Consumer protection: cooperation between national authorities responsible for the enforcement of consumer protection laws

2011/0001(COD) - 03/01/2011 - Legislative proposal

PURPOSE: to update the contents of the Annex to Regulation (EC) No 2006/2004 on consumer protection cooperation to reflect recent legislative developments in the field of consumer protection.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: Regulation (EC) No 2006/2004 aims to abolish the barriers to cross-border cooperation between public enforcement authorities to detect, investigate and bring about the cessation or prohibition of intra-EU infringements of the laws which protect consumers' interests to ensure the effective functioning of the internal market.

Applicable as of 29th December 2005, the Regulation achieves this aim by creating an enforcement cooperation network between public enforcement authorities and thus increasing consumer confidence in taking up cross-border offers, and preventing sellers and suppliers from evading enforcement to the competitive detriment of law-abiding sellers and suppliers.

The network established by the Regulation monitors and enforces legislation which protects consumers' interests. The legislation which falls into the scope of the network is listed in the Annex referred to in Article 3(a) of the Regulation. The amendment of the Annex will consist of the removal from the Annex of legislation which is not relevant for consumer protection cooperation and the updating of references to old legislation which is no longer in force by references to the current legislation in the field of consumer protection.

IMPACT ASSESSMENT: since the proposed amending Regulation does not have significant economic, social and environmental impacts, an impact assessment is not necessary.

LEGAL BASE: Article 114 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the overall goals of the proposed amending regulation are to ensure that Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws remains efficient and continues to guarantee that there is no discrimination between intra-EU and national transactions as to the effectiveness with which infringements are pursued by the competent national authorities. To achieve these goals, the proposed amending regulation has as its objective to update the contents of the Annex to the Regulation on consumer protection cooperation to reflect recent legislative developments in the field of consumer protection.

The proposal deletes obsolete legislation referred to in the Annex and replaces them with references to legislation currently in force.

BUDGETARY IMPLICATIONS: the proposal has no implication for the EU budget.