



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 7 June 2012**

---

**Interinstitutional File:  
2011/0340 (COD)**

---

**10580/1/12  
REV 1**

**CONSUM 83  
MI 388  
CADREFIN 272  
CODEC 1479**

**"A" ITEM NOTE**

---

from: Permanent Representatives Committee (Part 1)  
to: Council

---

No. Cion prop.: 16795/11 CONSUM 176 MI 561 CADREFIN 127 CODEC 2001  
No. prev. doc.: DS 10037/12 CONSUM 75 MI 342 CADREFIN 265 CODEC 1333

---

Subject: Proposal for a Regulation of the European Parliament and of the Council on a consumer programme 2014-2020  
- *Partial general approach*

---

1. On 9 November 2011, the Commission adopted the proposal for a Regulation of the European Parliament and of the Council on a consumer programme 2014-2020. The objective of the programme is, through a high level of consumer protection, to contribute to growth by empowering citizens to play a full role in the single market.

This general objective shall be pursued through four specific objectives (on safety(1), information and education (2), rights and redress (3) and enforcement (4)) and actions detailed in the proposal.

2. The Communication 'A budget for Europe 2020'<sup>1</sup> of 29 June 2011 allocated EUR 175 millions (in constant 2011 prices) to the consumer programme for the period 2014-2020.

---

<sup>1</sup> COM(2011)500

This proposal aims at establishing a consumer programme for 2014-2020, as a successor to the 2007-2013 Programme of Community Action in the field of consumer policy.

3. The Economic and Social Committee issued its opinion<sup>2</sup> on 28 March 2012.
4. The Committee of the Regions issued its opinion<sup>3</sup> on 4 May 2012.
5. The IMCO committee of the European Parliament held some exchanges of views on the proposal. The vote on the draft report by IMCO is scheduled for 20 June 2012, in view of adopting a first reading Opinion by the plenary later this autumn.
6. The proposal was discussed by the Working Party on Consumer Protection and Information on 9 February 2012.
7. The Presidency prepared a compromise text with footnotes and sent it on 23 April to delegations inviting them to indicate by 4 May whether they could accept it and be able to withdraw their footnotes.
8. Following this procedure, the Presidency updated the footnotes and modified Article 14 on the protection of the financial interests of the Union, as in other Multi-Financial Framework (MFF) proposals. At the COREPER on 25 May 2012, several delegations withdrew their footnotes and the Presidency confirmed its intention to reach a partial general approach on this programme. The amount of the financial envelope for the implementation of the programme (EUR 197 millions in current prices) is not discussed at the present stage as the decision will be taken at MFF level.
9. At the COREPER of 6 June 2012, FR and UK maintained a Parliamentary scrutiny reservation on the text.
10. COREPER recommends to the Council to agree, as an "A" item of its agenda, on this partial general approach.

---

<sup>2</sup> INT/608.

<sup>3</sup> NAT-V-017.

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on a consumer programme 2014-2020**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 169 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Having regard to the opinion of the European Economic and Social Committee<sup>4</sup>,

Having regard to the opinion of the Committee of the Regions<sup>5</sup>,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) The Communication from the Commission 'Europe 2020 – A strategy for smart, sustainable and inclusive growth'<sup>6</sup> calls for citizens to be empowered to play a full part in the single market, which requires strengthening their ability and confidence to buy goods and services cross-border, in particular on-line.
- (2) The Union contributes to ensuring a high level of consumer protection and to putting consumers at the centre of the internal market by supporting and complementing Member States' policies in seeking to ensure that citizens can fully reap the benefits of the internal market and that in so doing, their safety, legal and economic interests are properly protected by means of concrete actions.

---

<sup>4</sup> OJ C , , p. .

<sup>5</sup> OJ C , , p. .

<sup>6</sup> COM(2010) 2020 final of 3 March 2010

- (3) This Regulation takes into account the economic, social and technical environment and the concomitant emerging challenges. In particular, actions funded under this programme will seek to address issues linked to globalisation, digitalisation, the need to move towards more sustainable patterns of consumption, population ageing, social exclusion and the issue of vulnerable consumers. Integrating consumer interests into all Union policies, in accordance with Article 12 TFEU, should be given high priority. Coordination with other Union policies and programmes is a key part of ensuring that consumer interests are taken fully into account in other policies. In order to promote synergies and avoid duplication, other Union funds and programmes should provide for financial support for the integration of consumer interests in their respective fields.
- (4) These actions should be laid down in a consumer programme for the period 2014 – 2020 (hereinafter 'the Programme'), providing a framework for funding Union actions. In accordance with Article 49 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities<sup>7</sup>, this Regulation is to provide the legal basis for the action and for the implementation of the Programme. This Regulation builds on and continues the actions funded under Decision No 1926/2006/EC of the European Parliament and of the Council of 18 December 2006 establishing a programme of Community action in the field of consumer policy (2007-2013)<sup>8</sup>.
- (5) It is important to improve consumer protection. To achieve this general objective, specific objectives should be set as regards safety, consumer information and education, rights and redress as well as enforcement in respect of consumer rights. The value and impact of the measures taken under the Programme should regularly be monitored and evaluated. For the purposes of evaluating consumer policy, indicators should be developed, the value of which should however be considered in a wider context.
- (6) It is necessary to provide for the eligible actions by which those objectives are to be achieved.
- (7) It is necessary to define the categories of potential beneficiaries eligible for grants.

---

<sup>7</sup> OJ L 248, 16.9.2002, p. 1

<sup>8</sup> OJ L 404, 30.12.2006, p. 39

- (8) The Programme should be for a period of seven years to align its duration with that of the multiannual financial framework laid down in Article 1 of the Council Regulation laying down the multiannual financial framework for the year 2014-2020.
- (9) This Regulation should lay down, for the entire duration of the Programme, a financial envelope constituting the principle reference, within the meaning of point [17] of the Interinstitutional Agreement of XX/YY/201Y between the European Parliament, the Council and the Commission on cooperation in budgetary matters and on budgetary discipline and sound financial management<sup>9</sup>, for the budgetary authority during the annual budgetary procedure.
- (10) The Agreement on the European Economic Area (hereinafter referred to as 'the EEA Agreement') provides for cooperation in the field of consumer protection between the European Union and its Member States, on the one hand, and the countries of the European Free Trade Association participating in the European Economic Area (hereinafter referred to as 'the EFTA/EEA countries'), on the other. Provision should also be made to open the Programme to participation by other countries, in particular the neighbouring countries of the European Union and countries which are applying for, are candidates for or are acceding to, membership of the European Union.
- (11) In the context of the implementation of the Programme, where appropriate, cooperation with third countries not participating in the Programme should be encouraged, taking into account any relevant agreements between those countries and the Union.
- (12) In order to amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of the adaptation of the indicators set out in Annex II. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

---

<sup>9</sup> OJ L..., ....., p.....

- (13) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in respect of the adoption of annual work programmes. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers<sup>10</sup>. Given that the Programme does not set out criteria for the safety of products but aims at providing financial support to tools for the implementation of product safety policy, and given the relatively small amount concerned, it is appropriate that the advisory procedure applies.
- (14) It is appropriate to ensure a transition between the programme of community action in the field of consumer policy (2007-2013) and this Programme, in particular regarding the continuation of multi-annual measures and the evaluation of the previous programme's successes and areas that need more attention. As of 1 January 2021, the technical and administrative assistance appropriations should cover, if necessary, the expenditure related to the management of actions not completed by the end of 2020.
- (15) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States due to the cross-border nature of the issues involved, and can therefore by reason of the greater potential of Union action be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on the European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
- (16) Decision No 1926/2006/EC of the European Parliament and of the Council of 18 December 2006 establishing a programme of Community action in the field of consumer policy (2007-2013) should accordingly be repealed,

---

<sup>10</sup> OJ L 55, 28.02.2011, p. 13

- (17) The financial interests of the Union should be protected through proportionate measures throughout the expenditure cycle, including the prevention, detection and investigation of irregularities, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, administrative and financial penalties in accordance with Regulation (EU) No XXXX/2012 of the European Parliament and of the Council on the financial rules applicable to the annual budget of the Union.<sup>11</sup>

HAVE ADOPTED THIS REGULATION:

*Article 1*  
*Establishment*

This Regulation establishes a multiannual consumer programme for the period from 1 January 2014 to 31 December 2020, hereinafter 'the Programme'.

*Article 2*  
*General objective*

The aim of the Programme is to ensure a high level of consumer protection, to empower consumers and to place the consumer in the heart of the internal market. The Programme will do so by contributing to protecting the health, safety, legal and economic interests of consumers, as well as to promoting their right to information, education and to organise themselves in order to safeguard their interests, supporting the integration of such consumer interests into other policy areas. The Programme will complement, support and monitor the policies of Member States.

---

<sup>11</sup> OJ C ..., ..., p. ....

### *Article 3*

#### *Specific objectives and indicators*

1. The general objective referred to in Article 2 shall be pursued through the following specific objectives:

(a) Objective 1 - safety: to consolidate and enhance product safety through effective market surveillance throughout the Union.

This objective will be measured in particular through the activity of the EU rapid alert system for dangerous consumer products (RAPEX).

(b) Objective 2 - information and education: to improve consumers' education, information and awareness of their rights to develop the evidence base for consumer policy and to provide support to consumer organisations, also taking into account the specific needs of young, elderly and vulnerable consumers.

(c) Objective 3 - rights and redress: to consolidate consumer rights in particular through regulatory action and improving access to redress including alternative dispute resolution.

This objective will be measured in particular through the recourse to alternative dispute resolution to solve cross-border disputes and through the activity of a Union-wide on-line dispute resolution system.

(d) Objective 4 - enforcement: to support enforcement of consumer rights by strengthening cooperation between national enforcement bodies and by supporting consumers with advice.

This objective will be measured in particular through the level of information flow and cooperation within the Consumer Protection Cooperation Network and the activity of the European Consumer Centres.



2. The description of the indicators is provided in Annex II.
3. The Commission shall be empowered to adopt delegated acts in accordance with Article 15 to adapt the indicators set out in Annex II.

*Article 4*

*Eligible actions*

The specific objectives referred to in Article 3 shall be achieved by means of the actions set out in the following list and in accordance with the priorities set out in the annual work programmes referred to in Article 12:

- (a) under objective 1 - safety:
  - (1) scientific advice and risk analysis relevant to consumer health and safety regarding non-food products and services including support for the tasks of the independent scientific committees established by Commission Decision No 2008/721/EC setting up an advisory structure of Scientific Committees and experts in the field of consumer safety, public health and the environment<sup>12</sup>;
  - (2) coordination of market surveillance and enforcement actions on product safety with regard to Directive No 2001/95/EC of the European Parliament and of the Council on general product safety<sup>13</sup>, and actions to improve consumer services safety;
  - (3) maintenance and further development of databases on cosmetics;

---

<sup>12</sup> OJ L 241, 10.09.2008, p. 21

<sup>13</sup> OJ L 11, 15.01.2002, p. 4

- (b) under objective 2 – information and education:
  - (4) building the evidence base for policy-making in areas affecting consumers;
  - (5) support to consumer organisations;
  - (6) enhancing the transparency of consumer markets and consumer information;
  - (7) enhancing consumer education;
- (c) under objective 3 – rights and redress:
  - (8) preparation by the Commission of consumer protection legislation and other regulatory initiatives, monitoring the transposition by Member States and the subsequent evaluation of its impact, and the promotion of co-regulatory and self-regulatory initiatives;
  - (9) facilitating access to and monitoring of the functioning and the effectiveness of dispute resolution mechanisms for consumers, in particular of alternative dispute resolution schemes, including on-line, also through the development and maintenance of relevant IT tools;
- (d) under objective 4 – enforcement:
  - (10) coordination of surveillance and enforcement actions with regard to Regulation (EC) No 2006/2004 of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protections laws<sup>14</sup>;
  - (11) financial contributions for joint actions with public or non-profit bodies constituting Union networks which provide information and assistance to consumers to help them exercise their rights and obtain access to appropriate dispute resolution, including out of court online resolution schemes (the European Consumer Centres Network).

A more detailed description of the content that those actions may have is included in Annex I.

---

<sup>14</sup> OJ L 364, 09.12.2004, p.1

*Article 5*  
*Beneficiaries eligible for grants*

1. Grants for the functioning of consumer organisations at Union level may be awarded to European consumer organisations which comply with all of the following conditions:
  - (a) they are non-governmental, non-profit-making, independent of industry, commercial and business or other conflicting interests, and have as their primary objectives and activities the promotion and protection of the health, safety, economic and legal interests of consumers in the Union;
  - (b) they are mandated to represent the interests of consumers at Union level by organisations in at least half of the Member States that are representative, in accordance with national rules or practice, of consumers, and that are active at regional or national level.
  
2. Grants for the functioning of international bodies promoting principles and policies which contribute to the objectives of the Programme may be awarded to organisations which comply with all of the following conditions:
  - (a) they are non-governmental, non-profit-making, independent of industry, commercial and business or other conflicting interests, and have as their primary objectives and activities the promotion and protection of the health, safety, economic and legal interests of consumers;
  - (b) they carry out all of the following activities: provide for a formal mechanism for consumer representatives from the Union and third countries to contribute to political discussions and policies, organise meetings with policy officials and regulators to promote and advocate consumer interests with public authorities, identify common consumers issues and challenges, promote consumer views in the context of bilateral relations between the Union and third countries, □ contribute to the exchange and dissemination of expertise and knowledge on consumer issues in the Union and third countries, □□ and produce policy recommendations.

3. Grants for the functioning of Union-level bodies established for the coordination of enforcement actions in the field of product safety may be awarded to bodies recognised for this purpose by Union legislation.
4. Grants for action to Union-wide bodies for the development of codes of conduct, best practices and guidelines for price, products quality and sustainability comparison may be awarded to bodies which comply with all of the following conditions:
  - (a) they are non-governmental, non profit-making, independent of industry, commercial and business and other conflicting interests, and have amongst their primary objectives and activities the promotion and protection of consumer interests;
  - (b) they are active in at least half of the Member States.
5. Grants for action to Member States' authorities responsible for consumer affairs and to corresponding authorities of third countries may be awarded to authorities notified to the Commission in accordance with Regulation (EC) No 2006/2004 or Directive 2001/95/EC by a Member State or by a third country referred to in Article 7 of this Regulation.
6. Grants to enforcement officials from Member States and third countries may be awarded to officials from authorities notified to the European Commission for the purposes of Regulation (EC) No 2006/2004 and of Directive 2001/95/EC by a Member State or by a third country referred to in Article 7 of this Regulation.
7. Grants for action may be awarded to a public body or a non-profit-making body selected through a transparent procedure and designated by a Member State or a third country referred to in Article 7 of this Regulation. The designated body shall be part of an Union network which provides information and assistance to consumers to help them exercise their rights and obtain access to appropriate dispute resolution (the European Consumer Centres Network).

8. Grants for action may be awarded to complaint handling bodies established and operating in the Union and in countries of the European Free Trade Associations participating in the European Economic Area, which are responsible for collecting consumer complaints, or attempting to resolve complaints, or giving advice, or providing information to consumers about complaints or enquiries, and which are a third party to a complaint or enquiry by a consumer about a trader. They do not include consumer complaint handling mechanisms operated by traders and dealing with enquiries and complaints directly with the consumer or mechanisms providing complaint handling services operated by or on behalf of a trader.

*Article 6*

*Financial framework*

The financial envelope for the implementation of the Programme shall be EUR [197,000,000] in current prices.

*Article 7*

*Participation of third countries in the Programme*

Participation in the Programme shall be open to the participation of:

- (a) the countries of the European Free Trade Associations participating in the European Economic Area, in accordance with the conditions established in the Agreement on the European Economic Area;
- (b) third countries, in particular acceding and candidate countries as well as potential candidates, and countries to which the European Neighbourhood Policy applies, in accordance with the general principles and general terms and conditions for their participation in Union programmes established in the respective Framework Agreements, Association Council Decisions or similar agreements.

## *Article 8*

### *Types of intervention and maximum level of co-financing*

1. In accordance with Regulation (EC, Euratom) No 1605/2002, financial contributions by the Union may take the form of either grants or public procurement or any other interventions needed to achieve the objectives referred to in Articles 2 and 3.
2. The grants by the Union and their corresponding maximum levels shall be as follows:
  - (a) grants for the functioning of consumer organisations at Union level, as defined in Article 5(1), not exceeding 50% of the eligible costs;
  - (b) grants for the functioning of international bodies promoting principles and policies which contribute to the objectives of the Programme, as defined in Article 5(2), not exceeding 50% of the eligible costs;
  - (c) grants for the functioning of Union level bodies established for the coordination of enforcement actions in the field of product safety and recognised for this purpose by Union legislation, as defined in Article 5(3), not exceeding 95% of the eligible costs;
  - (d) grants for action to Union-wide bodies for the development of codes of conduct, best practices, guidelines for price, products quality and sustainability comparison, as defined in Article 5(4), not exceeding 50% of the eligible costs;
  - (e) grants for action to Member States authorities responsible for consumer affairs and to the corresponding authorities in third countries participating pursuant to Article 7, as defined in Article 5(5), not exceeding 50% of the eligible costs, except in the case of actions of exceptional utility as defined in the annual work programmes, in which case the contribution by the Union to the costs shall not exceed 70%;
  - (f) grants for the exchange of enforcement officials from Member States and third countries participating pursuant to Article 7, as defined in Article 5(6), covering travelling and subsistence allowances;

- (g) grants for action to bodies designated by Member States authorities responsible for consumer affairs and by the equivalent authorities in third countries participating pursuant to Article 7, as defined in Article 5(7), not exceeding 70% of the eligible costs;
- (h) grants for action to national consumer complaint bodies, as defined in Article 5(8), not exceeding 50% of the eligible costs.

#### *Article 9*

##### *Administrative and technical assistance*

The financial allocation for the Programme may also cover expenses pertaining to preparatory, monitoring, control, audit and evaluation activities which are required for the management of the programme and the achievement of its objectives; in particular, studies, meetings of experts, information and communication actions, including corporate communication of the political priorities of the Union as far as they are related to the general objectives of this Regulation, expenses linked to IT networks focusing on information processing and exchange, together with all other technical and administrative assistance expenses incurred by the Commission for the management of the Programme.

#### *Article 10*

##### *Methods of implementation*

The Commission shall implement the Programme by means of the management modes referred to in Article 53 of Regulation (EC, Euratom) No 1605/2002.

#### *Article 11*

##### *Consistency and complementarity with other policies*

The Commission shall, in cooperation with the Member States, ensure overall consistency and complementarity between the Programme and other relevant Union policies, instruments and actions.

*Article 12*  
*Annual work programmes*

The Commission shall implement the Programme by adopting annual work programmes in the form of implementing acts setting out the elements provided for in Regulation (EC, Euratom) No 1605/2002 and in particular:

- (a) the implementation priorities and the actions to be undertaken, including the allocation of financial resources;
- (b) the essential selection and award criteria to be used to select the proposals receiving financial contributions;
- (c) the time schedule of the planned calls for tenders and calls for proposals;
- (d) where appropriate, the authorisation to use lump sums, standard scales of unit costs or flat-rate financing in line with Regulation (EC, Euratom) No 1605/2002;
- (e) the criteria for assessing whether or not exceptional utility applies.

Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 16.



*Article 13*

*Evaluation and dissemination of results*

1. At the request of the Commission, Member States shall submit to it information on the implementation and impact of the Programme.
2. No later than mid-2018, an evaluation report shall be established by the Commission on the achievement of the objectives of all the measures (at the level of results and impacts), the efficiency of the use of resources and its European added value, in view of a decision on the renewal, modification or suspension of the measures. The evaluation shall additionally address the scope for simplification, its internal and external coherence, the continued relevance of all objectives, as well as the contribution of the measures to the Union priorities of smart, sustainable and inclusive growth. It shall take into account evaluation results on the long-term impact of the predecessor programme.

The longer-term impacts and the sustainability of effects of the Programme should be evaluated with a view to feeding into a decision on a possible renewal, modification or suspension of a subsequent programme.

3. The Commission shall make the results of actions undertaken pursuant to this Regulation publicly available.

## *Article 14*

### *Protection of the financial interests of the Union*

1. The Commission shall take appropriate measures ensuring that, when actions financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportionate and dissuasive administrative and financial penalties.
2. The Commission or its representatives and the Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds under this Regulation.
3. The European Anti-Fraud Office (OLAF) may carry out investigations, including on-the-spot checks and inspections in accordance with the provisions and procedures laid down in Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF)<sup>15</sup> and Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities<sup>16</sup> with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant agreement or grant decision or a contract funded under this Regulation.

---

<sup>15</sup> OJ L 136, 31.5.1999, p. 1.

<sup>16</sup> OJ L 292, 15.11.1996, p. 2.

4. Without prejudice to paragraphs 1, 2 and 3, cooperation agreements with third countries and with international organisations, contracts, grant agreements and grant decisions, resulting from the implementation of this Regulation shall contain provisions expressly empowering the Commission, the Court of Auditors and OLAF to conduct such audits and investigations, according to their respective competences.

#### *Article 15*

#### *Exercise of delegation*

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The delegation of power referred to in Article 3 shall be conferred on the Commission for the period of the Programme 2014-2020.
3. The delegation of power referred to in Article 3 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
5. A delegated act adopted pursuant to Article 3 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

*Article 16*  
*Committee procedure*

1. The Commission shall be assisted by a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

*Article 17*  
*Transitional measures*

1. Article 6 of Decision No 1926/2006/EC shall continue to apply to actions covered by that Decision which have not been completed by 31 December 2013. Therefore, financial allocation for the Programme may also cover technical and administrative assistance expenses necessary to ensure the transition between the measures adopted under Decision No 1926/2006/EC and the Programme.
2. If necessary, appropriations may be entered in the budget beyond 2020 to cover expenses provided for in Article 9, to enable the management of actions not completed by 31 December 2020.

*Article 18*  
*Repeal*

Decision No 1926/2006/EC is repealed with effect from 1 January 2014.

*Article 19*

*Entry into force and date of application*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2014.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

ANNEX I – Types of actions

**Objective I - Safety: to consolidate and enhance product safety through effective market surveillance throughout the Union**

**1. Scientific advice and risk analysis relevant to consumer health and safety regarding non-food products and services**

including support for the tasks of the independent scientific committees established by Commission Decision No 2008/721/EC setting up an advisory structure of Scientific Committees and experts in the field of consumer safety, public health and the environment.<sup>17</sup>

**2. Coordination of market surveillance and enforcement actions on product safety with regard to Directive 2001/95/EC of the European Parliament and of the Council on general product safety, and actions to improve consumer services safety**

- (a) development and maintenance of IT tools (e.g. databases, information and communication systems);
- (b) organisation of seminars, conferences, workshops and meetings of stakeholders and experts on risks and enforcement in the area of product safety;
- (c) exchanges of enforcement officials and training;
- (d) specific joint cooperation actions in the area of the safety of non-food consumer products and services, under Directive 2001/95/EC;
- (e) monitoring and assessment of the safety of non-food products and services, including the knowledge base for further standards or the establishment of other safety benchmarks;

---

<sup>17</sup> OJ L 241, 10.9.2008, p. 21

- (f) administrative and enforcement cooperation with third countries other than the ones falling under Article 7;
- (g) support to bodies recognised by Union legislation for the coordination of enforcement actions between Member States.

### **3. Maintenance and further development of databases on cosmetics**

- (a) maintenance of the Cosmetic Products notification Portal set up under Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products;<sup>18</sup>
- (b) maintenance of the database on cosmetics ingredients to support the implementation of Regulation (EC) No1223/2009.

**Objective II – Information and education: to improve consumers' education, information and awareness of their rights, to develop the evidence base for consumer policy and to provide support to consumer organisations, also taking into account the specific needs of young, elderly and vulnerable consumers**

### **4. Building the evidence base for policy-making in areas affecting consumers**

that provide an evidence base for the development of consumer policy, for the identification of the areas most problematic for consumers and for the integration of consumer interests into other Union policies, including

- (a) Union-wide studies and analysis on consumers and consumer markets;
- (b) development and maintenance of databases;
- (c) development and analysis of national statistical and other relevant evidence. Collection of national data and indicators on prices, complaints, enforcement, redress, etc. will be developed in collaboration with national stakeholders, taking into account the costs and income levels in Member States.

---

<sup>18</sup> OJ 342, 22.12.2009, p. 59

## **5. Support to consumer organisations**

- (a) financial contributions to the functioning of Union-level consumer organisations representing consumer interests according to the provisions of Article 5(1);
- (b) capacity building for regional, national and European consumer organisations, notably through training and exchange of best practice and expertise for staff members, in particular for consumer organisations in Member States which demonstrate a relatively low level of consumer confidence and awareness as evidenced by monitoring of consumer markets and the consumer environment in the Member States;
- (c) support to international bodies promoting principles and policies which are consistent with the objectives of the Programme.

## **6. Enhancing the transparency of consumer markets and consumer information**

- (a) awareness-raising campaigns on issues affecting consumers, including through joint actions with Member States;
- (b) actions enhancing the transparency of consumers markets with regard to e.g. retail financial products, energy, digital and telecommunications, transport;
- (c) actions increasing consumers' access to relevant information on goods, services and markets;
- (d) actions enhancing consumers' access to information on sustainable consumption of goods and services;
- (e) support to events concerning consumer policy of the Union which are organised by the presidency of the Union on issues in line with established Union policy priorities;



- (f) financial contributions to national complaint bodies to assist with the use of a harmonised methodology for classifying and reporting consumer complaints and enquiries for the collection and reporting of consumer complaints;
- (g) support to Union-wide bodies for the development of codes of conduct, best practices and guidelines for price, product quality and sustainability comparison;
- (h) support for communication on consumer issues, including through support to the media to drive consumer empowerment and enforcement.

## **7. Enhancing consumer education**

- (a) development of an interactive platform for exchange of best practices and consumer education materials directed to key target groups in particular young consumers, in synergy with the European financing programme in education and training;
- (b) development of education measures and materials, inter alia by making use of existing materials at national level and making them available in relevant languages, on e.g. consumer rights including cross-border issues, health and safety, Union consumer legislation, sustainable consumption, financial literacy.

## **Objective III – Rights and redress: to consolidate consumer rights in particular through regulatory action and improving access to redress including alternative dispute resolution**

### **8. Preparation, transposition assessment, monitoring, evaluation, implementation and enforcement by Member States of consumer protection legislative and other regulatory initiatives and the promotion of co-regulatory and self-regulatory initiatives, including**

- (a) studies, ex ante and ex-post evaluations, impact assessments, public consultations, evaluation of existing legislation;
- (b) seminars, conferences, workshops and meetings of stakeholders and experts;

- (c) development and maintenance of easily and publicly accessible databases covering the implementation of Union legislation on consumer protection;
- (d) evaluation of actions undertaken under the Programme.

**9. Facilitating access to and monitoring of the functioning and effectiveness of dispute resolution mechanisms for consumers, in particular of alternative dispute resolution schemes, including on-line, also through the development and maintenance of relevant IT tools**

- (a) development and maintenance of IT tools;
- (b) support for the development of a Union-wide on-line dispute resolution system and its maintenance, including for associated services such as translation.

**Objective IV – Enforcement: to support enforcement of consumer rights by strengthening cooperation between national enforcement bodies and by supporting consumers with advice**

**10. Coordination of surveillance and enforcement actions with regard to Regulation (EC) No 2006/2004 of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws, including**

- (a) development and maintenance of IT tools (e.g. databases, information and communication systems);
- (b) actions to improve cooperation between authorities as well as coordination of monitoring and enforcement such as exchanges of enforcement officials, common activities, trainings for enforcement officials and for members of the judiciary;
- (c) organisation of seminars, conferences, workshops and meetings of stakeholders and experts on enforcement;
- (d) administrative and enforcement cooperation with third countries which are not participating in the Programme.

**11. Financial contributions for joint actions with public or non-profit bodies constituting Union networks which provide information and assistance to consumers to help them exercise their rights and obtain access to appropriate dispute resolution, including out of court online resolution schemes (the European Consumer Centres Network), also covering**

the development and maintenance of IT tools (e.g. databases, information and communication systems) necessary for the proper functioning of the European Consumer Centres Network.

This list might be completed with additional actions of similar type and impact pursuing the specific objectives mentioned in Article 3.

**ANNEX II**

**Indicators according to Article 3 of the Consumer Programme**

**Objective 1:** Safety: to consolidate and enhance product safety through effective market surveillance throughout the Union

Indicator	Source	Current situation	Target
% of RAPEX notifications entailing at least one reaction (by other Member States)	RAPEX	43% (843 notifications) in 2010	Increase of 10% in 7 years
Ratio number of reactions / number of notifications (serious risks)*	RAPEX	1.07 in 2010	Increase of 15% in 7 years

*\* a notification can trigger several reactions from authorities from other Member States*

**Objective 2:** Information and education: to improve consumers' education, information and awareness of their rights, to develop the evidence base for consumer policy and to provide support to consumer organisations

Indicator	Source	Current situation	Target
Number of complaint bodies submitting complaints to the ECCRS	ECCRS (European Consumer Complaints Registration system)	na	60% of complaint bodies in 7 years
Trust in cross-border transactions - % of consumers who are equally confident or more confident in making an internet purchase from sellers from another Member State	Consumer Eurobarometer	37% in 2010	50% in 7 years

**Objective 3:** Rights and redress: to consolidate consumer rights in particular through regulatory action and improving access to redress including alternative dispute resolution

Indicator	Source	Current situation	Target
% of cross-border cases referred to ADR by ECCs	Annual ECC report	9% in 2010	50% in 7 years
Number of cases dealt with by an EU-wide on-line dispute resolution system		17.500 (complaints received by ECCs related to e-commerce transactions) in 2010	38.500 (+120%) in 7 years

**Objective 4: Enforcement:** to support enforcement of consumer rights by strengthening cooperation between national enforcement bodies and by supporting consumers with advice

Indicator	Source	Current situation	Target
Level of information flow and cooperation within the CPC Network: - number of requests to exchange information between CPC authorities - number of requests for enforcement measures between CPC authorities - number of alerts within the CPC network	CPC Network Database (CPCS)	annualised averages 2007-2010 129 142 63	- increase of 30% in 7 years - increase of 30% in 7 years - increase of 30% in 7 years
Number of contacts with consumers handled by the European Consumer Centres (ECC)	ECC report	71.000 in 2010	Increase of 50% in 7 years

These indicators might be supplemented by general context and horizontal indicators.

---