



ECC Malta would like to welcome you for the first edition of its Newsletter for 2018. In this edition we will be discussing the theme chosen for this year to mark World Consumer Rights Day which was celebrated on the 15th of March. In connection also with the latest developments in consumer legislation, we will be explaining through a case study the 'roam like at home' policy. Finally read also about one of our latest success stories, from which a consumer benefitted through the mediation of the European Consumer Centres Network.

Making Digital Marketplaces Fairer

The 15th of March is the day dedicated to World Consumer Rights. This day goes back to 1962 when President John F Kennedy sent a message to the US Congress and formally addressed the issue of consumer rights.

The consumer movement first marked that date in 1983 and now uses this day every year to discuss on-going and important issues. Celebrating this day means a chance to see that the consumers' rights are actually respected and protected. This year's theme was "Making Digital Market Places Fairer", with the main aim to promote accessible, fair and safe digital markets for consumers.

By 2021, it is stated that e-commerce would account for over 15% of the total global retail sales. However, consumers are still unable to access safe and fair digital market places. And it is for this

reason that during World Consumer Rights Day 2018, the following issues were discussed:

- **Access to a more fair and secure internet**
Certain service providers limit access to certain sites or else impose unfair data caps. As consumers, one should be able to benefit from an affordable, good quality and open internet services.
- **What can be done against scams and frauds?**
Even though a lot of consumers do buy from online websites, nearly 70% worry that the payments they make are unsafe. Although it has become increasingly difficult to prevent online scams and fraud, if we all work together, we will be able to tackle any unfair practices and

make online shopping safer.

- **More protection when shopping online**

Lack of trust is the main reason why most of those using the internet never shop online. Consumers need to feel safe and be sure that online retailers are charging them fairly and that they can seek redress should things go wrong.

This theme of 'Making Digital Marketplaces Fairer' was in fact the theme chosen for a **Half Day Conference organised by MCCA**.

The aim of the conference was to make consumers aware of the advantages of online shopping and the protection that the EU law gives them if things go wrong. The consumers also got to know more about the entities

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they can refer to if they have to face a problem when buying online locally or from an EU country. It also addressed traders with information about what precautions and information should be provided to consumers when selling online.

The conference which was addressed by the Parliamentary Secretary for Consumer Protection and Valletta 2018, Hon. Dr. Deo Debattista brought together a number of speakers from different sectors including consumer organisations, businesses etc. Amongst these, there were speakers from the European Commission, the MCCA, the MCA, the ECC-Malta, the GRTU and other consumer associations.

During the conference, ECC Malta highlighted the role of the ECC Net in the European Single Market. The ECC empowers European consumers with information about their rights and obligations when shopping online from another EU country and serves as a reference point to consumers who are seeking redress against traders situated in a different EU country. In 2017, there have been 52,017 requests for information across all the ECCs.

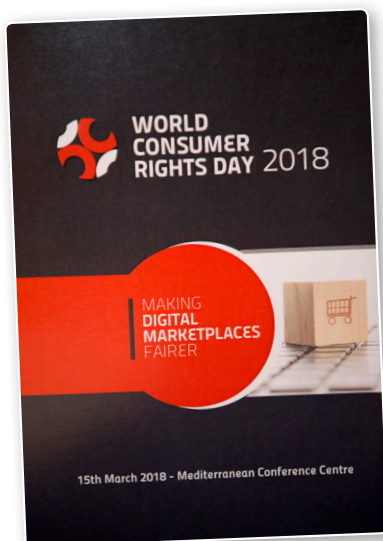
Moreover, the ECCs have the role in safeguarding the consumers' interests. Case-handling data is used by the Network to identify the most common problems and the new trends in the complaints being lodged. This information is then used to provide information to enforcement bodies and policy makers and to provide feedback in consultations.

were analysed by the Network include: counterfeit goods, subscription traps and also geoblocking. Additionally, during the conference ECC Malta also highlighted the means of cross border redress available to consumers, particularly the use of the Out of Court Dispute Resolution through the ODR Platform.

Amongst the topics discussed during the conference, was that of the CE mark. This topic was discussed by the Technical Regulations Division within MCCA.

The CE mark helps consumers have peace of mind when shopping online as this assures them that the products are safe to use

The EU has a data base (RAPEX) which provides the necessary information about the products which have been found to be unsafe. On the other hand, the enforcement directorate within MCCA presented the work done in enforcement of EU legislation, including the EU Wide Screening of Websites (Sweeps). Sweeps is a set of checks carried out simultaneously by the national enforcement authorities to identify the breaches of EU consumer laws in a specific sector. It had also been stated that the CPC Regulations have been amended for better protection when shopping online.



From all the complaints received by the ECCs, 74% of the complaints were about e-commerce

ECC Malta also presented a number of joint projects which were undertaken by the Network during the past years. Such projects analyse and show certain problems that consumers deal with in the European Market. Issues that



Case Study

This year, Daniel has decided to go on a holiday in Portugal. He has a contract with a local mobile service provider which includes data roaming. Thanks to the EU “roam-like-at-home” policy, Daniel will now be able to receive or call any EU numbers while staying there without incurring extra charges. Anyone who calls him from Malta will be charged the domestic rates for calling any Maltese numbers. If he calls a local Portuguese number, his family and friends in Malta or another EU country, he will still be paying the Maltese internal domestic prices for such calls.

The “roam-like-at-home” policy means that when an EU citizen is using his mobile phone when travelling outside his home country and in another EU state, he wouldn’t have to pay additional roaming charges. One will be benefitting from these rules when calling both mobile and fixed numbers, when sending text messages and when using data services.

While travelling within an EU country, one will be paying the same prices as if he is at home. The operator would simply charge or take the roaming consumption from the mobile tariff plan or bundle. A mobile contract that includes roaming services would automatically become “a roam-like-at-home” contract.

Such measures are mostly intended for people who travel outside their country or have stable links (studying, working or have a property in an other EU country). However, these are not meant to be used for permanent roaming.

On the other hand, if the consumer uses the mobile phone abroad permanently, the mobile operator can charge for the roaming usage. Such charges will be capped. If one spends more time at home than abroad these charges will be avoided.

Once a person crosses a border within the EU, s/he should receive a message from the mobile operator informing her/him that s/he is roaming.

Success Story

A consumer planned to travel to the UK in order to participate in a bike challenge called London-Edinburgh-London, held between the 30th of July till the 4th of August



The consumer also applied for an insurance policy with the trader to cover the flight from Malta to UK. However, fifteen (15) days before departing from Malta, the consumer made some medical tests. These resulted that he has a medical condition which prevented him to do the said challenge. For obvious reasons, the consumer had to cancel his flight and made a claim with the trader for a refund. The consumer only received a partial refund of the expenses thus he requested the refund of the money paid for taking part in the bike challenge.

ECC-Malta pursued this case through their counterparts at ECC-Greece. This was due to the fact that even though the flights were booked with a local company, the insurance office was situated in Greece.

The trader proposed a refund of €169 which is the total amount that the consumer paid for the airline tickets and also €356.56 representing the participation fee. The consumer was informed about this proposal and accepted the stated reimbursement which was to be refunded by the insurance representatives in Malta.



European Consumer Centre Malta

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