

Current issues IN CONSUMER LAW

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Up-to-date information for those interested in consumer policy and trends in consumer law.
Current Issues in CONSUMER LAW]

From the editor

A wish for the New Year: customer-centred business activity to become mainstream

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[From the editor]

A wish for the New Year: customer-centred business activity to become mainstream

In November we organised a seminar where we discussed the contents of customer service and its significance in companies' business activities. In the seminar we heard addresses from two companies where integration of customer services into business activities was carried out successfully. Both representations made it clear that customer service is also economically beneficial.

The recent OECD -conference examined the status of the OECD's E-commerce recommendations and discussed the future needs for development. The conference found good examples of how to stay on the top of the development of the communication community by genuinely investing in customers. In Korea, for example, around 60 percent of companies has put into practise solutions where a customer's age is verified during the purchase. The payment security was also otherwise prominent in the OECD -conference as one of the important factors in increasing the consumers' trust.

At the end of the year I hope that genuinely customer-oriented business activities will become common here in Finland. Bold pioneers have already tested the fact that this idea also works in practice. Initiating a modern business culture requires commitment especially from the company management. It is old-fashioned to think that a successful service business can be created in such a way that an engineer invents, a lawyer creates the contract terms and an advertising agency creates the marketing concept – each separately from one another and far away from the customer.

When evaluating the functionality of consumer rights – which, by the way, showed that the activity is in a very good shape – we wanted more consumer studies. In England, for example, consumers' losses, costs and waste of time have been sorted out several times, when companies have operated regardless of the game rules. The sums are huge. A company which does not respect the consumer also puts a burden on fair competition. In England they are contemplating on developing the consumer rights legislation in such a way that it would secure compensation for the consumer not only when the product has been faulty, but also when marketing, for example, has been aggressive. Emphasising consumer trust is not mere speech. It has a significant importance in the trade volume – also across the borders.

Anja Peltonen
Director

Read more:

Euros earned from market disturbances remain in companies' pockets,

Current issues in consumer law 6/2009

Consumer Focus, Pocket shopping -report 2009

Evaluation of the legal activities of the Consumer Agency, Ministry of Employment and the Economy publications 64/2009 (pdf -file, 640 KB, 111 pages, Abstract in English)

The Consumer Agency's legal activities rated efficient

According to the study made by the National Research Institute of Legal Policy, the Consumer Agency monitors the implementation of consumer protection efficiently, taking into account available resources. However, the evaluator, Professor Jyrki Tala does also see targets for development and introduces several methods with which the profitability, influence and performance of the consumer rights' activity could be improved.

The study concentrated on six theme-areas. They relate to the focus of the legal activity of the Consumer Agency, the contribution of proactive and reactive activities, the adequacy and functionality of current activities, the Consumer Agency's relationship with other authorities operating with the same tasks and the Agency's relationship with its most central interest groups: business life and consumers.

Proposals for action

- The Consumer Agency's information system and monitoring system should be considerably improved so that we could use real time systematic information on which matters the Agency took action in, what kind of instruments it used and what were the results.
- We need consumer studies producing better information about the problems and development of consumer rights, instead of just skimming the surface.
- The selection of instruments and monitoring for use by the Consumer Agency should be diversified to match the demands of other up-to-date regulations regarding business activities (financial and competitive monitoring; for example), one concrete example is implementing a monitoring fee.
- In clear cases of marketing and contract terms, where implementing the law has now been established, we should increase opportunities for the local authority to control the Consumer Agency.
- The consumer rights management process in marketing law should be re-evaluated, as well as the use of the criminal law system in consumer rights issues in such situations where tradesmen blatantly ignore regulations and consumer rights.
- The Ministry of Employment and the Economy, the Ministry of Justice and the Consumer Agency should, with their strategies and legislation development, take advantage more actively of so called new forms of regulating (self-regulating and co-regulating, good practice for different professions) in co-operation with the business world.
- The Consumer Agency should further strengthen co-operation with business organisations and businesses. The Consumer Agency should especially listen to the views of the business world before issuing new guidelines.
- The interaction between the Ministry and the Consumer Agency should be made more compact, which would benefit both parties.

Read more:

Evaluation of the legal activities of the Consumer Agency, Ministry of Employment and Economy publications 64/2009 (pdf -file, 640 KB, 111 pages, Abstract in English)

The public transport law reform to improve passenger status was ditched half way through

Changes regarding the status of the passenger using public transport came into force in December. The Consumer Agency is of the opinion that the public transport legislation regarding bus transport and partly also train transport does not meet with expectations in all parts, despite of all good intentions. The legislation lacks the passenger protection and rights.

The transport operator must provide a quality commitment

When compiling the public transport legislation, the Consumer Agency thought it important to include a chapter on passenger rights and protection in the legislation, similar to other legislation concerning necessary services. However, when the draft legislation was presented in Parliament, the consumer regulations had been removed almost entirely. The regulation about the quality commitment regarding transport services was, however, included in the draft legislation.

From now on the transport operator must determine how it communicates its services and the changes and cancellations to them. The consumer must also have information about ticket prices and an opportunity to purchase various tickets. The transport operator must also determine how it organises the services for the disabled and those with limited mobility. The quality commitment must also explain how price returns, cancellations of contracts and complaints regarding damages are handled, as well as how the customer satisfaction is measured.

The purpose of the quality commitment is for the company to determine what kind of quality it commits itself to and what kind of quality the passenger can therefore expect from the service. The regulation is, however, ditched half way through: the law does not provide a minimum level for the service quality. We will see whether the regulation improves the service quality and whether it will increase the passengers' trust for the parties to take responsibility, for example in situations where buses are cancelled, when there is lack of information or when the travel card does not work in the card reader. When services must be advertised more transparently, the consumer will, at least, have better opportunities than currently to evaluate whether the quality commitment has been maintained.

The State Railways must compensate for the long-distance trains being late

Train passengers can also look forward to some relief for damages caused by long delays in rail travel. The State Railways will, in future, be obliged to pay a standard compensation for delays of over 60 minutes to the long-distance passengers. The State Railways must organise meals and refreshments if there is a threat of a lengthy delay. The standard compensation will be at first 25 percent of the ticket price and it will increase to 50 percent if the delay lasts more than two hours. When the train is late, the passengers must be informed about the estimated departure and arrival times as soon as the information about the duration of delay is available. The new decree and the related amendment states, that the State Railways must also determine minimum criteria for the train services for the disabled passengers and those with mobility difficulties.

The passenger status in the local transport in Helsinki area will remain weaker

The passenger status in the local transport in Helsinki area will still remain weaker, because the standard compensation regulation does not apply to local transport. The meals and refreshment service is not either going to be provided in local trains. Although the legislation does not make compensations obligatory, it is possible for the State Railways to implement a compensation system to increase passenger trust in the reliability of the timetable. A good example is the Helsinki City Transport (HKL), who has promised, from the start of 2011, to compensate passengers, if the bus is delayed for more than 20 minutes. A compensation of maximum 50 Euros is available if the passenger has to use a taxi because the public transport vehicle does not arrive.

The new Act on Public Transport and the EU Decree on Rail Responsibility including the amendment to Rail Transport Act came into force on 3.12.2009.

Opportunity to apply for standard compensation for a delayed flight

The preliminary ruling of the EC Court of Justice equates those seeking compensation for cancellations with those seeking compensation for minimum three hour delays.

A passenger has a right to seek standard compensation from the airline, if the plane arrives at its destination three hours or more later than promised in the timetable.

The Court of Justice decided that passengers cannot be put into an unequal position depending on whether the flight was cancelled or delayed. When a flight is cancelled, the passengers are entitled to a standard compensation, within certain limits. Thus the preliminary ruling equates those seeking compensation for cancellations with those seeking compensation for minimum three hour delays.

The compensation lies between 250 - 600 Euros and is based on the length of the flight. However, it is not possible to seek compensation if the delay or cancellation is due to exceptional circumstances. This means reasons which the airline has not been able to influence with its own actions. The airline must also be able to show that the delay or cancellation was due to exceptional circumstances.

The European Communities Court of Justice gave the preliminary ruling based on the EU decree on the rights of air passengers in November 2009.

Read more:

[Rights of air passengers thus far only effective on paper](#)

(Current issues in consumer law 2/2009)

[Court of Appeal: the customer excluded from the flight has a right to compensation](#) (Consumer Agency press release 2.9.2009)

The preliminary ruling of the European Communities Court of Justice

No debt collections without an invoice

An unpaid bill will slowly begin to incur extra costs with interest on arrears and payment reminders. These expenses cannot, however, be collected if the consumer has never received the original invoice.

Consumers received debt collection letters from Svea Perintä, in which they asked for a payment in connection with traffic control for a situation during a holiday in Italy, complete with interest on arrears and payment reminders. The collection letter came as a total surprise to the customers, because they had never, at any stage, received any kind of an invoice from Italian authorities.

According to the law regarding the collection of receivables, collection charges can only be collected if the debtor has been sent an invoice or another notice of the due payment at least 14 days before the payment was due. In addition, at least 14 days must have passed from the due date of payment before a reminder can be sent.

After the Consumer Agency contacted them, Svea Perintä agreed that the collection was erroneous. The company said that they would return the paid interest of arrears and collection charges to the consumers. The company also promised that in future they will not take those receivables for collection where the consumer has not received a previous invoice.

Post office changed its delivery methods – customer service must be monitored

The storage times of All-in-One Parcels and letters will be decreased by one week and in future there will be only one notice of receipt. The Consumer Agency expects that Itella will inform its customers and monitors the effects on its customer services. The service procedures must be developed further, if the amount of uncollected letters and parcels increases, for example.

The target for Itella and distance selling companies has been to speed up the circulation of letters and parcels. For the consumer this means that parcels and letters must be collected more promptly than before.

In future there will be only one notification of receipt. Itella has promised to include in the notification information about how long the item is stored and on which date it will be returned to the sender if it remains uncollected. The Consumer Agency considers it necessary to also include the said reference in the delivery terms and conditions.

More flexibility to parcel collections during holiday season

Holiday season, especially in summer, may make the parcel collection more difficult within the specified time. The Consumer Agency suggests that the Post Office will send a notice of the received item to the consumer with a text message. The consumer should also notify the Post Office that the item will be collected after the holiday. The delivery terms and procedures regarding the deliveries for holiday residents should also be explained in the delivery terms and conditions. Overall, the Post Office delivery terms and conditions with service appendixes are a rather complex entity. The consumer should therefore be offered easy-to-understand information about the more essential Post Office practices in local post offices and over the Internet.

For distance selling customers the Post Office offers a service where the circulation of items is even faster – the storage time may be reduced to 10-14 days. The consumer receives a notification about a received parcel and the latest collection date on his/her mobile phone.

The Consumer Agency and Itella Oyj started negotiations about the amended delivery terms and conditions in November 2008. According to the Postal Services Act the Communications Department will ultimately decide on the Post Office contract terms after receiving a recommendation from the Consumer ombudsman.

Read more:

[Itella Delivery, contract and product terms](#)

The cost of a guaranteed pricing system for electricity must be evaluated fairly

The working group set up by the Ministry of Employment and Economy has delivered its proposition for the feed tariff for electricity produced by wind power and bio-gas. The Consumer Agency supports the targets behind the feed tariff implementation which aim to reduce greenhouse gases and increase the use of renewable energy sources. However, the implementation of a new system also has to consider costs from the point of view of those who will foot the bill.

Finland is planning to implement a market based guaranteed pricing system where the level of tariff for bio-gas and wind power is determined administratively. The electricity suppliers included in the system would participate in the electricity market, but the pricing risk for supplying electricity would be nearly eliminated from them for the duration of the tariff. The tariff would be financed with payments collected from households and other electricity users.

Electrically heated households will receive a bigger bill than others

The target price for the feed tariff will be around 83.5 Euros/MW and the duration of tariff will be 12 years. When the market price is 50 Euros/MW, the additional payment for the consumer will be 33.5 Euros/MW.

The Consumer Agency deems equality to be important when the additional costs for the reform are being evaluated. The planned model does not seem to achieve this. It seems that electrically heated households will be receiving a bigger bill than others. The additional cost for using bio-gas and wind power would be around 4.4 Euros for a resident in a block of flats and for an electrically heated household 39.6 Euros a year, if the costs are collected equally from all electricity users.

The report also shows that releasing certain industries from the feed tariff would improve the competitiveness of the said industry. This will place households and industries in unequal positions. The industrial competitiveness cannot, according to the equality regulation in the constitution, be used to justify the release from the tariff.

The costs for households must be monitored

The Consumer Agency has paid attention to the possibility to enhance the cost effectiveness of those systems which use wind power by scaling the level of tariff. The amount of tariff could be reduced for those wind farms which are built on quite windy locations. Thus the scaling would directly reduce costs for electricity users. The electricity prices in households are facing other pressures, such as the increase in the tax for electricity. This is why it would be important to consider such models which do not increase the consumer's expenses even more.

The figures shown for the economical effects for this plan are estimates and susceptible to changes in the feed tariff system. Considering the long, 12 years duration of the tariff, the Consumer Agency thinks that there is a reason to monitor the system's functionality and the costs for consumers, and to regularly evaluate their standards.

Consumers must be kept informed about feed tariffs and changes

Payments for the feed tariff using wind power and bio-gas would be collected by the grid management by invoicing consumers in advance in connection with the payment for the grid services. The annual advance payment would be confirmed by the Energy Market Authority who would also notify consumers about the new advance payment. In this case, when the change in the advance payment is determined by the authorities, the grid management does not need to comply with the advance payment method in the Electricity Market Law. With the advance payment method the consumer must always be notified about the amount of the advance payment. However, the Consumer Agency thinks that the consumers must always be kept informed about the feed tariff payable by them, and any

changes made to it. The grid management must take care that real time information about the payment is always available for consumers, for example on the Internet.

Read more:

[Feed tariff for renewable energy](#) (Ministry of Employment and Economy)

The Health Care Act is being reformed – attention to the public services’ customer and quality

Consumer protection requires that the quality standard of public services can be specified. It’s only when the quality standard of public health care has been specified that the council will be able to monitor implementation of services and the patient will be able to monitor the care he/she receives. The co-operation in health care improves the patient’s position and makes transactions easier. The Consumer Agency supports those chapters in the proposition by the Act on Social and Health Care working group where attention is being paid to the quality of services and to the customers.

In June 2008 the working group set up by the Ministry of Social Affairs and Health gave a proposition on merging the National Health Act and the Special Health Care Act to form a new Health Care Act. This means a significant reform of services in the public health care sector. The aim is to ensure that the consumers have an opportunity to receive good quality local services regardless of their place of residence. The customer-specific approach would be improved by allowing the patient more freedom to choose the treatment unit where he/she would receive care. Beside a customer-specific approach, attention would also be paid to the service quality.

Consumer protection requires that the quality standard of public services must be specified

The current practise does not monitor the quality of public services and the implications of errors and delays are not recognised. The quality standard should, however, be specified so clearly that it is possible to assess, in each case that the care has been in accordance with the specified care. The contract between the council and the service provider must include exact requirements for service quality. In addition, the method of monitoring the service quality and how to react to breaches of contract must be agreed. This is particularly of crucial importance because of the responsibilities for different participants. The council can monitor the quality only if the quality has been specified concretely. Exact specification of quality criteria should already be included in the invitations for tenders that the council will use to acquire services.

Customer-specific approach means that services are easy to use

In the proposition the customer-specific approach would be improved by allowing the patient more freedom to choose where he/she would be treated. The Consumer Agency thinks that it is important to high-light the customer’s view point, and to support the close co-operation between basic health care and special health care as well as with the social services. Outlining the service systems as an entity will improve the customer’s position and makes transactions easier.

The Consumer Protection legislation does not apply to public services and the Consumer Authorities have no authority over them. New supply procedures for the public health and social care, such as outsourced services and service vouchers, blur traditional boundaries and the roles of different operators between private and public services. At the same time the rights and responsibilities of different operators have been blurred.

In addition to good quality care the customer-specific approach includes many aspects relating to the customer’s legal position. There is talk about consumer protection for the public services. The working group set up by the Council of State has a task to clarify by the end of 2010 how implementation of the consumer rights principles in public services can be secured.

The Consumer Agency has prepared a study on the suitability of the Consumer Protection Act to public and essential services (2005) and a comparison between the social services and health services customer’s legal position between the private and council services (2006).

Read more:

Consumer politics programme for 2008-2011 (Ministry of Employment and Economy)

New study for the consumer's position using public welfare services

The new study for the legal rights of the consumer by the Ministry of Justice carries on the discussion about the position of the consumer using public services.

The study compares the legal position between a public welfare service consumer and the consumer using the private services. The study includes the services supplied by the general government, outsourced services and services bought by using service vouchers.

Weaknesses in the legal protection for the public services customer in comparison to the legal protection for the consumer:

- There are no specific regulations for the public service marketing and customer relations procedures nor how they are being monitored;
- There are no clear rules on a public services customer's rights to receive financial compensation for poor service;
- The public services customer does not have an access to advice which corresponds with consumer advice;
- The public services customer does not have an access to a service issuing recommendations, such as the Consumer Disputes.

Proposals for action to rectify the defects:

- Extending the scope of chapter 2 regarding the public service marketing and customer relations procedures to also apply to public services;
- Enactment on the customer's compensation for damages in a legislation providing the patient's position and rights, and in a legislation providing a social service's customer's position and rights;
- Enactment on reducing the customer's charges or abolishing them in case of poor service, in a legislation for customer's charges in social and health care;
- Developing the advise offered to the public services customers either by improving the patient's and social representative's operations or by extending the consumer advisory line of business;
- Giving the regulations for the recommendations for the customer's demands for compensation to the Consumer Disputes or another such authority.

Is amending the legislation a solution?

The Consumer Agency prepared a study in 2005 on the suitability of the Consumer Protection Act to public and essential services, and in 2006 a comparison between the social services and health services customer's legal position between the private and council services. The question about the lines being drawn between public and private services and the application of consumer rights principles to public services has been recorded in the Consumer Policy programme 2008-2011. The working group set up by the Ministry of Justice has a task to clarify by the end of 2010 how implementation of the consumer rights principles in public services can be secured.

Read more:

The position of the public welfare service customer (2009). Study on consumer's legal rights, Studies by the Ministry of Justice 4:2009 (pdf file, 86 pages)

The legal position of the social and health services customer – comparison between private and council services, Consumer Agency publications 2006 (pdf file, 26 pages)

The Services Directive specifies the manufacturer's duty of disclosure – New tasks for the Consumer Agency from the beginning of the year

The Services Directive and the new common law, The Act on Service Providers will come into force 28.12.2009. The aim is to speed up the service trade in the Internal Market by, for instance, making permit methods more flexible and by trying to increase customer confidence in the service providers across the borders.

The common law clauses 7-10 aim at the latter; they contain legislation on the information that a service provider must offer to the customers. The regulations supplement the information obligations for industries, already provided elsewhere in the legislation, and monitoring them will be the task for the consumer ombudsman.

The following information must always be provided for the service recipients (clause 7):

- 1) The service provider's name and legal format;
- 2) The service provider's address, e-mail address and other contact information, through which the service recipients can make complaints to the service provider and from which they can request information regarding the service;
- 3) Which company register or a similar public register the service provider has been registered in as well as the service provider's company or social ID or a similar ID in the said register;
- 4) The contact information for the competent authority, if the operation requires a permit;
- 5) The possible VAT-identification for the service provider;
- 6) The service provider's professional title and information on the country belonging to the European economical area where the title has been issued, as well as information on the professional organisation or a similar authority where the service provider has been registered, if the service provider practises a regulated profession;
- 7) The possible standard contract terms the service provider uses;
- 8) The service provider's possible contractual terms for the juridical court and the legislation to be applied;
- 9) The guarantee commitment which could be provided for the recipient;
- 10) The fee for the service, if the service provider has determined the fee in advance;
- 11) The essential contents of the service if it isn't clear from the context;
- 12) The possible liability insurance or guarantee and the information about its geographical scope, as well as the insurer's or guarantee provider's contact details.

The following information must be provided for the service recipients on request (clause 8):

- 1) The fee for the service, if the service provider has not determined the fee in advance; or, if the exact fee cannot be proclaimed, the grounds for the determination of the fee or a detailed price estimate;
- 2) A mention about the professional regulations regarding the service provider and where and how they are available, if the service provider practises a regulated profession;
- 3) Information on multiple operations and co-operation processes which are directly connected to the service on offer, and information on the procedures put in place to avoid conflict of interest;
- 4) The possible service provider's Code of Practise and the address where the Code of Practise can be viewed electronically and the languages in which the Code of Practise is available;
- 5) The possible methods to solve disputes outside the court of justice available to the recipient, and information on how to find detailed information about these methods as well as the requirements for their implementation.

In addition to monitoring the regulations for providing information the Consumer Agency will be co-ordinating administrative co-operation: The Consumer Agency has been appointed as the international

contact point for advising the recipients, the international contact point for the administrative co-operation and alert systems for the permit authorities as well as the co-ordinator for the centralised transaction point for companies. The Consumer Agency is also one authorised permit authority for monitoring package holiday businesses, at which the new permit regulations are directed.

Read more:

[Service Directive Implementation](#) (Ministry of Employment and Economy)

Regulations regarding the offers for consumer credit are reformed – consumer protection remains, partly even improves

The Ministry of Justice working group preparing the Consumer credit Directive proposes national regulations to supplement the directive. The directive is mainly completely harmonised, but there is room for manoeuvre nationally. Implementation of the directive does not substantially change the Finnish consumer protection; it will remain and partly even improve.

It will be easier to compare credits

For consumers the significant practical change is the standard information form provided before the credit contract is signed, which makes it easier to compare credits. Another improvement is registering the good practise in credit provision in law. The credit provider should operate responsibly and transparently taking into account the consumer's interests when marketing the credit, and signing the credit contract as well as when settling any possible disputes.

In connection with the overall reform a national proposition about registering the credit providers and the requirements for registration was also prepared. The supply of quick loans has brought out the need to set certain minimum requirements for the credit providers. Only reliable and professionally qualified credit providers would be included in the register.

Mortgages and small Euro-loans to be included in the scope of application

The scope of application for the consumer credit legislation would still remain extensive in Finland. Contrary to the regulations in the directive it would also cover mortgages and credit below 200 Euros. The mortgage usually has a significant implication to the consumer's finances so there is a special need for regulations protecting the consumer. Small quick loans have caused many payment difficulties for consumers so the need for regulations concerns them, too.

Differing opinion about the principle of joint responsibility

The [Federation of Finnish Financial Services](#) delivered a differing opinion for the working group's consideration. According to them the legislation should not hold on to the current regulation regarding the joint responsibility between the credit provider and product vendor or the service provider. By virtue of the regulation the consumer could, for instance, refuse to pay a charge for a credit card because the product he/she has paid for has not been delivered as agreed. FFFS deemed the proposed regulation for joint responsibility to be too extensive and that the proposal is against the complete harmonisation in the EU.

The consumer's ongoing credit must not be stopped just in case

The consumer's right to use a credit card could be stopped based on the credit provider's estimate, made in advance, that it is unlikely that the consumer will be able to pay the credit back. The Consumer Agency does not think that the proposal is justifiable and left a statement for the working group's consideration. It is very difficult for the credit provider to reliably estimate a consumer's repayment abilities.

Consumers are a heterogeneous group, inside which the ability to cope with a tight financial situation varies. The opportunity to use ongoing credit is intended to balance income and expenditure. There is a special need for this opportunity when the ability to pay is already reduced. It is sufficient that the credit provider can stop the credit if the payment is at least one month late and remains unpaid. The proposition contradicts the aim of the Finnish legislation to prevent the consumers with paying difficulties from being ignored.

The Ministry of Justice working group left its consultation document on consumer credit on 30.10.2009

Read more:

Consumer credit working group report (EDILEX)

Comparison between EC-directive and national proposal, an Article, Consumer Agency (pdf file, 6 pages)

Improvements to the consumer protection under Communications Market Act – will there be fundamental changes?

Revision for the Communications Market Act is being recommended – such as minimum price reduction of 30 Euros. The Consumer Agency mainly supports the proposal, but thinks that getting contract terms and marketing in this field into shape is more essential.

Marketing often gives an incorrect description about the speed of broadband connections and the contract terms do not specify the quality factors connected to the speed in sufficient detail. It is quintessential that the contract terms specify the actual connection speed and its range in sufficient detail. Without this specification telecommunications companies can deny any responsibility and insist that there is no fault in the service. In this case the consumer has no right to the minimum price reduction or cancellation of contract.

The Consumer Agency thinks that the price reduction in the proposal cannot alone solve the problems relating to the consumer's position. The price reduction is intended as a compensation for a one-off fault. The Consumer Agency is of the opinion that telecommunications companies do not often offer to rectify the fault in the mobile broadband error situations, if low speed is the cause.

Telephone marketing and fix-term contracts diminish the consumer's position

The Consumer Agency introduced a few other problem situations related to the communications services, which do not implement consumer protection. These are fix-term contracts, the position of the ageing population as service buyers and telephone sales.

There should be a maximum duration for fix-term contracts. Fix-term contracts reduce competition and service development. They also diminish consumer confidence by preventing the choice of the best service possible according to the current life situation and requirements.

When communications services are sold to the ageing population, the target group's level of knowledge and special needs should be taken into account. Full participation in the information community is a right of every citizen and this right should be guaranteed for everyone.

Because telephone sales are continuously causing problems, the Consumer Agency wants new regulations related to telephone sales. The need for protection concerns especially the telephone sales regarding the telephone sales of essential services, such as telephone and Internet connections.

The consumer Agency gave the statement about changes in the Communications Market Act to the Ministry of Transport and Communications on 9.11.2009.

Read more:

Statement collection

The government's proposal for temporary changes to become law in the Communications Market Act, Act on Television and Radio Operations, Act on Radio Frequencies and Telecommunications and the Communications Market Act. (pdf file, 70 pages, Ministry of Transport and Communications)



The task of the Finnish Consumer Agency is to safeguard and strengthen consumers' position in society. The Director General of the Consumer Agency also acts as the Consumer Ombudsman, and the Ombudsman's tasks are included in the activities of the Agency.

The Ombudsman's responsibilities are to monitor and enhance the legal position of consumers, and to ensure that marketing and contractual terms comply with the rules. Matters concerning warranties and collections from consumers are also within the Ombudsman's jurisdiction. The Ombudsman may also assist consumers in court. Additional information: www.kuluttajavirasto.fi

A banner with a blue background and a pink-to-purple gradient on the right side. The text 'Ajankohtaista' is in a white, italicized font, and 'KULUTTAJAOIKEUDESTA' is in a bold, white, sans-serif font.

Ajankohtaista

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