

Estonian model of consumer protection on national authorities' level

Helle Aruniit Ph.D
Director General
Consumer Protection Board of Estonia

Different levels in consumer protection

I State Consumer Protection in the form of the Consumer Protection Board (CPB):

- The national authority within the area of government of the Ministry of Economic Affairs and Communications.
- the main task of which is to protect the legitimate rights of consumers and to represent their interests.
- CPB has a regional county offices, which carry out the consumer protection activities at the local level.

©Tarbijakaitseamet

The main functions of the Consumer Protection Board

- To supervise the consumer market
- To inform, advise and educate consumers
- To settle consumer complaints

©Tarbijakaitseamet

Main legislation:

Consumer Protection Act
Law of Obligations Act
Trading Act
Product and Service Safety Act
Advertising Act
Food Act
Chemicals Act
Tourism Act
Etc

©Tarbijakaitseamet

Different levels in consumer protection II

II Non-governmental Consumer Association:

- voluntary associations, with rights to:
 - advise and assist consumers;
 - represent a consumer in court and other state authorities in the settlement of disputes with traders or producers;
 - protect the collective interests of consumers.
- Umbrella organisation Estonian Consumers Union, which incorporates nine regional consumer associations.
- 5 consumer associations, which are not members of the Consumers Union.

©Tarbijakaitseamet

Different levels in consumer protection III

III Consumer protection at Local Government Level:

- Local governments are required to provide advice and assistance to consumers with regard to issues which are connected with services organized by the local governments pursuant to law.
- For example within the Tallinn City Government is established the Price and Consumer Protection Division.

©Tarbijakaitseamet

Protection of collective rights of consumers

According to the Consumer Protection Act:

- § 17 (2) The Consumer Protection Board is competent to demand through county courts that any activities which violate consumer rights be terminated.
- § 41 (1) The Director General of the Consumer Protection Board may issue precepts requiring termination of or refraining from activities harmful to the collective interests of consumers.

©Tarbijakaitseamet

Consumer Protection Board is the host organisation of the European Consumer Centre of Estonia.

- ECC Estonia was created in 2005
- ECC is situated in the same premises with CPB
- Exchange of information and assistance in case handling between ECC and CPB can be provided on daily-bases.

©Tarbijakaitseamet



Consumer Protection Board provides the administrative services (meeting rooms, preparation of documents, recording the minutes, etc) to the Consumer Complaint Committee (CCC).

- CCC operates as an ADR, which settles disputes between consumers and traders.
- CCC is an independent institution and makes decisions independently pursuant to Acts and other legislation.
- The committee consists of a chairman of the committee and members in the form of representatives from business side and consumer's side.
- The legislative basis for the creation of a CCC was established by the renewed Consumer Protection Act in 2004.
- If a party to a dispute does not consent to the decision of the committee or fails to comply with the decision, the parties have the right to file an action with the county court for the same dispute to be heard.

©Tarbijakaitseamet

Co-operation in consumer protection field

Consumer Protection Act § 42¹:

- (1) Cooperation between the competent authorities designated as responsible for enforcement of the legislation protecting the interests of consumers in the Member States of the European Union shall be effected pursuant to the Regulation (EC) No 2006/2004 of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer protection cooperation) (OJ L 364, 09.12.2004, pp. 1–11).
- (2) The Consumer Protection Board shall be the contact authority in the implementation of the Regulation specified in subsection (1) of this section.
- (3) The Minister of Economic Affairs and Communications in co-ordination with the relevant ministers shall designate the competent authorities responsible for the implementation of the Regulation specified in subsection (1) of this section.
- (4) The Minister of Economic Affairs and Communications shall notify the European Commission and other Member States of the competent authorities appointed as responsible for the implementation of the Regulation specified in subsection (1) of this section and a single contact authority.

©Tarbijakaitseamet

Legislative basis for the implementation of Regulation 2006/2004

The following is set by the Consumer Protection Act:

- § 17 The competency of the Consumer Protection Board.
- § 41 Termination of activities harmful to collective interests of consumers.
- § 42 Termination of cross-border activities harmful to collective interests of consumers.
- § 42¹ Co-operation in consumer protection.

©Tarbijakaitseamet

Regulation 2006/2004

Consumer Protection Board is a the **Single
Liaison Office**

Contacts: Kiriku 4 15071 Tallinn
Phone +372 6201 700
E-mail info@consumer.ee

©Tarbijakaitseamet

Competent authorities (under the Regulation 2006/2004)

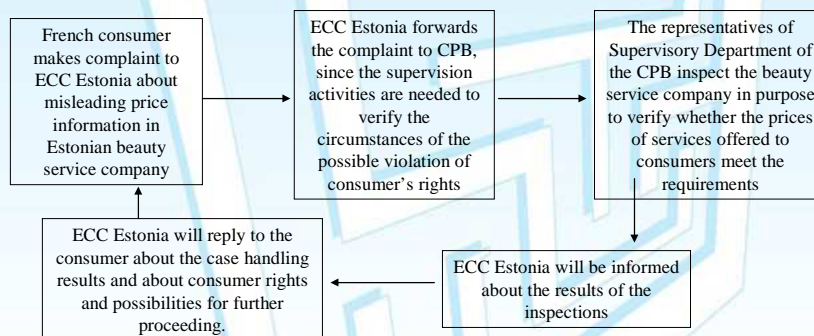
1. Consumer Protection Board (11)
2. Financial Supervision Authority (2)
3. Estonian National Communication Board (1)
4. State Agency of Medicine (1)
5. Estonian Ministry of Culture (1)

©Tarbijakaitseamet

Examples of cooperation:

In some cases the settling of consumer's complaint is beyond of the ECC competence and the assistance of CPB is needed:

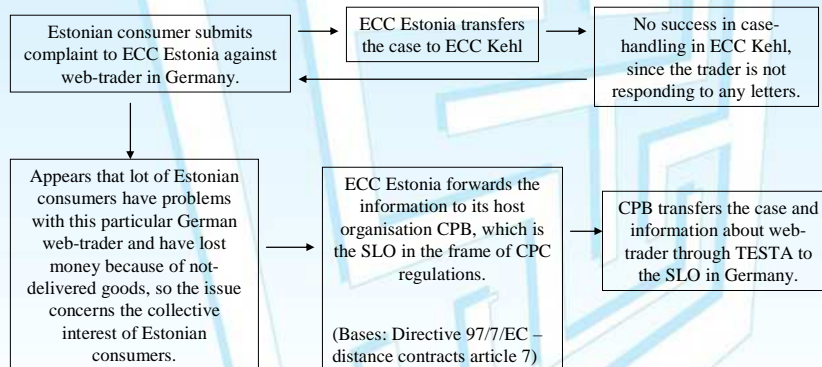
Finnish consumer's case against misleading prices in Estonian beauty salon:



©Tarbijakaitseamet

Examples of cooperation II:

Estonian consumer's complaint against German web trader, which was forwarded to CPB as the SLO (single liaison office) under the CPC regulations:



©Tarbijakaitseamet

Examples of cooperation III:

- **Consumer Protection Council** – the independent advisory body, consisting of representatives of the Consumer Protection Board, the Consumer Protection Union and other consumer associations. The council will be assembled by the Director of the CPB in case of need.

- For example the Council has discussed and publicly spoken about price increase in the field of energy. In this question the Council even made a common public appeal to the Parliament and Government of Estonia.

©Tarbijakaitseamet



Thank you for your attention!