

European Consumer Centres

The following questionnaire aims to gather ECCs' views on specific aspects of the application of the Consumer Rights Directive (the CRD). Providing a response will help the Commission services to assess whether the Directive and its application across different EU countries is working in practice, with a particular focus on cross-border trade aspects. The temporal scope is the last 2 years (i.e. since the CRD started to apply).

Looking at the data on the number of complaints from consumers to the ECCs, there appears to be a significant increase since 2014. The scope of this study is also to include free-online services such as social media and cloud storage services. Because of this, we will be asking you specific questions about these.

Q 1: First of all, could you please indicate your country of operations?

- | | | |
|---|--|--|
| <input type="checkbox"/> Belgique/België (BE) | <input type="checkbox"/> Hrvatska (HR) | <input type="checkbox"/> Polska (PL) |
| <input type="checkbox"/> България (BG) | <input type="checkbox"/> Italia (IT) | <input type="checkbox"/> Portugal (PT) |
| <input type="checkbox"/> Česká republika (CZ) | <input type="checkbox"/> Κύπρος (CY) | <input type="checkbox"/> România (RO) |
| <input type="checkbox"/> Danmark (DK) | <input type="checkbox"/> Latvija (LV) | <input type="checkbox"/> Slovenija (SI) |
| <input type="checkbox"/> Deutschland (DE) | <input type="checkbox"/> Lietuva (LT) | <input type="checkbox"/> Slovensko (SK) |
| <input type="checkbox"/> Eesti (EE) | <input type="checkbox"/> Luxembourg (LU) | <input type="checkbox"/> Suomi/Finland (FI) |
| <input type="checkbox"/> Éire/Ireland (IE) | <input type="checkbox"/> Magyarország (HU) | <input type="checkbox"/> Sverige (SE) |
| <input type="checkbox"/> Ελλάδα (EL) | <input type="checkbox"/> Malta (MT) | <input type="checkbox"/> United Kingdom (UK) |
| <input type="checkbox"/> España (ES) | <input type="checkbox"/> Nederland (NL) | |
| <input type="checkbox"/> France (FR) | <input type="checkbox"/> Österreich (AT) | |

Information about consumer complaints

Q2: Looking at the data on the number of complaints of consumers with the ECCs, there appears to be a significant increase since 2014. Which of the following aspects have consumers complained about in the last 2 years with regard to their cross-border purchases within your ECC? (Tick one per row)

	Often	Rarely	Never	Don't know
Pre-contractual information requirements for on-premises contracts				
Pre-contractual information requirements for distance and off-premises contracts				
Language requirement in pre-contractual information				
The specific rules on digital content				
The formal requirements for distance and off-premises contracts (e.g. confirmation button and confirmation of the contract on durable medium)				
Geo-blocking (unable to order from specific countries)				
Rules for delivery and passing of risk				
Right of withdrawal in general				
Right of withdrawal for digital content				
The exemptions from the right of withdrawal				
Reimbursement (e.g. voucher instead of the full re-fund, non-reimbursement of delivery costs etc.)				
Cost of telephone contact with a trader in relation to contracts already concluded - the basic rate requirement				
Surcharges for the use of means of payments				
Price transparency and pre-ticked boxes				
Goods, services or digital content they didn't order but are requested to pay				
Anything else (please specify)				
Please provide further details in the space below:				

Q3: With particular regard to free-services on line, could you please tell us whether there have been complaints in the last two years? (Tick one per row)

	Often	Rarely	Never	Don't know
Free online services (e.g. social media such as Facebook, Twitter, LinkedIn, Instagram or free cloud services to store pictures, videos, and conditions on use, unsubscribing, etc.)				
Free games or applications (conditions on use, unsubscribing, etc.)				

Please provide further details:

Q 4: If you are aware of any case of complaint where no solution was found, could you please explain why this was the case?

Q 5: Are you aware of any legal cases resulting from the CRD that have been taken by enforcement authorities in your country? (Tick one only)

- Yes, legal actions (within the country)
- Yes, legal actions (cross-border)
- No, no legal actions as yet
- Don't know

Q 6: If you indicated above that you are aware of previous or forthcoming legal cases relating to non-compliance with the CRD by traders, please provide further details below:

Your views on the CRD and assessment

Q 7: In a scale of 0 to 5 where 5 is very effective (namely no problems with implementation and enforcement) and 0 is not effective, how will you rate the following in terms on ensuring consumer protection across borders?

	0	1	2	3	4	5
Pre-contractual information requirements for on-premises contracts						
Pre-contractual information requirements for distance and off-premises contracts						
The specific rules on digital content						
The formal requirements for distance and off-premises contracts (confirmation button)						
The fully harmonised period for the right of withdrawal for distance and off-premises contracts						
The exemptions from the right of withdrawal						
The new rules on delivery and passing of risk						
The basic rate requirement for consumer telephone lines in relation to contracts already concluded						
The requirement to eliminate unjustified surcharges for the use of means of payments						
The provision banning pre-ticked boxes						
The provision on inertia selling (no obligation to pay for unsolicited supply of goods, services, digital content)						
Other (please add)						
Please provide further details in the space below:						

Q 8: If you have noted that some of the above provisions have not been effective, what are, in your opinion, the main factors hindering the effectiveness?

Please provide further details in the space below

Q 9: Have you got any suggestions on how these factors can be overcome in order to achieve a greater level of protection for consumers?

Please provide further details in the space below

Q 10: Has your ECC identified any possible gaps in the consumer protection provided by the CRD in the following categories? Please tick those that apply. Do you have suggestions how these gaps could be addressed?

- Sale of goods
- Provision of services (incl. free trials)
- Provision of digital content (paid and unpaid)
- Free online services (.g. social media such as Facebook, Twitter, LinkedIn, Instagram or free cloud services to store pictures, videos, etc.)
- Free games or applications (conditions on use, unsubscribing, etc.)
- Free trials (e.g. automatic switch to a paid contract, payments, contract duration, termination, right to 'cancel' the contract etc.)

Please provide further details in the space below:

Q 11: In your opinion, to what extent would the following EU consumer protection rules - if fully harmonised at EU level - be beneficial for increasing trust of consumers?

	Very beneficial for consumers	Rather beneficial for consumers	Rather not beneficial for consumers	Not beneficial at all for consumers	No opinion / don't know
Before subscribing for a free on-line service (such as social media e.g. Facebook, Twitter etc. or cloud storage of pictures, movies), the consumer should receive all the relevant information about such a free service contract (the same information that he currently receives for paid services and for digital content)					
When subscribing for a free on-line service (such as social media e.g. Facebook, Twitter etc. or cloud storage of pictures, movies), the consumer should have a right of withdrawal from such a free service contract within 14 days from conclusion (comparable with the right of withdrawal from a paid service contract or with the right of withdrawal for digital content)					
When using an online					

platform to search for information or a product, the consumer should be informed about the ranking criteria that the platform uses by default when presenting the search results					
Please explain:					

Q 12: Do you agree with the following statement: The presentation of pre-contractual information to consumers should be simplified by applying a uniform easy graphical model (binding or non-binding) , e.g. using icons or pictograms
<input type="checkbox"/> Agree, model should be binding <input type="checkbox"/> Agree, model should be non-binding <input type="checkbox"/> Neutral (nor agree or disagree) <input type="checkbox"/> Disagree <input type="checkbox"/> Don't know

Q 13: Please feel free to add here any aspect concerning the CRD that we may have omitted and deserves special attention based on your experiences.

Q 14: Are you willing to be contacted for a telephone interview to share your thoughts on consumer protection in your country with a focus on the CRD and its impacts on cross-border trade?
<input type="checkbox"/> Yes <input type="checkbox"/> No

Q 15: If yes, please provide your contact details below:	
Name	
Organisation	
Website	
Email	
Telephone	

Many thanks Ms Rocio Salado, Project Manager