenger rights can be promoted in all modes of transport</p> <p><u>Railways:</u> see point 37</p> <p><u>Maritime Transport:</u> The Commission Proposal for a Council Decision concerning the conclusion by the European Community of the Protocol of 2002 to the Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 1974, was adopted on 24.06.2003²⁵. The ratification by the Community of this Protocol was necessary in order to allow the Member States to become parties to the new Protocol. The proposal required Member States to become parties to the new Protocol by 31 December 2005. The Decision had not yet been adopted.</p> | <p>➔</p> <p>➔</p> |
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COM(2003) 375.

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| | | | <p>In 2005 the Commission adopted a proposal for a Regulation of the European Parliament and of the Council on the liability of carriers of passengers by sea and inland waterways in the event of accidents COM/2005/0592 final of 23/11/2005</p> <p>In February 2006 DG TREN launched a public consultation on rights of passengers travelling by sea or inland waterway in the European Union. A deadline for submitting comments was the end of May 2006. Call for tender has been launched - Public consultation with citizens on passengers' needs for maritime transport and international coach transport (Contract notice: OJ S 128-136075) Ongoing study on the evaluation and assessment of the level of protection of passengers in maritime transport in the EU.</p> <p><u>Urban transport services:</u> On the 20th July 2005 the Commission adopted a revised proposal for Regulation of the Council and the European Parliament and the Council concerning public services of passenger transport by rail and by road. COM (2005) 319 final. On the 9th June 2006 the Council reached a political agreement on this proposal.</p> <p>Bus and coach transport: In July 2005 DG TREN launched a public consultation on rights of international bus and coach passengers.</p> <p>In March 2006 a stakeholders' meeting took place in Brussels. A study concerning the impact assessment of possible Community action is underway - Interservice steering group has been set up.</p> <p>Call for tender has been launched - Public consultation with citizens on passengers' needs for maritime transport and international coach transport</p> |
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| | | | (Contract notice: OJ S 128-136075). | |
| 37. Commission Proposal for a regulation on international rail passenger rights and obligations [Lead service: TREN] | Include provisions on fair contracts; consumer consultation; complaint handling and dispute settlement mechanisms; and compensation for delays. | <i>Adoption by EP and Council possible in early 2007</i> | The Commission proposal on passenger rights has been proposed on 3 March 2004 as part of the Third Railway Package. The European Parliament finalised first reading on 28 September 2005 and proposed 122 amendments. The Council arrived at a political agreement on the Common Position on 5 December 2005 and will deliver a Common Position in early September 2006. | ↔ |
| 38.. Set-up of a European Transport Passengers' Network [Lead service: TREN] | Promote the setting up of a European platform of Passenger's Organisations for negotiation and consultation purposes covering all modes of transport | 2006-2008 | A call for tenders has been launched on 6 July 2006. | ↔ |
| 39. Promotion of voluntary actions by rail companies to improve service quality and information [Lead service: TREN] | Encourage rail operators to develop a voluntary charter on service quality covering such issues as punctuality, provision of information in electronic form, accessibility for groups with special needs, such as persons with reduced mobility or persons travelling with their bike, and protection of non-smokers. | 2002-2003 <i>Revised timeframe:1Q 2004</i> | The Commission has encouraged "The Community of European Railways (CER)" to start the development of a Charter for International Rail Passengers' Rights. Such a charter is being applied since end 2004 and contains rudimentary passenger rights not covering all the aspects of Community legislation proposed by the Commission in March 2004. | ✓ |

| <i>SGI –Energy</i> | | | | |
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| <p>40. Monitor the implementation of the internal electricity and gas market rules [Lead services: TREN/SANCO]</p> | <p>Continue to monitor the implementation of the internal electricity and gas market rules, in particular regarding their effect on households</p> | <p>ongoing</p> | <p>The Commission has -issued 6 benchmarking reports from 2001 until 2006. The next one will be a joint COMP/TREN report with a specific section devoted to households. It is scheduled for January 2007.</p> <p>Among other things, the price and quality of service to customers form a key part of the monitoring effort, including the measures taken to ensure universal and public service obligations.</p> | <p>✓</p> <p>➔</p> |
| <p>40bis. Directive 2003/54/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal markets in electricity and repealing directive 96/92/EC .Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC ²⁶</p> <p>[Lead service: TREN]</p> | <p>The Directive finalises the internal market in these energy areas by offering the rights to the users to choose their energy suppliers. The opening-up of the market will be effective as from July 2004 for business users and in July 2007 for households. The directive contains a provision with some minimum requirements to protect the consumers economic interests, notably an obligation to disclose information and to guarantee the respect of the universal and public service obligations</p> | <p>2004-2007</p> | <p>The Commission has circulated some interpreting notes to help the Member States implement the directives provisions correctly.</p> <p>As regards the obligation to disclose information to the consumers, the Commission has asked a consultant to study how best the minimum information obligations contained in the directive can be implemented by the national authorities. The final report has been finalised in September 2003²⁷.</p> <p>The Commission has also launched a study on universal service, public service and consumer rights obligations. Many consumer associations, in particular ECCs completed the questionnaire. In general, consumer associations and providers are asking for more transparency (final report dues to the end of September).</p> | <p>➔</p> |

²⁶ OJ L 176, 15.7.2003, p. 37

²⁷ The report can be found on: http://europa.eu.int/comm/energy/electricity/publications/index_en.htm

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| | | | The Commission is preparing an information campaign for the opening up of the electricity household market on 1 July 2007 which targets households. | |
| 40ter. Directive 2005/32/EC of the European Parliament and of the Council of 6 July 2005 establishing a framework for the setting of ecodesign requirements for energy-using products and amending Council Directive 92/42/EEC and Directives 96/57/EC and 200/55/EC of the European Parliament and of the Council ²⁸ [Lead services: TREN/ENTR] | The Directive provides for the setting of eco-design requirements aiming at improving the overall environmental performance of energy-using products that they need to meet for being put on the market. The directive ensures a high level of environmental protection and provides for setting the level of energy and resources consumption of products at the least life cycle cost for the end-user/consumer. | | End of 2006 the Commission has started assessing 14 product groups in view of setting eco-design requirements for household appliances, consumer electronics and informatics equipment. | |
| 40.quar. Commission Directive 2003/66/EC of 3 July 2003 amending Directive 94/2/EC implementing Council Directive 92/75/EEC with regard to energy labelling of household electric refrigerators, freezers and their combinations ²⁹ [Lead service: TREN] | Electricity use by refrigerators, freezers and their combinations accounts for a significant part of total Community household energy demand. This Commission Directive upgrades the classification of efficiency levels for the labeling of energy use by these appliances. | | It is one of the implementing measures of the Council Directive 92/75/EEC of 22 September 1992 on the indication by labeling and standard product information of the consumption of energy and other resources of household appliances. Eight additional household appliances are already covered. The aim is to alert the consumer on the level of energy (and water) consumption of domestic appliances throughout a label (with classes of efficiency on a scale from A for the best to G for the worst) to be displayed at the point of sales. | |
| <i>SGI Water</i> | | | | |
| 40 ter. Commission review of legal and administrative position in water and | Closely monitor and be involved in process to ensure universal service and consumer rights | 4 th Q 2006 | Commission beginning information-gathering | New |

²⁸ OJ L 191, 22.7.2005, p. 29.

²⁹ OJ L 170, 9.7.2003, p. 10.

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| waste water sector including competition aspects, possible white paper and follow-up measures possibly including legislation [Lead service: COMP] | are protected | | exercise | |
| <i>SGI Postal services</i> | | | | |
| 40.quar. Monitor the implementation of the internal market rules in the area of postal services (article 23 of directive 97/67/EC) [Lead services: MARKT/SANCO] | Continue to monitor the implementation of the universal service obligations as well as of quality requirements for postal services, with a view ensuring targets take into account the interests of consumers | ongoing | The Commission issued two reports in 2002 and 2005. Application Report in November 2002 ³⁰ and the second Report in 2005 ³¹ . A third Application Report is being prepared alongside the Commission Proposal on Postal Services due for adoption by the end of 2006. | ➔ |
| 40.cinq. Proposal for a Council directive amending Directive 77/388 as regards the value added tax on services, provided in the postal sector [Lead services: TAXUD / MARKT] | Amend the existing directive to remove the VAT exemption currently granted to the public postal services suppliers in order to eliminate competitive distortions. In order to limit the likely price increases for the final consumer, member States are given an option to apply a reduced rate for the services that are most used by the consumers | ongoing | The proposal was adopted by the Commission in May 2003 ³² . It is being discussed in the Council (co-decision). | ➔ |

³⁰ COM(2002) 632.

³¹ COM(2005) 102.

³² COM(2003) 234.

| <i>SGI – Telecommunications/Electronic communications</i> | | | | |
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| 41. Monitor the implementation of the electronic communications rules [Lead service: INFSO] | Continue to monitor the implementation of the Communications rules, in particular regarding their effect on consumers. | ongoing | The annual reports on the implementation of the electronic telecommunications regulatory package includes a section on “the consumer interest | ➔ |
| Review of the scope of universal service in electronic communications [Lead service: INFSO] | This was the first periodic review of the scope of universal service under Article 15 of the Universal Service Directive (2002/22/EC) | 2005-2006 | The Commission conducted the review in accordance of the criteria of the Universal Service Directive: Communications COM(2005) 203, which was followed by public consultation, and COM(2006) 163 accompanied by Impact Assessment (SEC(2006) 445) | ➔ |
| Green Paper on universal service in electronic communications [Lead service: INFSO] | The Communication COM(2006) 163 – Report on the Review of the EU Regulatory Framework for eCommunications – announced that the Commission will issue a Green Paper examining the role and concept of universal service in the 21 st century | 1 st Q 2007 | This Green Paper will launch a broad consultation,, which could lead to legislative proposals in 2008. | ➔ |
| Proposal on mobile roaming tariffs [lead service INFSO] | Proposal for a Regulation on roaming on public mobile networks within the Community and amending Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services | 3 rd Q 2006 | Proposal under negotiation in Council and Parliament | |
| <i>SGI – Motor Vehicles</i> | | | | |
| 42. Proposal on access to vehicle repair information [Lead service: ENTR] | Finalise proposal for practical implementation of access to vehicle repair information | Ongoing | Provisions included in "Euro 5" emissions legislation now pending with Parliament and Council | ➔ |

| Competition | | | | |
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| 42. Studies on the efficiency and functioning of mergers [Lead services: COMP/SANCO] B2 | Identify the criteria and methods to evaluate efficiency claims in mergers | 2003 <i>Revised</i> <i>timeframe: 3rd Q 2003</i> | Commission services have commissioned two studies to enable it to better assess the effect of mergers on consumers. | ➔ |
| 43. Actions to inform consumers about competition policy and its impact on them [Lead services: COMP/SANCO] B2 | Enable consumers to identify and thus help them to bring to the Commission's attention anti-competitive activities | 2002-2003 <i>Revised</i> <i>timeframe: 2004</i> | Commission services have created a "consumer liaison officer" in order to develop the participation of consumers in anti-trust and merger procedures. | ➔ |
| 44. Organisation of the biannual "European Competition Day" [Lead service: COMP] | Organisation together with the Presidency of the biannual "European Competition Day" focussing on topics which illustrate the benefits for the consumer deriving from competition | 2002-2006 | This conference, designed for a public audience and organised in the Member State holding the EU Presidency is being continued. | ➔ |
| Intellectual Property | | | | |
| 44. bis. Proposal for a directive of the European Parliament and of the Council amending Directive 98/71/EC on the legal protection of designs [Lead service: MARKT] | The aim of this proposal is to contribute to the liberalisation of the after market for spare parts of complex products (e.g. car body parts) through the harmonisation of Member States industrial design laws. Thus, the end consumer should have more choice and lower prices. The proposed so-called "repairs clause" provides that the exclusive right to the design of a spare part shall not extend to the use of such part for the purpose of the repair of the relevant complex product. | Ongoing, | The proposal was adopted on 14 September 2004. There is little movement in the Council as a blocking minority does not favour the proposed liberalisation in this area. The European Parliament lead committee (Legal Affairs) has commissioned a study on the possible consequences of the proposal for the safety of consumers and third parties. The final report of the study is expected in August 2006. | ➔ |

| Environment | | | | |
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| 45. Communication on Environment and Health [Lead services: ENV/SANCO/RTD] | The Communication will establish a strategy consisting of a holistic approach integrating health aspects into various environmental policies with the purpose of limiting the impact of environmental hazards to human health, paying special attention to children. | 2002 <i>Revised</i> <i>timeframe: 3Q 2003</i> | Communication adopted on 11.6.2003 ³³ . Follow-up in the form of an “Action Plan 2004-2010” adopted in June 2004. | ✓ |
| 46. White Paper on Integrated Product Policy [Lead service: ENV] | IPP seeks to the environmental impacts caused by products across their life cycle All actors having an influence on these – designers, manufacturers, distributors, retailers, consumers and waste experts are involved. | 2002 <i>Revised</i> <i>timeframe: 3Q 2003</i> | Communication (instead of White Paper) on IPP adopted on 18.6.2003 ³⁴ . Follow-up will be in the form of various concrete actions over the medium term. | ✓ |
| 47. Development and marketing of the EU Eco-label [Lead service: ENV] | The EU Eco-label provides a guarantee for consumers that wherever they are in the EU, any product they purchase that bears the EU Eco-label will meet the highest European environmental standards. Criteria for further product groups will be developed. Increased marketing activities will be pursued to increase the Eco-label’s visibility. | 2002 | Since 2003 new EU Eco-label criteria have been adopted for the tourist accommodation service and vacuum cleaners. In 2005 EU Eco-label criteria have been adopted for lubricants and the EU Eco-label further expanded in the field of tourism by establishing criteria for the campsite service. Criteria for soaps and shampoos, printed paper products, heat pumps and wooden furniture are currently being developed. Promotional activities continue ³⁵ , including activities at EU level and in the Member States, such as the Flower Week Campaigns 2004 and 2006 (promotional activities also described in the EU Eco-label Working Plan 2005-2007, OJ L 162 of | ✓ and ➔ |

³³ COM(2003) 338.

³⁴ COM(2003) 302.

³⁵ For more information: <http://europa.eu.int/ecolabel>

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| | | | 14 June 2006, p.78 ff). | |
| 48. Commission proposal for a regulation on chemicals (REACH – Registration, Evaluation, Authorisation of Chemicals) (DG ENTR) [Lead services: ENV/ENTR] | The Regulation will increase the level of protection of human health and the environment by increasing the level of knowledge about chemicals marketed or produced in the EU and by requiring producers, importers and downstream users to adopt relevant risk reduction measures. The regulation will maintain the current system of restrictions and will introduce an authorisation procedure for substances of high concern. | ongoing | The REACH proposal was adopted on 29 October 2003 (COM(2003)644), SEC(2003)1171. Since then there has been a first reading in EP and a Common Position in Council. Proposal is currently at the second reading in the European Parliament. Final adoption is expected by end 2006. Regulation is expected to enter into force during the first half of 2007. | ➔ |
| 49. Commission initiatives on sustainable consumption and production (SCP) [Lead service: ENV] | As a follow-up to the Sixth Environment Action Programme, take forward appropriate initiatives for Community action on promotion of sustainable production and consumption patterns. | <i>revised time frame: Action Plan: 4Q 2007</i> | As decided in the reviewed Sustainable Development Strategy (General Affairs Council, June 2006), the Commission is preparing an SCP Action-Plan by 2007. | ➔ |
| 50. Implementation and review of the Directive 2004/42/EC on the limitation of emissions of volatile organic compounds due to the use of organic solvents in decorative paints and varnishes and vehicle refinishing products and amending directive 1999/13/EC ³⁶ . [Lead service: ENV] | (1) Establishment of a common format for the reporting on the monitoring programme of the Member States. (2) A <i>possible</i> proposal for new limit values for 2010 (phase 2) for vehicle refinishing products. | (1) <i>revised time frame: 4th Q 2006</i> (2) <i>revised time frame: 2008</i> | Commission proposal for (1) a common format for the Member States to report on the monitoring programme (2) an amended directive including new limit values for 2010 for vehicle refinishing products. | ✓ |

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COM(2002) 750, 23.12.2002.

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| <p>TRADE/ENV/DEV/EMPL/ENTR/AGRI]</p> | <p>to assess their effectiveness and the need for further measures in achieving the objectives of transparency and information for consumers with a view to sustainable development.</p> | | <p>commonly agreed guidelines for social labelling schemes. At the end of 2004 the Commission will assess the results of the CSR Forum, and consider the need to adopt further measures to promote the effectiveness of social labelling schemes.</p> <p>The Commission has finalised guidelines for making and assessing environmental self-declared claims by producers or distributors, based on international (ISO) standards, with the objective of preventing misleading claims and encouraging good ones⁴⁰</p> | |
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http://europa.eu.int/comm/consumers/cons_safe/news/other_en.htm

OBJECTIVE 2: EFFECTIVE ENFORCEMENT OF CONSUMER PROTECTION RULES

| Action | Description | Timeframe | State of play | Assessment |
|--|---|---|---|------------|
| Enforcement co-operation between Member States | | | | |
| 54. Commission Proposal for a legal basis for administrative co-operation between Member States [Lead service: SANCO] | Consumer Protection Cooperation (CPC) Regulation was adopted in October 2004 by the Council | 4th Q 2002 <i>Revised</i> <i>timeframe: 4th Q 2004</i> | Regulation will be fully applicable from 29 December 2006. Currently the first set of implementing rules is in the Comitology procedures – to be adopted this year. | ✓ |
| 55. Establish a website and data base for International Marketing Supervision Network-Europe (IMSN-Europe) [Lead service: SANCO] | Website for information exchange purposes and a database to register enforcement related information | Ongoing | The ICPEN-Europe website is operational and its information is regularly updated ⁴¹ . | ✓ |
| 56. Update of the CLAB (“unfair contact terms”) data base [Lead service: SANCO] | Update the European Database on Case Law about Unfair Contract Terms established to monitor practical enforcement of Directive 93/13/EEC. | Call for tender for the years 2000 to 2005 | The CLAB database was updated until the end of 2004. No further update is envisaged at present. | ✓ |
| Enforcement aspects of product and service safety | | | | |
| 57. European framework for the collection and assessment of data on product related injuries [Lead service: SANCO] | Finalise the appropriate initiatives to ensure systematic collection and assessment of data on product-related injuries | 3 rd Q 2003 | Activities within the framework of the Health programme ongoing. A preparatory work for the development of new systems is being undertaken. | ➡ |
| 58. Guidelines to ensure the effective functioning of the Rapid Alert System | Finalise and implement guidelines on the functioning of a reinforced RAPEX system | 4 th Q 2002 <i>Revised</i> | The new guidelines were adopted on 30.04.04. | ✓ |

⁴¹ <https://adns.cec.eu.int/IMSNEUROPE/SilverStream/Pages/index.html>

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|--|--|--|---|---------------------|
| (RAPEX) of the GPSD [Lead service: SANCO] | | <i>timeframe: 1Q 2004</i> | | |
| 59. Establishment of the Consumer Product Safety Network under the GPSD [Lead service: SANCO] | Launch administrative co-operation activities between market surveillance and enforcement authorities to facilitate the effective and consistent application of the new GPSD | 1 st Q 2003 <i>Revised timeframe: ongoing</i> | The network is now functioning. | ➔ |
| 60. Strengthening of product safety enforcement in candidate countries [Lead service: SANCO] | Implementation of the revised general product safety directive, in particular through candidate country participation in the reinforced “rapid alert system” (RAPEX). | 2 nd Q 2003 <i>Revised timeframe: ongoing</i> | Bulgaria and Romania are participating in RAPEX. Croatia and Turkey are in preparation phase. | ✓ and ➔ |
| Redress | | | | |
| <i>Alternative Dispute Resolution (ADRs)</i> | | | | |
| 61. Support and development of the EEJ-Net [Lead service: SANCO] | In the first phase, completion of the 1 year pilot phase and report upon its effectiveness. In the second phase continue to improve co-operation and the service that the EEJ-Net will provide to users. EEJ Net merged with Eurogichet Network to form the European Consumer Centres (ECC) Network at the beginning of 2005. | 2002 <i>Revised timeframe: end 2003: end of the pilot phase</i> 2004-2006: <i>reinforcement and extension of the network</i> <i>EEJ NET – 2002</i> <i>ECC - 2005</i> | The EEJ-Net conference was held in Brussels on 10-11 June 2003 to evaluate the work of this pilot project so far and to plan for the future. A TAIEX conference was held in Brussels on 12 June 2003. Its objective was to brief New Member States on the functioning of the ECCs and EEJ-Net and to kick off preparations for the extension of these networks to new member States. There are 26 ECCs in 24 Member States today plus Iceland and Norway and will be present in all Member States by the end of 2006. In 2005 they handled more than 42000 contacts with consumers. Possibly further centres will be opened in Romania and Bulgaria after their accession. There has been a computer based case handling system implemented in the ECC Network in 2006. | ✓ ➔ ✓ |

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|---|---|------------------------------|---|-------------------|
| <p>62. Support and development of FIN-NET [Lead service: MARKT]</p> | <p>FIN-NET, the EU-wide complaints network for financial services, was set up in 2001 to facilitate consumers' access to out-of-court settlement of cross border disputes when the consumer and their financial service provider come from different Member States.</p> | <p>ongoing</p> | <p>The statistics for 2002, the first year of FIN-NET's full operation, show an increase of 45% in the number of cross-border complaints handled by competent schemes. Also the network grows regularly. In 2003 there was a further increase of 33%.</p> <p>During the EEJ-net conference the relation between the EEJ network and other networks was examined. The Commission is looking at developing Co-operations between networks and is looking at the possibility of a joint meeting in 2007.</p> | <p>➔</p> |
| <p>63. Promotion of the principles under the 1998 and 2001 Commission Recommendations on ADRs [Lead service: SANCO]</p> | <p>An update of the existing database of out-of-court bodies under the 1998 Recommendation⁴² will be conducted. In addition, Member States have been invited to notify the Commission of the details of their national ADRs that apply the principles of the 2001 Recommendation in order to create a second database and to monitor the effectiveness of the application of both Recommendations on ADRs by the Member States. Both databases will be accessible to the public on the Europa website.</p> | <p>ongoing</p> | <p>The database created under the 1998 recommendation is updated on a regular basis and is made available on the re-designed website of the Consumer Affairs Directorate⁴³.</p> <p>Another database under the 2001 recommendation was build up.</p> <p>The two databases are combined today and available on Europa website containing data of more than 400 ADR bodies in the EU.</p> | <p>✓</p> <p>➔</p> |
| <p>65. Establishment of an EU wide on-line ADR schemes, "ECODIR"</p> | <p>ECODIR will provide a pan-European on-line consumer mediation service.</p> | <p>4th Q 2002</p> | <p>ECODIR was awarded a contract extension to 30 June 2003 and the "activity report" will be analysed during the last quarter of 2003. it has been</p> | <p>➔</p> |

⁴² The Commission has adopted two Recommendations on the principles applicable to the bodies responsible for the out-of-court settlement of consumer disputes (98/257/EC, OJ L 115, 17.4.1998, p. 31) and on the principles for out-of-court bodies involved in the consensual resolution of consumer disputes (2001/310/EC, OJ L 109, 19.4.2001, p. 56).

⁴³ http://europa.eu.int/comm/consumers/redress/out_of_court/database/index_en.htm

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| [Lead service: SANCO] | | | discontinued in the meantime. | |
| European Consumer Centres (euroguichets) ECCs | | | | |
| 66. Development of the network [Lead service: SANCO] | -To have a centre in each member state and extend the network to the candidate countries. EEA countries can participate if they wish. -Develop record system | 2 nd Q 2004 4 th Q 2002 | - Today the ECCs are a network of 15 entities located in 13 Member States (AUS, BE, FIN, FR, DE, EL, ES, IRL, IT, LUX, PT, SV, UK). The opening up of the Greek ECC occurred on 8 May 2003 in Athens. Ongoing discussions with DK. - A common ECCs registration form has been developed. - There are 26 ECCs in 24 MS today plus Iceland and Norway and will be present in all MS by the end of 2006. In 2005 they handled more than 42000 contacts with consumers. Possibly further centres will be opened in Romania and Bulgaria after their accession. There has been a computer based case handling system implemented in the ECC Network in 2006. (see action 61). | ✓ ✓ ➔ |

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|--|---|------------------|--|-------------------|
| <p>67. Interactive policy making – “your voice in Europe” [Lead services: MARKT/SANCO]</p> | <p>IPM involves the development of two Internet-based mechanisms to enable the Commission to assess the impact of EU policies on the ground. These are feedback mechanisms which help to collect spontaneous reactions in the marketplace, and a consultation mechanism designed to receive stakeholder views to new legislative proposals or other policy initiatives. The European Consumer Centres were an active partner in the IPM initiative</p> | <p>2002-2004</p> | <p>Both tools, on-line consultations and the feedback database, of the Internet-based IPM system are operational. 'Your Voice in Europe'⁴⁴ was launched in January 2003 as the 'single access point' for all Commission consultations. Its 'Your Experience' section provides stakeholders with links to those networks, including European Consumer Centres (ECCs) that are active partners in the IPM Feedback mechanism.</p> <p>The ECC network was an active partner in the Feedback system in 2003 as encoders of problems that consumers have in the Internal Market. Since 2004, the ECCS does not participate any longer in the IPM exercise.</p> | <p>✓</p> <p>➔</p> |
| <p><i>Effective Problem Solving in the Internal Market – SOLVIT</i></p> | | | | |
| <p>68. Effective Problem Solving in the Internal Market – SOLVIT [Lead service: MARKT]</p> | <p>SOLVIT is a network of Co-ordination Centres and Contact Points in the Member States involving officials involved in the day-to-day practised administration of the Internal Market. It contributes to the resolution of cross border problems emanating from the misapplication of Internal Market rules for the benefit of both citizens and businesses. A key element is a database and the use of electronic communications to connect administrations in Member States.</p> | <p>2002-2006</p> | <p>Operational since 22 July 2002 it has dealt with 465 cases in 2005 and positively solved 78% of them. After the last enlargement 28 SOLVIT centres are part of the network. Romania and Bulgaria are ready to join it as from the accession. SOLVIT is an on-line service and complaints can be also posted directly by organisations such as Members of the European Parliament, Citizens Advice Centres, Euro Info Centres, Euroguichets; Chambers of Commerce and Trade Associations. SOLVIT is free of charges.</p> | <p>✓ and ➔</p> |
| <p><i>Judicial cooperation in civil matters</i></p> | | | | |

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<http://europa.eu.int/voice>

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| <p>69. Commission proposal for a Council Directive to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid and other financial aspects of civil proceedings [Lead service: JLS]</p> | <p>The proposal aims to:</p> <ul style="list-style-type: none"> - improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid; - guarantee that an adequate level of legal aid is granted, under certain conditions, to persons whose financial situation makes it impossible for them to bear the cost of the proceedings; and, - facilitate the compatibility of national laws on this subject and to establish cooperation mechanisms between Member State authorities. | <p>Proposal adopted on 18 January 2002⁴⁵</p> | <p>Directive adopted on 27 January 2003⁴⁶ Member States to implement the Directive by 30 November 2004.</p> | <p>✓</p> |
| <p>70. Green Paper on measures to create a uniform European procedure for a payment order and on measures to simplify and speed up cross-border litigation on small claims. [Lead service: JLS]</p> | <p>Examine the systems existing in Member States with a view to consulting on possible measures at EU level.</p> | <p>2002</p> <p>2004</p> <p>2005</p> | <p>Green Paper on a European order for payment procedure and on measures to simplify and speed up small claims litigation adopted on 20 December 2002⁴⁷.</p> <p>On 25 May 2004, the Commission adopted a proposal for a Regulation creating a European Order for Payment Procedure (COM (2004) 173).</p> <p>On 15 March 2005, the Commission adopted a proposal for a Regulation establishing a European Small Claims Procedure (COM (2005) 87).</p> | <p>✓</p> <p>✓</p> |

⁴⁵ COM(2002) 13.

⁴⁶ Council Directive 2003/8/EC to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes, JO L26, 31 January 2003.

⁴⁷ COM(2002) 746.

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|--|--|--|---|---------------------|
| 71. Green Paper on Alternative Dispute Resolution [Lead services: JLS/SANCO] | Take stock of the existing situation and consult broadly with the view of setting future priorities in this area. | 3 rd Q 2002 3 rd Q 2004 | Green Paper adopted on 19 April 2002 ⁴⁸ . In July 2004, as a result the Commission launched a European Code of Proactive for mediators and on 22 October that year presented a proposal for a Directive to promote mediation. This proposal is currently under consideration by the Parliament and the Council. | ✓ New |
| 71. bis. Green Paper on the conversion of the Rome Convention of 1980 on the law applicable to contractual obligations into a Community instrument and its modernisation [Lead services: JLS] | Examine the functioning of the 1980 Rome Convention, and especially the question of the law applicable to consumer contracts. | 1st Q 2003 4 th Q 2005 | Green Paper adopted on 14 January 2003 (COM (2002) 654 final). Proposal for a Regulation on the Law Applicable to Contractual Obligations ("Rome I") (COM (2005) 650 final) presented the 15 December 2006 and currently under consideration in the Parliament and in the Council. | ✓ ➔ |
| 71. ter. Proposal for a Regulation on the Law Applicable to Non-contractual Obligations ("Rome II") [Lead services: JLS] | The proposal seeks to harmonise conflict of law rules applicable in cases of non-contractual obligations with the view of increasing legal certainty and foreseeability of legal solutions. | 2003 <i>Amended proposal February 2006</i> | Parliament terminated first reading in July 2005; Adoption of Common position in the first reading in the Council expected in September 2006; Communication of the Commission on the Common Position expected in October 2006, | ✓ ➔ |
| 71. quart. Green Paper on the creation of a European Bank Account Attachment procedure [Lead Service: - JLS] | To examine the problems of enforcement of money orders by the attachment of monies standing to the credit of bank accounts and the possibility of establishing a procedure for a European Bank Account Attachment. | | To be adopted by the end of September 2006 | ✓ ➔ |

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|--|--|------------------------|---|---|
| Support to consumer associations | | | | |
| 72. Organisation of a training course for consumers associations | Organise a special training course for consumer associations relating to market surveillance in the context of the revised | 4 th Q 2004 | Preparatory work to be launched in the second half of 2003. Need for further discussions to clarify interest of consumer associations. Seminar was held 8 | ✓ |

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COM(2002) 196.

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| [Lead service: SANCO] | GPSD. It will also explore the possibility of launching further co-ordinated initiatives with Member States when the Directive comes into force | | November 2004.in conjunction with the application of the new GPSD. | |
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OBJECTIVE 3: PROPER INVOLVEMENT OF CONSUMER ORGANISATIONS IN EU POLICIES

| Action | Description | Timeframe | State of play | Assessment |
|--|---|------------------------|---|------------|
| Reviewing mechanisms for participation of consumer organisations in EU policy making | | | | |
| <i>Consumer Committee</i> | | | | |
| 72 bis. Review of Commission Decision 2000/323/EC setting up a Consumer Committee [Lead service: SANCO] | Adaptation of the provisions of the decision to reflect the evolution of the political and legal framework for consumer policy, improvement of the transparency and effectiveness of the operation of the CC. | 3 rd Q 2003 | the European Consumer Consultative Group (ECCG) was created by a Decision (2003/709/EC) from 9 th October 2003. The ECCG has replaced the CC. The ECCG meets four times a year in Brussels (the first meeting had place on 2 nd October 2003) and consists of one representative of national consumer organisations per country, one member from each European consumer organisation (BEUC ⁴⁹ and ANEC ⁵⁰) and two associate members (EUROCOOP ⁵¹ and COFACE ⁵²). Its meetings are chaired by the Commission. It has set up working groups on specific subjects, e.g. on financial services and competition. | New |
| 72 ter. Appointment of new Consumer Committee members [Lead service: SANCO] | The members of the ECCG are appointed by the Commission on a proposal from the national bodies representing consumer organisations set up by Member States or from the competent national authorities. | 4 th Q 2006 | Current ECCG mandate expires on 30 October 2006. A new Group has to be appointed for the next three years. | New |

⁴⁹ Bureau Européen des Unions des Consommateurs.

⁵⁰ European Association for the Co-ordination of Consumer Representation in Standardisation.

⁵¹ European Community of Consumer Cooperatives.

⁵² Confédération des Organisations Familiales de la Communauté européenne.

| <i>Consultation standards</i> | | | | |
|--|---|---|--|---|
| 73. Commission Proposal for minimum standards for the conduct of the consultation process [Lead service: SG] | As part of the White Paper on governance and of the Better Regulation Action plan, the Commission intends to establish minimum standards for the conduct of the consultation process. | 2 nd Q 2002 <i>Revised timeframe: 3rd Q 2002</i> | The Communication on general principles and minimum standards for consultation of interested parties was adopted on 11.12.2002 ⁵³ . | ✓ |
| 73bis. Green Paper on European Transparency Initiative [Lead service: SG] | In November 2005, the Commission has launched a 'European Transparency Initiative'. The Initiative is intended to build on a series of transparency-related measures already put in place by the Commission, in particular those taken as part of the overall reforms being implemented since 1999 and in the White Paper on European Governance. The Green Paper addresses key components of the ETI to be driven forward on the basis of an open public consultation. | 2 nd Q 2006 | Green Paper on European Transparency Initiative has been adopted on 3 May 2006 (COM(2006)194 final). Consultation process is undergoing (deadline 31 August 2006). | ➔ |
| <i>Participation in EC Committees and working groups</i> | | | | |
| 74. Assessment of consumer participation within EU consultative committees [Lead services: SANCO / other DGs] | The Inter-Service Group on Consumer Policy will assess and co-ordinate consumer participation within EU consultative committees to determine whether and where consumer input is lacking and therefore could be improved and further developed. | 2 nd Q 2002 <i>Revised timeframe: 1st Q 2004 - 3rd Q 2006</i> | The Commission document on consumer consultation and participation in Commission consultative committees and working groups covering period 2002-2003 was circulated to the European Consumer Consultative Group (ECCG) in 2004 for their possible comments. The Commission is working now on the review of this document to cover period 2004-2006. | ➔ |

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COM(2002) 704 and http://europa.eu.int/comm/secretariat_general/sgc/consultation/index_en.htm

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|--|---|-----------|--|--------|
| Standardisation work | | | | |
| 75. Launch of a co-operation project to promote consumer participation in standardisation [Lead service: SANCO] | Launch co-ordinated action at Community and national level to ensure the effective participation of consumer representatives in standardisation work and the decision making process of European standardisation bodies | 2003 | A consultation of Stakeholders was carried out in 2003. Follow up actions have to be determined. | ➔ |
| Reinforce the co-operation between Commission Directorates General | | | | |
| 76. Organisation of regular meetings of the inter-service group on Consumer Policy [Lead services: SANCO / other DGs] | Reinforce the co-operation between Commission Directorates General on consumer policy to improve integration of consumer concerns within other EU policy areas. | 2002-2006 | The inter-service group on Consumer Policy meets twice a year. Information on consumer policy is being circulated to the group. Co-operation to be further reinforced in the future. | ✓and ➔ |
| Consumer information and education | | | | |
| Information | | | | |
| 77. Development of information policy tools for consumers [Lead service: SANCO] | The Commission will pursue its efforts to improve its information policy towards consumers. It will focus its future information campaigns on tobacco prevention for young people. | 2002-2006 | The Commission website for consumer affairs has been regularly updated ⁵⁴ . Tobacco campaigns are organised every year since 2002. There is 'Help - For a life without tobacco' campaign in 2006. It aims to promote tobacco-free lifestyles to young people and highlights the dangers of passive smoking and support the trend towards tobacco-free public places. "Consumer Protection in the EU: Ten Basic Principles" have been published on the website in twenty EU languages in 2005. Brochures | ✓and ➔ |

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| | | | summarizing consumers' opinions on services of general interest were published in FR and EN in 2004 and 2005. Summary brochures on Consumers' opinions on services of general interest were published in 2004 and 2005. | |
| 77bis. Information campaigns on EU consumer rights in new MS [Lead service: SANCO] | The Commission will launch information campaigns to make EU consumer rights known to consumers in the new MS, and to simultaneously promote the role of national consumer organisations as a point of reference and further information | 2004-2006 | Information campaigns were launched in Poland in 2005, in CZ, SK and SI in 2006 and are planned for 2007 in Hungary, Cyprus and Malta. | New |
| Education | | | | |
| 78. Development of on-line inter-active education tools [Lead service: SANCO] | The Commission has developed on-line inter-active education tools that can be used by adult education, institutions and individual citizens in specific aspects of cross-border transactions and of the EU consumer rights in the Internal Market. The Commission has also developed a sector-specific tool on financial services. | 2002 <i>Revised timeframe:2004-2005</i> | On 20 June 2003, the Commission launched a call for tender for the development of on-line inter-active education tools ⁵⁵ . These tools could be used in various settings: schools, university courses, adult education courses, and consumer associations. The first two modules focus on: basic consumer rights, the advantages of the internal market and redress possibilities on the one hand and financial services (comparing prices, asset allocation, understanding products and services) on the other hand. | ➔ |
| 78bis. Conception, design, printing and distribution in the EU of a European student diary for 15-18 year old secondary school children [Lead service: SANCO] | With the specific aim of encouraging young people in the EU to become more aware as consumers, by getting them to work and reflect on consumer-linked themes such as fair trading, product safety, safe e-shopping, on | 2003/2007 | On 1 July 2003 ⁵⁶ , the Commission launched a call for tender for the publishing and free distribution of at least 400.000 copies of a European consumer diary. 560.000 copies distributed in 2004, 875.000 copies distributed in 2005 and 1,185.000 copies distributed in 2006. A new call for tender was launched in 2006 | New |

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http://europa.eu.int/comm/dgs/health_consumer/library/tenders/index_en.html

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http://europa.eu.int/comm/dgs/health_consumer/library/tenders/index_en.html

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|--|--|---------------|--|------------|
| | line dispute resolution, advertising regulations comparisons, debt, etc. | | covering 2007 – 2010. | |
| 78ter. Interactive radio-programme [Lead service: SANCO] | The Commission will examine the possibility of launching an interactive radio programme on consumer issues in the EU for young people | 2004/2008 | No developments | New |
| 78quater. European Master degree in consumer issues [Lead service: SANCO] | The Commission will examine the possibility of developing with the European universities a European master degree in consumer issues. | 2004/2008 | A survey of consumer education provision in the EU, including a "needs" analysis, done in 2005, concluded that there is a need to set up several master degrees at European level. An expert group was convened in late 2005 to examine the modalities for setting up these European Masters in consumer education. Call for tender is foreseen in 2007. | New |
| 78quinquies European Network in Consumer Education (Higher Education – Erasmus) [Lead services: EAC / SANCO] | The Consumer Citizenship Network (CCN) of 122 Higher Education Institutions and consumer protection organisations from 29 countries will be concerned with the individual's role as a conscientious consumer. The CCN will provide educators and consumer organisations with useful information by focussing and coordinating research, surveying curriculum provision and identifying common competences. | November 2003 | CCN Network became operational in 2005. The Network on Consumer Education in Erasmus was created in 2004 and supported by DG EAC. It is still operational. | New |
| 78sexies European Network in Consumer Education (Life Long Learning – Grundtvig) [Lead services: EAC / SANCO] | The Consumer Education for Adults-Network (CEA-N) will communicate and provide access to the results of the European and national consumer education initiatives to increase dissemination and to share best practice; improve didactical and methodological materials – link with 78 | November 2003 | Network operational in 2005 | New |

| Support and capacity building of consumer organisations | | | | |
|--|---|---|--|-------------------|
| Training | | | | |
| <p>79. Training program for staff members from consumer organisations</p> <p>[Lead service: SANCO]</p> | <p>-In its first phase (year 2002) the contractor will create training material, select trainers and train them in three different areas: management, public relations and lobbying and EC Consumer law</p> <p>-In its second phase (from beginning of 2003 until end of 2004) the trainers coming out of the first phase will train the staff of consumer organisations in these 3 areas</p> | <p>2002-2004</p> <p>From beginning of 2003 until end of 2004</p> | <p>The first phase took place in December 2002. 60 persons have been trained in these three areas.</p> <p>Call for tender for the second phase launched on 4 July 2003⁵⁷. The second phase will start from the beginning of 2004 until end of 2008.</p> <p>Three training sessions were organised in 2004, three in 2005 and two in 2006.</p> | <p>✓</p> <p>➔</p> |
| Review of the legal instrument establishing a general framework for Community activities in favour of consumers | | | | |
| <p>80. Commission proposal establishing a new general framework for Community activities in favour of consumers</p> <p>[Lead service: SANCO]</p> | <p>Proposal of a general framework, which will reflect and support the objectives and actions outlined in this strategy, on the basis of which specific projects can be selected and receive Community financial support. It will propose provisions to allow participation of candidate countries.</p> | <p>3rd Q 2002</p> <p><i>Revised timeframe: 1st Q 2003</i></p> | <p>A Decision 20/2004/EC establishing a general Framework for financing Community actions in support of consumer policy 2004-2007 was adopted on 08/12/03. It applies from 1 January 2004 and will run until the new Consumer Programme 2007-2013 will be adopted. The new Programme is expected to be adopted by the end of 2006 to become operational from January 2007.</p> | <p>✓</p> |

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http://europa.eu.int/comm/dgs/health_consumer/library/tenders/index_en.html

ACTIONS TO IMPROVE THE QUALITY OF CONSUMER POLICIES

| Action | Description | Timeframe | State of play | Assessment |
|---|--|---|---|------------|
| Impact assessment | | | | |
| 81. Commission Communication establishing a comprehensive impact assessment mechanism [Lead service: SG] | Ensuring that the impact on consumers' economic interests (in terms of price, choice, quality, affordability, accessibility and market transparency and fairness) is properly taken into account in relevant legislative and policy initiatives is essential to fulfilling the obligations of Article 153.2. of the Treaty. The development of a comprehensive impact assessment mechanism, as recognised by the White Paper on governance ⁵⁸ and the Commission Communication on better regulation ⁵⁹ is therefore essential. | <i>2nd Q 2002</i> <i>Revised</i> <i>timeframe: 3^Q 2002</i> | The Communication on Impact Assessment was adopted on 5 June 2002 ⁶⁰ . | ✓ |
| 81bis. Commission internal Impact Assessment Guidelines [Lead service: SG] | See previous point | <i>2nd Q 2005</i> <i>Revised</i> <i>timeframe: 1st Q 2006</i> | Commission internal Impact Assessment Guidelines was adopted on 15 June 2005. It was updated on 15 March 2006 concerning procedural rules and the assessment of administrative costs. | ✓ |

⁵⁸ COM(2001) 428.

⁵⁹ Commission Communication "Simplifying and Improving the regulatory environment" - COM(2001) 726, 5.12.2001.

⁶⁰ COM(2002) 276.

| The development of a knowledge-based policy | | | | |
|--|--|---|---|---|
| 82. Organisation of a conference with the Danish Consumer Authority on Consumer policy statistics [Lead service: SANCO] | This conference would take stock and draw attention to this particular field in statistics (combining both quantitative and qualitative data), highlighting economic consumer detriment studies. | 3 rd Q 2002 <i>Revised timeframe: 4th Q 2002</i> | The Conference took place 7-8 November 2002 in Copenhagen ⁶¹ and was a successful first step in recognising the need to develop a knowledge-base on consumer policy issues at the EU level. The work started in Copenhagen was continued under Greek Presidency. Orientations for common work have been defined and endorsed by the responsible Ministers during the informal meeting in Eretria (Greece) on 7-8 May 2003. | ✓ |
| 83. Continuation of the <i>Consumers in Europe</i> publication with Eurostat [Lead services: SANCO/EUROSTAT] | Build on the first edition (2001) to develop the publication as a major element of the knowledge base used for consumer policy making. | 2002-2006 | A call for tender was published on 25 th September 2003. The second edition was published in October 2005. | ✓ |
| 84. Production of a Eurobarometer survey on consumer information and representation [Lead service: SANCO] | Produce a Eurobarometer survey to be published for the Consumer Day (15 March 2002) and other surveys of the same kind in the subsequent years | 2002-2006 | This survey was produced on 15 March 2002 and is available on the Commission website ⁶² . This type of surveys will be organised on a case by case basis depending on subjects and activities of consumer day. | ✓ |
| 85. Scanner data price surveys for “supermarket goods” [Lead services: SANCO /MARKT/EUROSTAT] | Continue the work done during the pilot phase (covering data 1999-2000) to produce data allowing price comparisons on supermarket goods throughout Europe | 2002-2006 | New contract was concluded in 2003; data has been processed and used as input to the Internal Market Scoreboard published by DG MRKT. | ➔ |

⁶¹ The seminar conclusions can be found at:
http://www.eu2002.dk/news/news_read.asp?iInformationID=24599

⁶² http://europa.eu.int/comm/consumers/topics/facts_en.htm

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|---|---|--|--|----------|
| <p>86. Surveys on business and consumer attitudes to cross-border trading [Lead service: SANCO]</p> | <p>(1) Two surveys will analyse business and consumer attitudes to trading and shopping cross-border in the Internal Market.</p> <p>(2) A survey on consumer attitudes to cross-border trade has been carried out.</p> <p>(3) A survey on business attitudes to cross-border trade will be launched.</p> | <p>(1) 3rd Q 2003</p> <p>(2) 2006</p> <p>(3) 2006</p> | <p>(1) These surveys have been published in November 2002⁶³.</p> <p>(2) Fieldwork was done in 1st Quarter 2006. Survey will be published in autumn 2006.</p> <p>(3) The survey will be launched in the 3rd Quarter of 2006.</p> | <p>✓</p> |
| <p>87. Survey on the prices of services, as a complement to the regular surveys co-ordinated by Eurostat [Lead services: SANCO/EUROSTAT]</p> | <p>If necessary, to conduct complementary surveys on prices of services.</p> | <p>2002-2006</p> | <p>A call for tender on a methodology to gather statistics on prices of services has been launched.</p> <p>This study has been delivered and has been used as a basis for launching price data gathering exercises in three sectors (car hire, electricity and bank accounts). The call for tender for price data collection has been launched in July 2006.</p> | <p>➔</p> |
| <p>88. Development of more comprehensive information systems and data on the safety of goods and services, building on RAPEX and EHLASS [Lead service: SANCO]</p> | <p>-Continue and reinforce the collection and assessment of data on product-related injuries and to examine the possible extension to service-related injuries.</p> <p>-Reinforce the operation of the RAPEX system by introducing new operational guidelines and an Internet-based exchange framework.</p> <p>-Complete RAPEX by a framework for the direct exchange of information between market surveillance authorities, as part of the establishment of the Product Safety Network of the General Product Safety Directive.</p> | <p>2002-2006</p> | <p>These actions are mentioned individually above. They are in progress as described.</p> | <p>➔</p> |

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http://europa.eu.int/comm/consumers/cons_int/safe_shop/fair_bus_pract/green_pap_comm/studies/index_en.htm

| | | | | |
|---|--|------------------|---|-------------------|
| <p>88 bis. Development of indicators on consumer satisfaction [Lead service: SANCO]</p> | <p>Develop a methodology for establishing consumer satisfaction indicators in the European Union. This should provide a reference tool for policy makers (and ultimately consumers) to enable them to assess consumer satisfaction levels.</p> | <p>2003-2004</p> | <p>A call for tender has been launched during the summer 2003. A methodology for establishing consumer satisfaction indicators was elaborated/published in December 2004. Subsequently a consumer satisfaction survey has been conducted in 25 Member States; final results will be published in 4th quarter 2006.</p> | <p>New</p> |
|---|--|------------------|---|-------------------|

ANNEX II

CONTRIBUTIONS FROM COMMISSION SERVICES ON CONSUMER CONSULTATION AND PARTICIPATION IN COMMISSION CONSULTATIVE COMMITTEES AND WORKING GROUPS

DG Health and Consumer Protection

European Consumer Consultative Group (ECCG)⁶⁴

The European Consumer Consultative Group (ECCG) is an advisory committee set up by Decision 2003/709/EC⁶⁵.

The ECCG meets on a regular basis (in general 4 times a year) to discuss together, with Commission representatives, issues of particular interest to consumers. Subgroups, e.g. on financial services and competition, can also be convened to discuss specific issues.

The ECCG is run by DG Health and Consumer Protection but other Commission services can also use this forum. Commissioners and Commission officials from other services (e.g.: internal market, competition, transport and energy, trade, taxation) are regularly invited to attend the ECCG.

There is no entitlement to financial support for ECCG membership. However, members are reimbursed for their attendance at Committee and subgroups meetings according to the rules established for the reimbursement of private experts.

Currently the ECCG has 28 Members, representing national consumer organisations and European organisations. The Members of the ECCG have been appointed by the Commission in October 2003 for a term of office of three years. The current ECCG mandate expires on 30 October 2006. Representatives from the new Member States became full members after 1 May 2004. Romania, Bulgaria as well as EEA countries participate as observers.

Product safety issues

ANEC participates in the meetings of the Consumer Safety Working Party and the GPSD Committee (standardisation issues only)

Food safety issues

In order to improve the participation of the players affected by food and feed safety issues, the "White Paper on Food Safety" adopted by the Commission on 12 January 2000⁶⁶ proposed to regroup and reorganise various advisory committees and standing groups and to create a new "Advisory Committee on Food Safety".

⁶⁴ For more information:

http://europa.eu.int/comm/consumers/cons_org/associations/committ/index_en.htm

⁶⁵ The first Consumer Consultative body was set up in 1973.

⁶⁶ COM(1999) 719 adopted by the Commission on 12.1.2000.

In August 2004, the Commission adopted a Decision⁶⁷ creating the Advisory Group on the food chain and animal and plant health which covers all food law matters. The Decision provides that the group shall be composed of no more than 45 representatives of representative European bodies. Following a call for expression of interests, the Commission adopted a final list of 36 member organisations in April 2005 (OJ C 97 of 21.04.2005, page 2). Three seats were allocated to BEUC in order to facilitate the representation of European consumers. EURO COOP is also represented.

- Stakeholders are also consulted through a web-site. In addition, consumer organisations participate through regular bilateral meetings, hearings and direct consultation on the web.

The EU Health Forum and other bodies in the field of health

The EU Health Forum is a general information and consultation mechanism that aims at ensuring that the EU's health strategy is transparent and responds to public concerns. It is composed of two complementary bodies: a Health Policy Forum, and an Open Forum. .

- The Health Policy Forum includes 50 invited members and meets twice a year. Consumer organisations (BEUC68) are members of this Forum.

The Open Forum aims at providing a platform for exchange of ideas and views. The second meeting of the Open Forum took place in November 2005, with some 370 participants. Consumer organisations (BEUC) were invited.

There are only limited possibilities for financial support for participation in the forum. Membership does not confer entitlement to remuneration. However, a limited number of members, who would otherwise be hindered in participating, are reimbursed.]

In addition to the Health Forum, consumer organisations (BEUC) participate in specific and theme related platforms and discussion fora such as the EU Platform on Diet, Physical Activity and Health.

DG Internal Market

General

Consumer organisations were contacted in the context of the ongoing review of Internal Market policy. For instance, a consultation document on future Internal Market policy was presented at the ECCG meeting in March 2006, thereby inviting consumer organisations to take part in the consultation.

Intellectual property

No consumer participation in consultative committees due to the specific nature of these committees (or the limited mandate) that they have.

Consumer organisations (BEUC) participate, as speakers, in the Biannual Copyright Conferences organised by the Commission.

⁶⁷ Commission Decision 2004/613/EC of 6 August 2004.

⁶⁸ Bureau Européen des Unions de Consommateurs.

Bilateral meetings take place at request on identified topics (e.g.: meeting with the TACD (Transatlantic Consumer Dialogue) in October 2003 and in February 2004). Legislative and other major initiatives are preceded by a wide public consultation. Apart from that, no other means of direct involvement of consumer organisations is currently being developed.

Postal Services

Consumers participate in the studies undertaken into different aspects of EC postal policy. This involvement normally takes place through questionnaires and interviews made by consultants and workshops organised as part of the studies.

Consumer representatives are: BEUC, ANEC⁶⁹, Europäisches Verbraucherzentrum.

Selection is on the basis of previous expression of interest by the associations themselves, or at the request of parties involved in a particular study, or as recommended by DG Health and Consumer Protection.

A number of consumer organisations (including some of those mentioned above) responded to the public online consultation on postal services, organised by DG MARKT in the framework of its Impact Assessment for the 2006 Proposal on postal services.

Regulated professions

No consumer participation in consultative committees or working groups.

No direct participation needed or envisaged, however, it is important to improve access to documents on the DG website for all publication of documents. An update which facilitates access of citizens to the website on regulated professions is in preparation.

Public procurement:

No consumer participation within the advisory committee on public procurement and advisory committee on the opening-up of public procurement. However, public consultations are carried out each time the Commission envisages a new major initiative.

Financial services:

ECCG sub-group on financial services

The White Paper on Financial Services Policy 2005-2010⁷⁰ stressed the need to take better account of consumer interests and needs in the development of financial services policy. Therefore, DGs MARKT and SANCO have created a joint expert group on financial services, the FSCG (Financial Services Consumer Group). The Group is a sub-group of the ECCG. Its members are representatives from national consumer organisations which have been proposed by the ECCG.

The objective of the group is to provide a forum for a more targeted dialogue on financial services, for providing information to consumers in all Member States, to

⁶⁹ European Association for the Co-ordination of Consumer Representation in Standardisation.

⁷⁰ White Paper on Financial Services Policy 2005-2010
http://ec.europa.eu/internal_market/finances/policy/index_en.htm#20051205

stimulate exchange of information between national and European consumer representatives and the Commission and, eventually, to obtain input on financial services policy issues as well as to build expertise among consumers on financial services.

At least two meetings per year are planned. The first meeting took place on 20 June 2006. The next one is foreseen for December 2006.

Banking and financial conglomerates

Committees are -according to the EU legislation- exclusively composed of public authorities competent for the regulation and supervision of credit institutions and financial conglomerates, and are subject to strict confidentiality rules.

The consumers' perspective has typically been sought in the context of public consultations, supplemented by ad hoc meetings with consumers/end-users of banking services when necessary. A typical example for this approach is the wide consultation on the capital adequacy framework.

Retail financial services

Consumers are represented in the Payment System Market Group (PSMG), in the Mortgage Industry and Consumer Expert Group (Dialogue) and in FIN-USE (forum of users of financial services). In 2006, consumers/retail investors have also been represented in the Expert Groups on Asset Management, in particular the Expert Groups on Hedge Funds and on Investment Fund Market Efficiency. Consumer representatives have been present and active in the working group on the simplified prospectus.

An expert group on customer mobility in Bank accounts is currently being set up. It will have c. 20 representatives, 10 from industry, 5 academics, and 5 consumer representatives, nominated through BEUC. All the consumer representatives put forward have been accepted.

Consumer groups represented include: BEUC, EUROCOOP, COFACE, Consumers' Association (UK), Verbraucherzentrale Bundesverband (DE), Test-Achats (BE), Consommation Logement Cadre de Vie (FR), Asociacion de Usuarios de Bancos, Cajas y Seguros (E), Consumentenbond (NL), Danish Consumer Council (DK). Members of FIN-USE serve in a personal capacity; they include experts with consumer-related expertise from AT, SE, DE HU, EL, LT and UK.

The selection of represented consumer groups is based on expertise in financial services and made in cooperation with DG Health and Consumer Protection.

In general, travelling expenses are reimbursed, and occasionally an allowance is paid.

Insurance

Consumer representatives invited to advisory groups and to wider consultations include BEUC and, in certain cases, other interest groups such as associations of victims of car accidents.

Financial support is not granted.

Fraud Prevention Expert Group (FPEG)

BEUC and 5 national consumer associations are represented: CLCV⁷¹ (F), Consumentenbond (NL), Test-Achats (B), Adicae⁷² (E) and vzbv⁷³ (D).

CESR (Committee of European Securities Regulators)

- - No consumer representatives are involved in the CESR .
- - In November 2005, CESR organised its first Retail Investor Day, bringing together representatives of consumer and retail investor organisations, and has subsequently drawn up recommendations to facilitate consumers and retail investors' participation in CESR consultations.

DG Environment

EMAS (Eco-Management and Audit Scheme) Committee:

No consumer participation up to now, although the possibility exist for BEUC or other consumer representative to participate in the Committee meeting of Member State representatives provided for by the Regulation (EC) No 761/2001 allowing voluntary participation by organisations in a Community eco-management and audit scheme (EMAS).

- Financial support is not granted.

EU eco-labelling board:

- Consumer participation: BEUC
- Selection of members by an opened call for tender addressed to all EU organisations with consumer interests.
- Financial support: 30,000 € per annum, plus expert travel costs for eco-label working groups.

Endocrine Disrupter Stakeholder Group:

- The Endocrine Disrupter Stakeholder Group envisaged a broader involvement of stakeholders from different sectors, and specifically consumers associations, to strengthen dialogue amongst the different parties.
- The Commission intends to fund participation of one member of consumers associations to the Endocrine Disrupter Stakeholder meetings.

Environment and Health Strategy:

- BEUC representation within the Consultative Group and technical working groups on Environment and Health.

⁷¹ Confédération de la Consommation, du Logement et du Cadre de Vie.

⁷² Asociacion de Usuarios de Bancos, Cajas y Seguros.

⁷³ Verbraucherzentrale Bundesverband.

- Selection according to three criteria: level of representation, European-wide character, and specific expertise.
- Limited reimbursement of expenses.

Fuel efficiency and CO2 labelling of cars:

- Consumer participation: FIA (Motorists Group).
- Limited reimbursement of expenses.

Joint ENV/ TAXUD working group on fiscal measures (currently dormant)

Stakeholder working groups under European Climate Change Programme (ECCP):

- No consumer participation although possibility exists and financial support would be available.

Committee on competent authorities for existing substances:

- Consumer interests represented by BEUC.
- Chosen by contacts / interest.
- Financial support is not granted.

Committee, Strategic Coordination Group and Working Groups on the Water Framework Directive Implementation:

- Although DG Environment contacted European-level consumer organisations, they did not wish to attend, whereas individual national consumer organisations did. As the rules do not allow participation of national organisations no consumer participation is taking place. However, DG Environment encouraged Water Voice, an association representing water customers in England and Wales, to set up a European water users' network.
- DG Environment is highly interested to have adequate representation of consumer interests in the implementation work on the Water Framework Directive and continues its efforts to motivate European or international organisations to consider a more active involvement.
- Financial support is not granted.

Committees on Competent authorities for biocides and on designated national authorities for Regulation 2455/92 concerning the export and import of certain dangerous chemicals

- No participation.

Stakeholder Groups for the Development of the Soil Strategy

- Stakeholder Groups, including consumers were invited to participate in the consultation process carried out by the Commission during 2003-2005. A call for participation was made on the Commission's soil protection website and consumer organisations were notified of it.

- Financial support was not granted.

IPP (Integrated Product Policy) meetings

- Under the IPP regular meetings (attended by BEUC), 2 working groups were established. ANEC applied for the working group on Product Information Needs.

Commission Working Group on preparatory activities for REACH (CWG)

- Consumer interests represented by BEUC.
- Chosen by contacts / interest.
- Financial support is not granted.

DG Transport and Energy

General

- BEUC and Association Léo Lagrange (Défense des Consommateurs, FR) are alternate members of the European Energy and Transport Forum set up on 4 July 2002⁷⁴. Travel and subsistence expenses of the members are reimbursed.
- In 2004, DG Transport and Energy presented a Communication "Reinforcing passengers' rights in the European Union: the way forward" in order to address the need to improve legislation in all transport sectors and will organise a conference dedicated to the issue of users' rights in both the energy and transport sectors. Target groups of the Conference will be, inter alia, consumer associations in Europe.
- Consumers are invited to ad hoc meetings on the GALILEO programme⁷⁵.
- For all advisory bodies managed by DG Transport and Energy where consumer representatives participate, the normal Commission procedure applies, i.e. reimbursement of travel and subsistence expenses.

Road transport

- User associations are invited to the meetings of the Committee on the driving licence on an ad hoc basis. They are: IRU⁷⁶, CIECA⁷⁷, EFA⁷⁸, FIM⁷⁹, FEMA⁸⁰ and AIT-FIA⁸¹.
- Regular contacts have been maintained with EDF⁸² with regard to the accessibility of urban transport for persons with reduced mobility.

⁷⁴ For more information: http://europa.eu.int/comm/dgs/energy_transport/forum/index_en.htm
⁷⁵ For more information: http://europa.eu.int/comm/dgs/energy_transport/galileo/index_en.htm
⁷⁶ International Road Transport Union.
⁷⁷ Commission International des Examens de Conduite Automobile.
⁷⁸ Europäische Fahrlehrer Association.
⁷⁹ Fédération International Motocycliste.
⁸⁰ Federation of European Motocyclists Associations.
⁸¹ Alliance Internationale du Tourisme – Fédération Internationale de l'Automobile.
⁸² European Disability Forum.

Rail transport

- DG Transport and Energy organised hearings on rail passenger rights in 2001 and 2002 with user organisations⁸³. The results were taken into account in the Communication on the second railway package⁸⁴ and in the elaboration of the Regulation on Passengers' Rights and Obligations for International Rail Journeys, which is part of the 3rd railway package, adopted in March 2004.
- The EPF⁸⁵ and the BEUC are invited to attend the meetings of the Rail Market Monitoring Working Group, notably in order to involve them in the monitoring of the rail market by providing, for example, results of punctuality surveys carried out in Member States.
- DG Transport and Energy consults consumer/user representatives on the adoption of technical specifications for railway interoperability. The AEIF⁸⁶, mandated by the Commission to elaborate the draft technical specifications for railway interoperability, will consult European users' organisations.

Air transport

- For some years, DG Transport and Energy has regularly organised expert meetings of representatives of air passengers or consumers in general. It also paid their travelling expenses. Since attendance at these meetings has fallen heavily DG Transport and Energy is considering other ways of consulting them.
- In 2002 the Commission published a Consultation paper on Airlines' Contracts with Passengers⁸⁷. In this paper, the Commission identified a number of possible improvements to passenger rights and invited interested parties to comment on whether the issues raised required action on behalf of the EU, and if so, what action was appropriate. It received 47 responses, 13 of which from consumer groups (associations or ombudsmen) and organised a meeting with stakeholders in March 2003. As a result of the consultation process, the Commission will propose legislation, inter alia, concerning the rights of passengers with reduced mobility in air transport.

Energy

- Industry users participate in the Florence⁸⁸ and Madrid⁸⁹ Fora, which discuss a number of issues relating respectively to electricity and gas market opening. They are, inter alia, IFIEC⁹⁰, UNICE⁹¹ and CEFIC⁹². There is no consumer participation in these groups.
- ANEC⁹³ participates in the Committee on the indication by labelling and standard product information on the consumption of energy and other resources by household appliances.

⁸³ http://europa.eu.int/comm/transport/rail/passenger/framework_en.htm

⁸⁴ COM(2002) 18.

⁸⁵ European Passenger Federation – created in 2002.

⁸⁶ Association européenne pour l'Interopérabilité ferroviaire.

⁸⁷ http://europa.eu.int/comm/transport/air/rights/consult_contract_en.htm

⁸⁸ http://europa.eu.int/comm/energy/electricity/florence/index_en.htm

⁸⁹ http://europa.eu.int/comm/energy/gas/madrid/index_en.htm

⁹⁰ International Federation of Industrial Energy Users.

⁹¹ Union of Industrial and Employers' Confederations of Europe.

⁹² European Chemical Industry Council.

DG Agriculture

- Consumer participation is provided for in several advisory committees (grid including all committees as well as consumer participation sent in September 2003 to be updated).
- Around 80 meetings are organised each year. Commission supports consumer participation by reimbursement of travel expenses and a daily allowance.
- Consumer organisations or organisations which have the promotion of consumer interests as one of their principal objectives represented in these advisory committees are BEUC, EUROCOOP, COFACE.
- Members are appointed to the committees and groups by the Commission on the basis of proposals from the socio-economic organisations at EU level, following inter-service consultation.

Annex: DG Agriculture's advisory committees and groups, including consumer representatives.

DG Fisheries

- Consumer organisations participate in the advisory committee on fisheries and aquaculture (ACFA) and in three of the four working groups of this committee. These Groups are: WG2 “Aquaculture”; WG3 “Markets and Trade Policy”; WG4 General questions: “economic and sectoral analysis”. The Plenary meets 4 times and each Group 3 times per year.
- Reimbursement of travel expenses and per diem.
- Only one consumer representative attends the meetings (selected through the ECCG). It is difficult for one person to attend all meetings. In some of the meetings where there have been consultations, for instance, on Recovery Plans of some stocks, the consumers' views have not been presented.
- DG Fisheries would like more consumer participation in working groups (Markets and economic and general affairs).
- Consumer representatives are selected through the ECCG.

DG Competition

- Only Member States take part in advisory committees organised by the DG. A consumer organisation may however participate in a hearing as an interested party, in particular if it lodged a complaint which led to the opening of the procedure.
- European consumer interests are represented by BEUC and by national consumer organisations' competition experts in the ECCG competition subgroup or by individual consumer complains.

⁹³ The European Association for the Co-ordination of Consumer Representation in Standardisation.

- Consumer associations participate in public consultation exercises (Green / White Papers e.g. on block exemption regulation on car distribution).
- A "consumer liaison officer" has been created within DG Competition to develop involvement of consumers in competition policy. The European Economic and Social Committee has suggested that members of European Competition Network should dialogue with national consumer organisations.
- The High Level Group on Competitiveness was set up in October 2005, however, the consumers are only represented through the Dutch competition authority.
- DG Competition would like to deepen the exchange with consumer representatives in general. Tools are, for example, a focused information policy. Consumer organisations also participate in the European Competition day organised twice a year.
- Bilateral meetings with consumer organisations.
- Financial support is not granted.

DG Research

- In the Sixth Framework Programme for Research and Technology Development (FP6) a consumer science component was present in most of funded projects in Theme 5 "Food Quality and Safety", particularly large projects, which contributed to the development of the Knowledge-Based Bio-Economy.
- A specific research area called "Consumers" is part of Activity 2 "Fork to farm: Food (including seafood), health and well-being" of the Seventh Framework Programme for research, technological development and demonstration activities (FP7); this is aimed to specifically address research projects relevant for consumer needs and to help to reduce fragmentation of consumer science in Europe.
- Several of the recently established Technology Platforms, aimed at strengthening the competitiveness of the specific sectors and increase research investments, have also the objective to provide a better consumer-oriented and consumer-targeted innovation, in view of establishing a greater synergy between consumers' demand, social welfare and wellbeing, economic growth, and environmental production in Europe
- Consumer organisations are involved in consultation committees (BEUC and national consumer organisations).
- BEUC co-ordinated a funded project "Consumer Consensus Platform": consumers, scientists and stakeholders from the whole food chain co-operate to identify and define consensus on key food issues, linking these with EU food policy and the European Research Agenda.

Bilateral meetings take place usually within projects in which consumer organisations are involved.

DG Enterprise

- In case where the committee or working group deals with products which are of direct interest for consumers, consumer organisations are invited, at least on an occasional basis. Consumer organisations are selected according to their representation at European level. However, consumer representation is sometimes limited due to the very technical nature of the work.
- DG Enterprise deals also with issues not related to consumer goods or only related to procedural questions. An example is the committee on standards and technical regulations which does not discuss the content of the technical regulations, but only the procedural aspects of the notification system. The same is valid for the meeting of the TBT⁹⁴ contact points where only the procedural aspects of TBT notifications are discussed. ANEC, together with other societal stakeholders, participates twice a year in the extended meeting of the 98/34 Committee
- Whenever consumer issues are relevant, DG ENTR consults ANEC on standardisation mandates to be addressed to the European Standards Organisations. DG Enterprise has frequently bilateral meetings with consumer organisations. It invites consumer organisations if relevant or upon their request. DG Enterprise would like to encourage all consumer organisations to take initiative and contact the DG.

Toys

- The working group dealing with toys invites BEUC and ANEC to the meetings.

Cosmetic products

- BEUC is regularly invited and attends the meetings of the "Working Party cosmetic products"

Motor vehicles, motor cycles and on agricultural tractors

- Representatives of CECRA and of FIA were invited to participate in the CARS 21 High Level Group, which was announced in October 2005. However, consumer organisations, such as BEUC, were not invited to the High Level Group although they protested.

Representatives from BEUC, ETSC⁹⁵, FEMA⁹⁶, AIT/FIA⁹⁷ are invited to the working groups on motor vehicles, motor cycles and on agricultural tractors, and the motor vehicles emissions group. Low voltage products

- ANEC is participating in the working group on the low voltage Directive.

Personal protective equipment products

- ANEC is invited to participate in the expert group on personal protective equipment.

⁹⁴ Technical Barriers to Trade Agreement.

⁹⁵ European Transport Safety Council.

⁹⁶ Federation of European Motorcyclists Associations.

⁹⁷ Alliance Internationale de Tourisme / Federation Internationale de l'automobile.

Machinery

- ANEC is participating in the working group on the machinery Directive.

Lifts

- ANEC is participating in the working group on the lifts Directive.

Medical devices

- Patients and consumer organisations are invited to participate. However, so far, there has been no request to attend the meetings of the working group. DG Enterprise has only occasional contacts with the European Association on Self-Medication.

Electromagnetic Compatibility

- ANEC is invited to participate in the meetings of the Working Party on the EMC Directive (Electromagnetic Compatibility).

Gas Appliances

- ANEC is invited to participate in the meetings of the Working Group on the Gas Appliances Directive.

Directive on product liability

- Two informal working groups (one of experts designated by national administrations and another one of stakeholders – BEUC representatives included) have been organized. They usually meet once per year.
- Travel expenses are reimbursed to the governmental experts' group, but no financial support is granted for the stakeholders' one.

REACH

- BEUC participates in the Commission Working Group which has been set up to follow the practical preparations for the implementations of the REACH Regulation.

DG Trade

Consumer groups are regular participants in DG Trade's Civil Society Dialogue and are represented on the Contact Group for this process. BEUC, Eurocoop and main national consumer organisations take part in this dialogue.

- Self-selecting participation in response to open call via DG TRADE website.
- Process is adjusted according to pace of negotiations and concerns raised by civil society.
- Meetings on request, on an ad hoc basis, on specific topics, e.g. meetings with the TACD (Transatlantic Consumer Dialogue).
- Financial support: refund of travel expenses if requested for participants from outside Brussels.

- BEUC was also invited to EU-US regulatory cooperation on enforcement of IPR.

DG Information Society and Media

General

- DG Information Society and Media invites consumer organisations to contribute to online public consultations, for example in the context of the legislative proposal for the Audiovisual Services Directive or for the review of the Regulatory Framework of Electronic Communications. Consumer Organisations are also invited to consultation meetings in order to prepare the IST/ICT work programme.
- Membership of the committees, under comitology rules, is confined to Member States' representatives. However Member States can bring experts with them⁹⁸, including consumer organisations. Reimbursement of expenses is limited to one representative by Member State⁹⁹ (see point 4.11.2)

DG Information Society and Media also invites consumer organisations to participate, where appropriate, in expert groups (see point 4.11.3) and to participate in relevant workshops or ad-hoc-working groups.

Although consumers are consulted by DG INFSO as part of the broad (all stakeholders) consultations, consumers were not closely associated with e.g. the Film Online initiative.

DG INFSO comitology committees

Consumer organisations participate in one of DG INFSO's 12 comitology committees¹⁰⁰, namely the COCOM – Communications Committee (COCOM, framework directive 2002/21/EC): BEUC and ANEC are invited to the meetings of the COCOM and they attend them regularly. Among other organisations invited to the COCOM meetings are ETP¹⁰¹ and INTUG¹⁰² which could be regarded as – at least partly – representing users/consumers.

DG INFSO expert groups

On a specific issue, consumer organisations are invited to ad-hoc-working groups or expert groups¹⁰³. Among DG INFSO's 45 expert groups, the following 6 expert groups list “consumers” as one of their composition-criteria:

- Information Society Technology Advisory Group

⁹⁸ In accordance with the Secretariat General guidelines.

⁹⁹ In accordance with the Secretariat General guidelines.

¹⁰⁰ The complete list of DG INFSO's comitology committees is publicly available via the Register of Comitology on the EUROPA website:

http://ec.europa.eu/comm/secretariat_general/regcomito/registre.cfm

¹⁰¹ ETP = European Telecommunications Platform.

¹⁰² INTUG = International Telecommunication Users Group.

¹⁰³ Information on the Commission's expert groups is available to the public since November 2005 via the EUROPA site of the Registry of Expert Groups:

http://ec.europa.eu/secretariat_general/regexp/index.cfm?lang=EN. This Registry provides general information on the mission, task, type contact information and composition of all active expert groups of the Commission and the category “consumers” forms one of 16 categories for the composition of expert groups.

- Integrated Micro- and Nano-Systems Expert Group
- Multimedia Home Platform (MHP) Implementation Group
- Groupe d’experts produits et ingénierie des services à l’horizon 2010
- eHealth Working Group
- eSafety Forum

DG Justice, Freedom and Security

- There is consumer involvement in written consultations and hearings organised by DG Justice, Freedom and Security, e.g. on questions related to the law applicable to consumer contracts or the harmonisation of civil procedure related to consumer litigation. Consumer interests are usually represented by BEUC, occasionally by national consumer organisations. DG Justice, Freedom and Security encourages the latter to contribute to these consultations on a more regular basis.
- There is consumer involvement in hearings and meetings held by international organisations such as the Hague Conference of Private International Law (e.g.: participation of BEUC, Consumer International, Consumers Association, Consumentenbond).
- Financial support is available to projects involving consumer organisations to the extent they fall within the scope of the Framework Program for judicial cooperation in civil matters.

Directive on data protection:

- The Working Party on the protection of individuals set up by article 29 of Directive 95/46/EC (data protection Directive) and composed by national supervisory authorities would be open to invite ad-hoc consumer organisations when it deems that on specific topics with broader impact on consumers, input by these organisations at European level may be useful.
- Consumers may participate in ad hoc multilateral meetings and conferences
- There is a working party on the protection of individuals set up by article 29 of Directive 95/46/EC (data protection Directive) composed by national supervisory authorities which would be open to invite on an ad-hoc basis consumer organisations when it deems that on specific topics with broader impact on consumers, input by these organisations at European level may be useful. Consumers participate in ad hoc multilateral meetings and conferences. Financial support is not granted.

DG Employment and Social Affairs

- EU Multistakeholder Forum on CSR¹⁰⁴ established on 16 October 2002.

¹⁰⁴ COM(2002) 347.

- +/- 15 meetings per year (high level and round tables).
- BEUC has been invited to appoint 2 representatives: Forbrugerradet (DK), Consumentenbond (NL).
- Representatives receive reimbursement for travel and subsistence

DG Enlargement

- Consumer interests of new Member States have been taken into account during the period preceding accession. For example, from April 2003 (signature of the Accession Treaties) to May 2004 (accession), consumer organisations from acceding countries have been invited as observers to the ECCG (see point 4.1.1).
- Contacts, information and opinions from consumer organisations are mainly dealt with by DG Health and Consumer Protection.

DG Education and Culture

- There is no direct cooperation with consumers, but indirectly as educational associations also represent consumers. No need for direct consumer participation in the Socrates / Media / Tempus Committees.

DG Eurostat

- Indirect contacts at EU level, contacts are carried out by the National Statistics Institutes of the Member States.
- Consumer organisations were invited to the CEIES seminar on consumer policy statistics in June 2006.

DG Taxation and Customs Union

- Only Member States take part in committee meetings organised on fiscal and customs affairs. Tax issues – and especially the definition of the level of taxes – are broadly a matter for the Member States. Contacts with consumer associations are mostly carried out by Member States and contacts at EU level are more indirect. With regards to customs related matters, customs rules apply to trade of goods between the Community and third countries and do not require direct consumer involvement. The only customs policy area where consumers might be affected relates exclusively to enforcement activities for which no exchange of views with consumers is needed.

Associations representing consumers can always fully participate in all public consultations organised by the DG.