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NOTE

From: European Commission
To: Council

Subject: Implementation of the new Consumer Protection Cooperation (CPC)
Regulation
- Any other business item - Information from the Commission

Delegations will find attached a note from the Commission to the Council with a view to the meeting of the Competitiveness Council on 28 November 2019.

Implementation of the new Consumer Protection Cooperation (CPC) Regulation

- Information from the Commission -

1. Context of the new CPC Regulation

In the framework of the consumer protection network of national enforcement authorities (the so-called CPC network, led by the Commission¹), national authorities are jointly detecting and addressing intra-Union and widespread breaches of EU consumer rights to improve the everyday lives of millions of European consumers. For example, as a result of the recent actions of the network, Airbnb made its prices more transparent, and Facebook and Twitter changed their terms and clarified how they use personal data to sell targeted ads.

This cooperation framework was modernised and the new CPC Regulation² will be applicable across the EU from 17 January 2020. It further strengthens the CPC cooperation mechanism, in particular to effectively fight illegal online commercial practices. It also equips authorities with the minimum investigation and enforcement powers necessary to achieve an equally high level of enforcement in all Member States.

Its scope covers all key EU consumer laws (27 EU legal acts in total), and it is an important tool to enforce new EU digital laws, such as on geo-blocking or on digital content portability. The Regulation also strengthens the role of the Commission, as it will be able to prompt coordinated investigations and enforcement in the event of Union-wide infringements.

¹ Under the current Regulation (EC) 2006/2004, which will be replaced by Regulation (EU) 2017/2394.

² Regulation (EU) 2017/2394

2. Implementation of the new CPC Regulation

The successful and timely implementation of the new CPC Regulation is key to ensuring that the CPC network can deliver results. Over the last two years, the Commission has been working together with Member States and stakeholders to make this system fully operational from day one of its application. In particular, the Commission has:

- put in place an e-enforcement academy which mobilises EUR 1.75 million for the training of national consumer protection and consumer-product safety authorities, in order to strengthen the digital investigation and enforcement capacities of national authorities.
- supported Member States by providing capacity-building activities, such as workshops relating to the implementation of the new powers, the new cooperation mechanisms or the new legislative areas covered.
- organised several country visits to prepare for the new CPC framework and to discuss implementation issues directly with authorities and Ministries in charge.
- worked on an improved IT system which will serve as the basis for cooperation procedures under the new CPC Regulation; this database will be implemented via the Internal Market Information System.

The Commission is closely monitoring the state of play of the practical implementation of the new CPC Regulation across the EU. While preparations for the entry into application of the new Regulation appear generally on track, certain difficulties have been identified in some areas of the implementation.

The Commission would like to use the opportunity of the AOB point to present the latest state of play of the implementation of the new CPC Regulation, and to reiterate the importance of an adequate and timely implementation. The Commission will also convey its commitment to continue supporting Member States in their implementation efforts.