

Representative actions for the protection of the collective interests of consumers

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OPINION of the European Data Protection Supervisor (EDPS) on the legislative package ‘A new deal for consumers’.

This opinion sets out the EDPS's position on the legislative package entitled 'A new deal for consumers', which consists of (i) a [proposal for a Directive](#) as regards better enforcement and modernisation of EU consumer protection rules; (ii) the proposal for a Directive on representative actions for the protection of the collective interests of consumers.

While welcoming the new proposal on collective redress, the EDPS considers that ‘the qualified entities’ that will be able to bring the representative actions in this field under the Proposal should be subject to the same conditions as set out in Article 80 General Data Protection Regulation (GDPR).

Along the same lines, the Proposal on collective redress should clarify that the representative actions regarding data protection issues can only be brought before administrative authorities that are the data protection supervisory authority within the meaning of Articles 4(21) and 51 GDPR.

The EDPS considers that the application of two different mechanisms on collective redress, to the GDPR and to the future e-Privacy Regulation, alongside other substantive points of interaction between consumer and data protection, requires more systematic cooperation between the consumer protection and data protection authorities that could be done, for instance, within the already existing voluntary network of the enforcement bodies from competition, consumer and data protection areas — the Digital Clearinghouse.

In this context, the EDPS considers that it is important to further explore the synergies between the data protection and consumer law. It recommends that the cooperation between the consumer protection and data protection authorities should become more systematic wherever specific issues that are of interest for both side arise, in which consumer welfare and data protection concerns appear to be at stake.