

Complaining about a trader in another EU country



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When things go wrong with your purchase, the first thing to do is to check about your legal rights. Once you confirm that you have a right to claim a remedy, the next step is to notify the trader about your complaint and request a solution.

Any communication with the trader is best made in writing and should include a clear and concise description of the problem and the type of remedy you are requesting.

It is important that with your complaint you include a copy of the proof of purchase. This document is an essential requirement to exercise your legal rights.

You can contact the European Consumer Centre Malta (ECC Malta) if your complaint is about a product purchased online or physically from a shop, and the trader is registered in another EU country. ECC Malta will provide you with all the necessary information about your consumer rights and also advise you on how to proceed with your claim.

Furthermore, ECC Malta will assist you if the trader does not provide an adequate solution to your complaint or refuses to



It is important that with your complaint you include a copy of the proof of purchase. This document is an essential requirement to exercise your legal rights. PHOTO: SHUTTERSTOCK.COM

respond. This office's complaints handling procedure is to mediate between you, as a consumer, and the trader so that an amicable solution is reached.

To submit a formal complaint with ECC Malta, you need to provide the following information and documentation:

- A brief overview of the problem;
- Proof of purchase;
- A copy of all correspondence with the trader;
- Bank details (IBAN) if a refund is being requested;

• Any other documentation that supports your case.

ECC Malta can only handle complaints from consumers against traders of a cross-border nature. ECC Malta cannot handle complaints if consumers purchase a product from another consumer or if the product is not for personal use. In these specific circumstances, consumers are referred to seek independent legal advice.

If you want to know more about your rights, visit ECC

visiting <https://eccnetmalta.gov.mt>. Once on the website's homepage, click the 'submit a complaint' button, fill in the complaint form, or click the 'ask a question' button for any other consumer-related questions.



ECC Malta cannot handle complaints if consumers purchase a product from another consumer

Furthermore, you may call on +356 21221901 during office hours or send a message on ECC Malta's social media pages.

This information was provided in collaboration with ECC Malta.

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Defective robot cleaner

Q: Last November, I bought a robot vacuum cleaner from a local company. After eight months, the front small wheel got detached from the robot's body. I took the product to the seller to have it checked and repaired. Unfortunately, to date, I am still waiting for the seller to inform me if the defect is covered by the product's guarantee. Every time I call, they tell me that the product is still being examined by the company's repair centre. I bought the robot to use it and this delay is causing me an inconvenience. What are my rights?

A: While the trader has the right to inspect the product and to assess the nature of the defect, this process cannot take an indefinite amount of time. Hence, you should write to the seller and set a time limit by when you need a reply.

Furthermore, since the purchase of the product is still covered by the two-year legal guarantee, you

should remember that this guarantee also gives you the right to request a free remedy from the seller. Thus, even if the seller eventually tells you that the product's commercial guarantee does not cover the product's defect, you may still claim a free remedy under consumer law. This applies unless the product's defect is the result of misuse or normal wear and tear.

If you are certain that the product's damage has not been caused by misuse, you should write to the seller and request that the robot is either repaired by a reasonable specific date or replaced with a new one. If the seller does not reply or rejects your request, you may then lodge a formal complaint with the Office for Consumer Affairs.

Finally, you should also be aware that once you are provided with either free repair or replacement, the product's guarantee must be extended by the period of time the seller had the robot cleaner in his possession.

Malta's new website, whereby you can find information on your consumer rights when buying a product or service from other European countries, including Norway and Iceland.

You may submit questions and complaints by e-mail to ecc.malta@mccaa.org.mt or by

Malta Competition and Consumer Affairs Authority (MCCA)
Office for Consumer Affairs
Mizzi House, National Road,
Blata l-Bajda HMR 9010

Freephone: 8007 4400 | Tel: 2395 2000
Consumer complaints: <https://www.mccaa.org.mt/home/complaint>
Website: www.mccaa.org.mt

To watch videos on topics featured on this page, visit www.facebook.com/pg/MCCAAMalta/videos.

MCCA office hours for the public:
Monday to Friday from 8.30am to 12.30pm

European Consumer Centre Malta
(For complaints against traders in other EU member states)
47A, South Street, Valletta VLT 1101

Monday to Friday from 8.30am to 3pm
Tel: 2122 1901 | E-mail: ecc.malta@gov.mt

The information published in this page is intended for information purposes only. Any legal claim or action taken in the event of a dispute should be based solely on the legal texts concerned. For more information, call the Office for Consumer Affairs at the Malta Competition and Consumer Affairs Authority on Freephone 8007 4400.