

CONSUMER PROTECTION IN THE EU

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The European Union is renowned for the protection it provides to consumers through a number of laws enacted especially in the past two decades or so. The EU's intervention in the economic interests and physical safety of its citizens has increased over the years along the evolution of the single market.

The European single market has increased the choice of goods and services offered across the whole Community's Member States. But this increase in choice has also brought about an increase in the risks that consumers could face from retailers and service providers. The laws enacted in the Community are a genuine attempt on behalf of the EU to protect its citizens from defective products and abuse in services.

Now that the January sales across Europe are in full swing, consumers need to be extra careful about their rights when buying products. For instance, if they are purchasing electrical goods or even toys they must ensure that the product has the CE marking. Consumers must adopt the attitude that if they are in doubt about genuineness of a product, they would do better not to buy it at all. The Directive on liability for defective products has introduced the concept of responsibility for the risk in defective products. The burden of proof lies not only with the manufacturer but is also extended to suppliers and to distribution chains. This brings with it the issue of product guarantee. There are two types of warranty - the legal and the commercial. Consumers would do well to consult this website for further information on the warranty of products: [http://www.mcmp.gov.mt/pdfs/consumers/leaflet%20\(2\).pdf](http://www.mcmp.gov.mt/pdfs/consumers/leaflet%20(2).pdf)

The introduction of low-fare airlines is another area where consumers should be aware of their rights. Irrespective of how much passengers pay on these

low-cost flights, the airlines operating such services still fall under the air passenger rights of the European Union when it comes to delays, cancellations and loss of luggage. More information is available from this website: http://ec.europa.eu/transport/air_portal/passenger_rights/doc/2005_leaflet/2005_01_19_apr_leaflet_en.pdf and http://ec.europa.eu/transport/air_portal/passenger_rights/doc/clarification_notice/en.pdf

Buying from the internet or from other Member States could also expose consumers to risks. In Malta, the European Consumers Centre (telephone: 2124 6816, email: ecc.malta@gov.mt) handles complaints on purchases made in other EU Member States.

All other queries on consumer rights and protection can be addressed to the Consumers and Competition Division, Cannon Road, Santa Venera (telephone: 21 446 250). The Division has a number of interesting leaflets explaining various consumer rights: http://www.mcmp.gov.mt/consumer_library_03.asp

More information on consumers rights is also available from Forum Malta fl-Ewropa on 2590 9192 or by email: foruminfo@gov.mt ☎

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