

The New Consumer Agenda: open public consultation

Fields marked with * are mandatory.

Introduction

This public consultation covers four consumer policy initiatives that the European Commission intends to adopt in 2020 and 2021. These initiatives are:

- **A Commission Communication on a new European Consumer Agenda, and three legislative proposals respectively on:**
- **empowering consumers in the green transition;**
- **a review of the Directive on consumer credit agreements for consumers (2008/48/EC);**
- **a review of the General Product Safety Directive (2001/95/EC).**

The consultation is organised in four sections corresponding each to the above initiatives. When providing your contribution, you are invited to fill in the first two parts: **About you** and **A New Consumer Agenda**. In addition, **you may also opt to fill in one or more of the three specific sections on the legislative proposals**, according to their relevance to your areas of interest.

You can find additional information for some of the questions and answer options in the Footnotes, under **B background Documents**.

For further clarification on the consultation, including links to details about each of the initiatives mentioned above and replies to frequently asked questions, please go to the [FAQ](#) page. The FAQ is only available in English and regularly updated.

You can save your replies and get back to the questionnaire at a later stage. **Please make sure to save a draft of the questionnaire regularly as you fill it in, and to submit the questionnaire before the end of the consultation period on 6 October 2020.**

About you

* Language of my contribution

- Bulgarian
- Croatian

- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- Gaelic
- German
- Greek
- Hungarian
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

* First name

Enrique

* Surname

Velazquez

* Email (this won't be published)

* Organisation name

255 character(s) maximum

Association of Consumer Credit Information Suppliers

* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

Transparency register number

255 character(s) maximum

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

21868711871-63

* Country of origin

Please add your country of origin, or that of your organisation.

- | | | | |
|--------------------------------------|--|-------------------------------------|--|
| <input type="radio"/> Afghanistan | <input type="radio"/> Djibouti | <input type="radio"/> Libya | <input type="radio"/> Saint Martin |
| <input type="radio"/> Åland Islands | <input type="radio"/> Dominica | <input type="radio"/> Liechtenstein | <input type="radio"/> Saint Pierre and Miquelon |
| <input type="radio"/> Albania | <input type="radio"/> Dominican Republic | <input type="radio"/> Lithuania | <input type="radio"/> Saint Vincent and the Grenadines |
| <input type="radio"/> Algeria | <input type="radio"/> Ecuador | <input type="radio"/> Luxembourg | <input type="radio"/> Samoa |
| <input type="radio"/> American Samoa | <input type="radio"/> Egypt | <input type="radio"/> Macau | <input type="radio"/> San Marino |

- Andorra
- Angola
- Anguilla
- Antarctica
- Antigua and Barbuda
- Argentina
- Armenia
- Aruba
- Australia
- Austria
- Azerbaijan
- Bahamas
- Bahrain
- Bangladesh
- Barbados
- Belarus
- Belgium
- Belize
- Benin
- Bermuda
- Bhutan
- Bolivia
- Bonaire Saint Eustatius and Saba
- El Salvador
- Equatorial Guinea
- Eritrea
- Estonia
- Eswatini
- Ethiopia
- Falkland Islands
- Faroe Islands
- Fiji
- Finland
- France
- French Guiana
- French Polynesia
- French Southern and Antarctic Lands
- Gabon
- Georgia
- Germany
- Ghana
- Gibraltar
- Greece
- Greenland
- Grenada
- Guadeloupe
- Madagascar
- Malawi
- Malaysia
- Maldives
- Mali
- Malta
- Marshall Islands
- Martinique
- Mauritania
- Mauritius
- Mayotte
- Mexico
- Micronesia
- Moldova
- Monaco
- Mongolia
- Montenegro
- Montserrat
- Morocco
- Mozambique
- Myanmar /Burma
- Namibia
- Nauru
- São Tomé and Príncipe
- Saudi Arabia
- Senegal
- Serbia
- Seychelles
- Sierra Leone
- Singapore
- Sint Maarten
- Slovakia
- Slovenia
- Solomon Islands
- Somalia
- South Africa
- South Georgia and the South Sandwich Islands
- South Korea
- South Sudan
- Spain
- Sri Lanka
- Sudan
- Suriname
- Svalbard and Jan Mayen
- Sweden
- Switzerland

- Bosnia and Herzegovina
- Botswana
- Bouvet Island
- Brazil
- British Indian Ocean Territory
- British Virgin Islands
- Brunei
- Bulgaria

- Burkina Faso
- Burundi

- Cambodia

- Cameroon

- Canada
- Cape Verde
- Cayman Islands

- Central African Republic
- Chad
- Chile
- China

- Christmas Island
- Clipperton

- Guam
- Guatemala
- Guernsey
- Guinea
- Guinea-Bissau
- Guyana
- Haiti
- Heard Island and McDonald Islands
- Honduras
- Hong Kong
- Hungary
- Iceland
- India
- Indonesia
- Iran
- Iraq
- Ireland
- Isle of Man
- Israel
- Italy
- Jamaica

- Nepal
- Netherlands
- New Caledonia
- New Zealand
- Nicaragua
- Niger
- Nigeria
- Niue

- Norfolk Island
- Northern Mariana Islands
- North Korea
- North Macedonia
- Norway
- Oman
- Pakistan
- Palau
- Palestine
- Panama
- Papua New Guinea
- Paraguay
- Peru

- Syria
- Taiwan
- Tajikistan
- Tanzania
- Thailand
- The Gambia
- Timor-Leste
- Togo

- Tokelau
- Tonga
- Trinidad and Tobago
- Tunisia
- Turkey
- Turkmenistan
- Turks and Caicos Islands
- Tuvalu
- Uganda
- Ukraine
- United Arab Emirates
- United Kingdom
- United States

- Cocos (Keeling) Islands
- Colombia
- Comoros
- Congo
- Cook Islands
- Costa Rica
- Côte d'Ivoire
- Croatia
- Cuba
- Curaçao
- Cyprus
- Czechia
- Democratic Republic of the Congo
- Denmark
- Japan
- Jersey
- Jordan
- Kazakhstan
- Kenya
- Kiribati
- Kosovo
- Kuwait
- Kyrgyzstan
- Laos
- Latvia
- Lebanon
- Lesotho
- Liberia
- Philippines
- Pitcairn Islands
- Poland
- Portugal
- Puerto Rico
- Qatar
- Réunion
- Romania
- Russia
- Rwanda
- Saint Barthélemy
- Saint Helena Ascension and Tristan da Cunha
- Saint Kitts and Nevis
- Saint Lucia
- United States Minor Outlying Islands
- Uruguay
- US Virgin Islands
- Uzbekistan
- Vanuatu
- Vatican City
- Venezuela
- Vietnam
- Wallis and Futuna
- Western Sahara
- Yemen
- Zambia
- Zimbabwe

* Publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

Anonymous

Only your type of respondent, country of origin and contribution will be published. All other personal details (name, organisation name and size, transparency register number) will not be published.

Public

Your personal details (name, organisation name and size, transparency register number, country of origin) will be published with your contribution.

I agree with the [personal data protection provisions](#)

I. A New Consumer Agenda

The European Commission intends to propose by the end of 2020 a new European Consumer Agenda setting out the main consumer policy priorities in the EU for the years to come.

This consultation covers both issues emerging in the short term from the impact of the COVID-19 crisis on key EU consumer protection areas and the medium-long term priorities that in the respondents' views should characterise a future EU consumer policy strategy.

The overall aim is to take stock of a number of trends affecting consumer markets and the related challenges. Incidents linked to the coronavirus have further highlighted some of these trends, for example the increasing use of online sales channels and the need to ensure safety for consumers in this context.

The economic disruption associated with crisis is affecting households and businesses across the Member States. As measures are being put in place to address the economic and social consequences and relaunch the European economy, the need to provide an effective framework of consumer rights and ensure a level playing field among businesses remains highly relevant, in light of the recently adopted EU recovery plan.

Issues emerging from the impact of Covid-19

* 1 Have you been confronted to any of the issues below? If so, what are in your views the key issues that EU and national consumer policies should be better prepared to respond to?

- Online frauds and scams: the COVID-19 crisis showed how rogue traders can take advantage of consumers' fears and use digital means to advertise fake websites, sell products with false health claims, or use pressure selling to obtain excessive prices
- Breaches of product safety rules in online trading
- Increased consumers' financial vulnerability, e.g. need to compensate loss of income by new debt leading to over-indebtedness, inability to make scheduled payments related to rent or mortgages, consumer credit, loans from family or friends, or utility or telephone bills
- Lack of insufficient respect for civil liberties, privacy or EU data protection standards in Member States' measures dealing with the pandemic
- I never encountered such issues
- Other

*

2 EU rules give passengers and travellers the right to reimbursement in money for cancelled package travel and transport services. Reimbursement of the full amount of the ticket or package travel price is due within 7 days (air or waterborne), 14 days (bus/coach; package travel) or 1 month (rail). This applies also in case of cancellation due to extraordinary circumstances.

Do you think that in a situation where worldwide travel restrictions have caused almost a standstill of travel, such as during the Covid-19 pandemic, specific rules should apply, such as longer reimbursement deadlines or reimbursement in the form of vouchers?

- No, there is no need for specific rules
- Yes, specific rules should apply for unprecedented situations such as worldwide travel restrictions
- Don't know

* 3 Currently, different deadlines apply for reimbursement for cancelled package travel and transport services. Moreover, insolvency protection exists for package travel, but not for individual transport services (e.g. a flight). Do you consider that the EU rules on passengers' and travellers' rights in the passenger rights Regulations and the Directive on package travel should be more aligned?

- Yes
- No, it is appropriate to have different rules depending on the mode of transport or type of travel
- Don't know

* 4 Consumer rights in cases when services (including accommodation services and sports and cultural events) are cancelled, in situations like the Covid-19 pandemic, are currently regulated at national level (with the exception of, for example, in the fields of passenger rights and package travel). Should the EU harmonise these consumer protection rules for cancellation of services?

- Yes, for all sectors in situations of 'force majeure' (like Covid-19)
- Yes, but only for specific business sectors in situations of 'force majeure'
- Yes, for all sectors for any kind of cancellation of consumer services
- Yes, but only for specific business sectors for any kind of cancellation of consumer services
- No, this should be left to the national level
-

Don't know

Medium-long term priorities for future EU consumer policy strategy

* 5 The New Consumer Agenda aims to put forward a common vision of consumer policy priorities for the Union and the Member States. Which should in your view be the main priorities in the coming years?

at most 3 choice(s)

- Better supporting consumers to adapt to more sustainable and environmentally friendly consumption
- Better supporting consumers to benefit from the increasing digitalisation
- Protecting vulnerable consumers
- More effective enforcement of consumer rights
- Stronger, more rapid and affordable tools to ensure consumers obtain redress when needed
- Co-operation with non-EU countries
- Better alignment between EU consumer policy and Member States' priorities
- Other

* 6 Do you have sufficient trustworthy information and/or supporting tools (such as web sites or mobile apps) to shop with confidence for products and services that are truly better for the environment?

- Yes, I can easily find such information and I often rely on it for green shopping
- No, it is difficult for me to find enough reliable information to chose green products/services
- When I shop, I do not specifically look at the environmental characteristics of the product
- Don't know

* 7 In the digital environment traders can easily reach many consumers at once and with personalised offers. However, consumers are increasingly exposed to many challenges, such as unsafe products or unfair commercial practices online. How could one best ensure that consumers have the same protection online and offline?

at most 3 choice(s)

- Clearer identification of sponsored content
- Information on how offers, prices and advertisements are personalised
-

Improved information on consumer rights in European SMEs and industry

- Preventing the exploitation of consumer biases, especially with data-driven practices
- Giving consumers the choice whether or not to receive personalised marketing and sales content
- Giving consumers better control over the use of their data for marketing and sales purposes
- Establishing clear and effective rules across the supply chain related to the safety of products sold online
- Other

* 8 Vulnerable consumers are particularly at risk to suffer from unfair practices.

Which sources of vulnerability do you consider as particularly relevant?

at most 3 choice(s)

- Low income or household purchasing power
- Age
- Place of living
- Social isolation
- Gender
- Personal health situation
- Poor IT literacy
- Poor financial literacy
- Limited Internet access
- Low education level
- Lack of practical knowledge or skills in understanding complex contract conditions and offers
- Other

* 9 If you are sufficiently aware of public enforcement procedures in your country /sector, which are, in your opinion, the main barriers to an effective enforcement of consumer rights (including product safety rules)?

at most 3 choice(s)

- Lack of high-tech tools to support investigation and enforcement
- Lack of sufficient financial and human resources for enforcement authorities
- Limited cooperation between competent authorities at national and EU level
- Limited cooperation between competent authorities in different sectors
-

Limited cooperation between competent authorities and consumer organizations

- Lack of systematic screening of markets and consumers' problems
- Lack of specific legal powers for competent authorities (in the case of product safety, lack of mystery shopping and power of blocking websites)
- Don't know
- Other

* 10 How can the Commission help consumer organisations and other stakeholders be better involved in policy-making and implementation at the EU level?

at most 3 choice(s)

- Capacity-building through targeted training on specific functions (e.g. qualified entities for collective redress [1], bodies participating in external alerts in the framework of the Consumer Protection Cooperation (CPC) Regulation, etc.)
- Capacity-building through more EU funding in the form of action grants
- Capacity-building through better access to participatory e-tools (e.g. sharing information, good practices, etc.)
- Giving them more wide-spread and formal consultative role at the EU level
- Equip them with tools to engage more proactively with the other stakeholders
- Other

III. Consumer Credit Directive

The Consumer Credit Directive (2008/48/EC) aims to foster the single market for consumer credit while ensuring high protection standards for consumers. It has succeeded to harmonise the information that consumers obtain before accepting a credit agreement between EUR 200 and EUR 75.000 and to give them a right to withdraw from such agreement within 14 days. The experience shows however that various credits fall outside the scope of the Directive, that the information requirements are not fully adapt to the ongoing digitisation of this market, and that rules on responsible lending have only been partially effective in practice.

1 Credits below EUR 200 and certain other credits (e.g. loans granted free of interest and with no other charges, some leasing agreements) are outside of the Directive's scope at present [6]. Should the scope be extended to:

- Credits below EUR 200
- Credits above EUR 75 000 for purposes other than the renovation of a residential immovable property
- Loans obtained by individuals from other individuals, through online platforms (peer-to-peer lending)
- All currently exempted credits [7]
- No scope extension needed
- Don't know
- Other

2 The Consumer Credit Directive obliges lenders to provide consumers with standard information at pre-contractual stage [8]. This should help the consumer understand the main features of a credit and make their decisions in full knowledge of the facts. How would you improve the information to consumers, particularly in the online environment, to ensure that they get the right information at the right time?

a) In which format would it be most useful to obtain pre-contractual information?

at most 2 choice(s)

- Provide information in a standardised format ("Standard European Consumer Credit Information")
- Provide simplified information focusing only on key features of the offer
- Present credit offers by way of a comparison table
- Information provided online should be adapted to the size of the screen

b) At which moment of the transaction should pre-contractual information be provided?

at most 2 choice(s)

- At least five days before contract signature
- At least one day before contract signature
- At least one hour before the contract signature
- Together with the other Terms and Conditions, right before signing the contract

c) What key features do you consider should be prominently displayed to the consumer at the pre-contractual stage?

200 character(s) maximum

3 In order to enable consumers to understand and compare different offers, the Directive specifies information to be included in advertising which includes an interest rate, the total amount of credit, the annual percentage rate of charge [9] and other information relating to the credit. How should the provision of such information at the advertising stage be improved on different channels?

Select most relevant choice(s)

	The amount of information should be reduced (e.g. focus on annual percentage rate of charge)	The information should be given particular prominence (e.g. engaging, salient and upfront display)	The information should be accompanied by warning messages on the implications of the credit decision (e.g. "borrowing money also costs money")
Print media	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Online	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Radio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4 The Directive aims at encouraging responsible lending practices [10], for instance by obliging providers to assess whether the consumer is likely to be able to repay the credit ("creditworthiness assessment") prior to concluding the credit agreement. This is key to avoid default and over-indebtedness. How could the present rules on responsible lending/borrowing be further improved?

at most 3 choice(s)

Introduce binding principles on responsible lending such as an obligation to take into account target consumers' interests, objectives and characteristics when designing credit products

- Introduce measures to prevent excessive cost of credit through caps on interest rates
- Ban unsolicited credit offers
- Introduce further measures to protect consumers in case of unsolicited credit offers for instance by introducing a reminder of the existing right of withdrawal
- Prevent online credit purchasing without enough time for reflection (e.g. credit obtained "in one-click")
- Harmonise the creditworthiness assessment process across Member States
- Prohibit the provision of credit in case of negative creditworthiness assessment
- Attach conditions to the provision of credit to consumers with negative creditworthiness assessment, e.g. obligation to provide debt advice or allow grace periods for late repayments
- Ban the mandatory purchase of additional products, such as payment protection insurance, as a precondition to a credit agreement conclusion ("tying")
- Credit providers to promote financial education measures
- There is no need to introduce further measures
- Don't know
- Other

Please specify

150 character(s) maximum

CWAs should be based on all relevant and necessary data for each credit application that could influence a consumer's ability and propensity to repay.

5 The Directive obliges lenders to assess the ability of consumers to repay their credit (creditworthiness assessment), where necessary on the basis of data from credit database. The rules on creditworthiness assessment and on access to credit databases giving information on consumers' credit history vary across Member States. Should the EU introduce common standards to guarantee a high and even level of consumer protection, as well as to help providers accessing new opportunities in other Member States and alleviating regulatory burden for them?

at most 2 choice(s)

- Yes, EU law should provide for common standards on data/methodology for creditworthiness assessments
- Yes, EU law should provide for common standards on the categories of data collected by credit databases for creditworthiness assessment purposes and on their exchange across Member States
- No, rules at EU level should not be changed neither for creditworthiness assessment nor for credit databases
- Don't know
- Other

Please specify

150 character(s) maximum

Mandate the use of all relevant and necessary data for each CWA. Reinforce consultation of external databases for information and validation purposes.

6 What measures could be considered to safeguard the interests of both lenders and borrowers in situations of exceptional and systemic economic disruption, such as the one caused by the Covid-19 epidemic?

at most 2 choice(s)

- Provide specific rules allowing Member States to enact payment moratoria measures while establishing a minimum level of consumer protection for those cases
- Adoption by Member States of measures encouraging creditors to exercise reasonable forbearance (e.g. temporarily postpone capital and/or interest payments of a loan) when a borrower is experiencing or is likely to experience financial difficulty
- Use flexibility embedded in the prudential framework for banks to facilitate lending to support consumers and businesses in the crisis period
- Introduce new obligations for Member States to strengthen services to support (e.g. through debt advice) over-indebted consumers struggling to repay their debt in the crisis or at risk of poverty
- Introduce new obligations for creditors to provide education and awareness on debt management for consumers in financial difficulties
- No action at EU level is needed
- Other

Please specify

150 character(s) maximum

Ensure creditors continue reporting data with the necessary safeguards to minimize / eliminate effects on the data subject's credit history and score