

Consumer protection: cross-border infringements, administrative and legal cooperation (Regulation on consumer protection cooperation)

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The Council held a policy debate based on an Italian Presidency questionnaire on the proposal for a Regulation on cooperation between national authorities responsible for the enforcement of consumer protection laws and took note of the comments of the delegations and the Commission. The work on this proposal will continue at technical level, on the basis of the contributions made by Member States as well as the outcome of the European Parliament's first reading. Concerning the scope of the proposal, a large majority of delegations supported a restricted scope, limited to cross-border infringements of Community legislation protecting consumers' interests. The Commission's proposal limits the scope of the Regulation to cross-border infringements only as regards the provisions on mutual assistance, while the remaining provisions would also cover domestic infringements. In particular, Member States would regularly have to notify and report to the Commission on both cross-border and domestic consumer complaints and infringement. Regarding the tools suggested by the proposal, several delegations favoured the use of the current system of co-operation between Member States and the existing European networks to protect the consumers' interest, in accordance with the principles of subsidiarity and proportionality. These delegations indicated their fears of a bureaucratic system, with extra-administrative financial costs. Other delegations supported the Commission's view of a framework for mutual assistance and a network of enforcement authorities in each Member State, in particular in view of the development of new marketing techniques and technologies. Furthermore, several delegations stressed their concerns regarding potential interference between national judiciary systems and the European network as proposed by the Commission. Commissioner BYRNE took due note of the comments and concerns expressed by the delegations and stressed that the current proposal would create a dynamic economic climate by restoring consumer confidence.?