

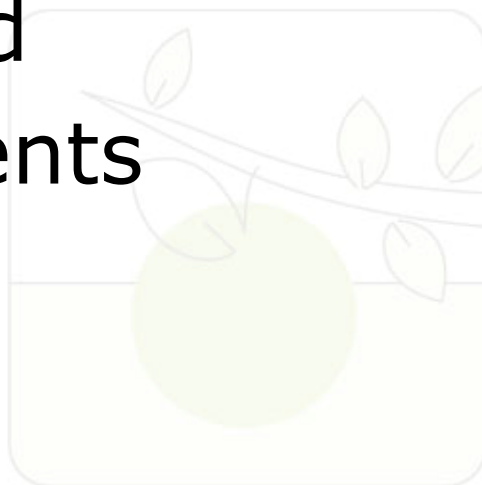
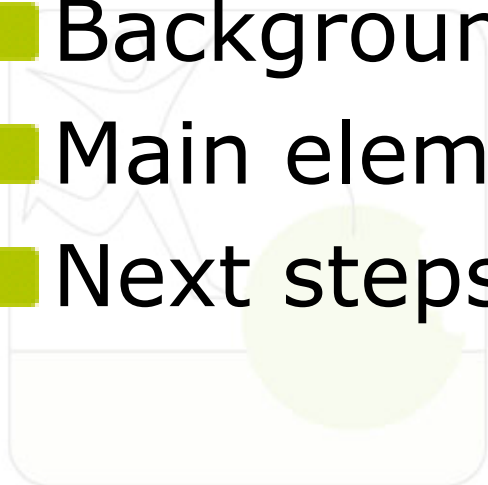
The regulation on consumer protection cooperation (2006/2004)



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The regulation

- Background
- Main elements
- Next steps



Background (1)

- Injunctions Directive
- Consultation in Green Paper
- ICPEN
- OECD
- Other EU policies: tax, customs, competition, financial services, health...

Background (2)

- Current barriers to cooperation set to grow
- Greater cross-border shopping - e-commerce
- Cross-border rogue traders
- Prospect of greater harmonisation
- Enlargement

IMPORTANT!

- **Regulation**: general application, binding in its entirety and **directly applicable** in all Member States **without transposition**
- The regulation does **not** introduce new consumer protection measures
- It aims to make **existing legislation work effectively** in the Internal Market

Objectives of the Regulation

- To facilitate cooperation between public authorities
- To contribute to the smooth functioning of the internal market;
- More generally, to enable national authorities to exchange information and cooperate with counterparts in other Member States as easily and seamlessly as with other authorities in their own country.
- The aim is also to guarantee that each Member State effectively enforces EU law in its territory on behalf of all European consumers.

Main elements (1)

- A network of public enforcement authorities provided with the means to cooperate intensively to tackle rogues
- A database/IT- system to support the network, allowing fast and secure workflow and exchange of information

Main elements (2)

- **Scope:** collective consumer economic interests, Intra-community
- **Key actors:** National public authorities in control of the network.
- Certain minimum **common powers** to make the system function (art.4):
 - investigation
 - enforcement
- Rights and obligations on information exchange, negotiation and injunctions

Main elements (3)

■ Mutual assistance

- Exchanges of information on request
- Exchanges of information without request
- Request for enforcement measures
- Coordination of market surveillance and enforcement activities

■ Community activities

- Enforcement coordination
- Administrative cooperation on representation, information, education

■ Committee

Next steps

- Provisions apply from end 2005/ end 2006
- Committee at work
- Network of MS enforcement authorities
- Database being developed