

**REPORT**

**NATIONAL ACTIVITIES OF BELGIUM IN SUPPORT OF THE OBJECTIVES OF  
THE CONSUMER POLICY STRATEGY (2002-2006)**

*Report on the implementation of the strategy*

*This model follows the outline of the Rolling Programme for Consumer Policy 2002-2006 (COM(2002)208 final)*

## **OBJECTIVE 1: A HIGH COMMON LEVEL OF CONSUMER PROTECTION**

| Action   | Description  | Timeframe / State of play   |
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| <b>Economic interests of the consumer</b>  |  |   |
| <b>1. Legislative measures</b>   |  |   |
| 1. Act of 26 May 2002 on intra-Community injunctions relating to the protection of consumer interests  | Allows intra-Community injunctions to be sought by suitable bodies   | Belgian State Gazette (Moniteur belge – M.B.)<br>10/07/2002 (Ed.2)<br>06/08/2002 (Ed.2) |
| 2. Royal Decree of 7 July 2002 regulating the Personal Loans Centre  | Decree implementing the Act of 10 August 2001 on the Personal Loans Centre (compulsory central registration of all consumer and mortgage loans)        | M.B. 19/07/2002   |
| 3. Act of 19 April 2002 amending the Act of 5 July 1998 on collective debt settlements and the possibility of sale by private contract of seized real estate | Recasts the provisions establishing the Excessive Debt Management Fund   | M.B. 07/06/2002   |
| 4. Act of 17 July 2002 concerning transactions by electronic payment instruments   | Regulates relations between the issuer and holder of an electronic payment instrument (transposes Commission Recommendation 97/489/EC of 30 July 1997) | M.B. 17/08/2002   |
| 5. Act of 12 August 2002 on misleading advertising and comparative advertising, unfair terms and distance contracts as regards the liberal professions       | Transposes a number of European directives for the protection of consumers in their relations with the liberal professions                             | M.B. 20/11/2002   |
| 6. Act of 20 December 2002 on recovery by agreement of consumer debts  | Protects the consumer against abuses in this area  | M.B. 29/01/2003 Ed.2  |
| 7. Act of 11 March 2003 on certain legal aspects of the information society  | Transposes European Directive 2000/31/EC (electronic commerce)   | M.B. 17/03/2003   |
| 8. Act of 24 March 2003 creating a basic banking service   | Creates the universal banking service  | M.B. 15.05.2003   |
| 9. Royal Decree of 4 April 2003 regulating the sending of advertising material by e-mail   | Decree implementing the Act of 11 March 2003 and transposing Article 13 of Directive 2002/58/EC (privacy and electronic communic.)                     | M.B. 28/05/2003   |

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| <b>2. Draft legislation</b>  |   |  |
| 1. Bill amending the Civil Code provisions on selling in order to protect consumers  | Transposes Directive 1999/44/EC (sale of consumer goods and associated guarantees)  | Bill tabled before the dissolution of Parliament                                   |
| 2. Bill to combat certain forms of vehicle mileage fraud   | Amends the Act of 12 March 2000, implementation of which gave rise to various difficulties                                      | Bill tabled before the dissolution of Parliament - reintroduced by the Minister    |
| 3. Bill revising the Act of 16 February 1994 regulating travel organisation and mediation contracts  | Strengthens consumer protection against insolvency of travel organisers and intermediaries                                      | Bill tabled before the dissolution of Parliament                                   |
| 4 Preliminary draft of a Royal Decree imposing the use of a standard contract for marriage agencies  | Standard contract to strengthen customer protection   | Consultation procedure   |
| 5. Draft bill on collective consumer agreements  | Legal arrangements governing the framework and conditions for agreements between consumer organisations and trade organisations | Consultation procedure   |
| 6. Preliminary draft of a Royal Decree regulating the advertising of certain financial services and instruments                                  | Regulates the quotation of rates in financial advertising in order to protect the consumer against misleading advertising       | Consultation procedure   |
| 7. Emergency breakdown services  | Better information for the consumer before payment of the bill  | Study of the issues at administrative level  |
| 8. Indication of prices in chemists' shops   | Better information for the consumer on the price of medicines   | Study of the issues<br>Consultation procedure                                      |
| <b>3. Co-regulation</b>  |   |  |
| 1. Assessment of the Consumer Council Recommendations of 27 June 2000 laying down the duration of advertising for child-oriented festive periods | Lays down the advertising periods for the St Nicholas, Christmas and Easter holidays  | Opinion of the Consumer Council of 27 June 2000<br>Assessments in 2001, 2002, 2003 |
| 2. Assessment of the Environmental Advertising Code (1998)   | Protects the consumer against exploitation of his concern for the environment   | Assessments in 2000, 2001 and 2002   |

| <b>Safety of goods, services and installations</b>                                  |   |                               |
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| Tanning centres<br>Royal Decree of 20 June 2002                                     | Technical measures, organisation, information, supply of protective eyewear.<br>Designation of safety supervisors<br>Training of safety supervisors                                   | In force since 11 August 2002 |
| Tanning centres<br>Amendment to the Decree of 20/06/02                              | Improves readability in response to questions from operators and checks carried out   | Draft being prepared          |
| Lifts in service<br>Royal Decree of 9 March 2003                                    | Maintenance, preventive inspection, safety file and obligatory warnings.<br>Ten-year modernisation programme on the basis of a risk analysis  | In force since 10 May 2003    |
| New lifts<br>Royal Decree of 10 August 1998<br>Directive 95/16/EC                   | Coordination of Belgian Notified Bodies   | Half-yearly                   |
| Extreme activities<br>Royal Decree of 4 March 2002                                  | Risk analysis as a basis for technical and organisational measures, appropriate surveillance, provision of information, training of personnel.<br>Appointment of a safety coordinator |                               |
| Extreme activities<br>Bungee jumping  | Drafting of a safety guide<br>Application of the general safety obligation  | May 2002                      |
| Renting of products<br>Royal Decree of 4 March 2002                                 | Information obligation (instructions for use, risks, etc.).<br>Provision of personal protective equipment   | In force since 21 April 2002  |
| Fairground attractions<br>Royal Decree of 18 June 2003                              | Risk analysis, upkeep and maintenance requirements.<br>Upgrading on the basis of a risk analysis  | In force since 27 July 2003   |
| Cableway installations designed to carry persons<br>Royal Decree of 23 January 2003 | Transposes the Directive  | In force since 9 March 2003   |
| Safety of products and services   | Revision of the Act of 9 February 1994 on consumer safety with a view to transposing the Directive on   | Completed                     |

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|   | general product safety and including professional products and services   |   |
| Toy safety  | Amendment and elimination of existing national legislation in order to incorporate it into the Act of 9 February 1994 on the safety of products and services  | Completed   |
| Medical auxiliaries   | Transposition of the Directive on breast implants into national legislation   | Completed   |
| <b>Integration of consumer interests into other policies: schemes taking account of consumer interests (e.g. environment, transport, energy, financial services, information society)</b> |   |   |
| 1. Act of 27 February 2002 to promote socially responsible production   | Allows firms to use a label informing the consumer that the product or service complies with the social standards of the International Labour Organisation  | M.B. 26/03/2002   |
| 2. Act of 23 January 2002 on motor vehicle advertising  | Requires advertising for vehicles to include a reminder of the duty to drive carefully  | M.B. 14/02/2002<br>Implementing decree still to be issued   |
| 3. Act of 2 August 2002 on financial services and supervision of the financial sector, Moniteur Belge of 4 September 2002   | " <b>Article 54:</b> The CBF (Banking and Finance Commission) shall be organised into departments according to a structure proposed by the Management Committee and approved by the Supervisory Board. The organisational structure shall make provision for introducing appropriate procedures and services, in particular in the area of consumer information and protection, for the purposes of handling the dossiers falling within the CBF's responsibilities under Article 45" | Entered into force on 1 July 2003 in application of the Royal Decree of 4 April 2003, M.B. 29/04/2003<br><br>Pursuant to this provision, on 3 July 2003 the CBF set up a Department for the Protection of Consumers of Financial Services |
| 4. Act of 2 August 2002 on financial services and supervision of the financial sector, Moniteur Belge of 4 September 2002   | " <b>Article 2 (18):</b> "Open consultation" : the procedure by which the content of a decree or regulation envisaged by the King, the relevant Minister, the CBF or the OCA (Insurance Supervisory Authority) is made available in advance by the authority concerned in a consultation notice published on the Ministry of Finance, CBF or OCA website as appropriate, inviting the parties   | Entered into force on 1 July 2003 in application of the Royal Decree of 4 April 2003, M.B. 29/04/2003   |

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|   | concerned to submit their comments by the specified deadline"  |   |
| 5. Act of 2 August 2002 on financial services and supervision of the financial sector, Moniteur Belge of 4 September 2002 | " <b>Article 90:</b> The OCA (Insurance Supervisory Authority) shall be organised into departments according to a structure proposed by the Management Committee and approved by the Supervisory Board. The organisational structure shall make provision for introducing appropriate procedures and services, in particular in the area of consumer information and protection, for the purposes of handling the dossiers falling within the OCA's responsibilities under Article 81"   | Entered into force on 1 July 2003 in application of the Royal Decree of 4 April 2003, M.B. 29/04/2003<br><br>Pursuant to this provision, on 3 July 2003 the CBF set up a Department for the Protection of Consumers of Financial Services |
| 6. Act of 2 August 2002 on financial services and supervision of the financial sector, Moniteur Belge of 4 September 2002 | The Act of 2 August 2002 contains numerous provisions intended to protect consumers of financial services and impose obligations on registered intermediaries. It takes into account certain measures in the "market abuse" directives and the proposal for a directive on investment services.<br>It authorises and establishes procedures for cooperation between the CBF and the other competent administrative and legal authorities, and with the competent authorities of the other Member States and third countries.<br>The main relevant Articles are 8, 25, 26, 40, 74, 75.<br>The CBF is empowered to undertake enquiries and apply penalties. It can take administrative enforcement measures against the dissemination of inaccurate or false information (in particular via the Internet) (Articles 24, 36, 78).<br>The Act also prohibits various forms of business practice by financial intermediaries and obliges them to provide potential clients with the fullest possible information commensurate with their knowledge or | Royal Decree of 3 April 2003, M.B. 29/04/2003 (in force since 1 June 2003)<br><br>Royal Decree of 29 October 2002 (in force since 1 November 2002)<br><br>Royal Decree of 4 April 2003, M.B. 29/04/2003 (in force since 1 June 2003)      |

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|  | <p>experience (Article 26 conduct of business rules). The Crown may also prescribe measures including rules of conduct at the recommendation of the CBF following open consultation (Articles 28 and 29).</p> <p>The CBF publishes tips and cautionary advice for consumers of financial services on its Internet site.</p>                 |  |
| 7. Act of 22 August 2002 laying down various provisions concerning compulsory third party motor vehicle insurance  | Transposes provisions of Directive 2000/26/EC and extends the scope   | M.B. 17/09/2002  |
| 8. Act of 22 August 2002 on patients' rights   | Transmission of the medical information needed to conclude or implement the contract and return the medical certificates where there is no longer a risk  | M.B. 26/09/2002  |
| 9. Act of 2 August 2002 amending the Act of 21 November 1989 on third party motor vehicle insurance and amending Articles 29 and 31 of the Act of 25 June 1992 on non-marine insurance         | <p>Creates a rating bureau to help consumers who have difficulty in obtaining insurance to find an insurer;</p> <p>Gives the common vehicle guarantee fund the additional responsibility of passing on lists of non-insured vehicles to the judicial police;</p> <p>Amends the provisions on termination of contracts following a claim</p> | M.B. 30/08/2002  |
| 10. Act of 21 May 2003 amending the Act of 25 June 1992 on non-marine insurance and the Act of 12 July 1976 on compensation for certain damage to private property caused by natural disasters | <p>Amends provisions on payment of fire insurance claims;<br/>Cover for flooding risk</p> <p>Rating bureau to be set up by royal decree</p>   | <p>M.B. 15/07/2003</p> <p>Entry into force with the publication of the royal decrees defining the risk zones, to be drawn up in agreement with the regions</p> |

| <b>Environment</b>   |  |                         |
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| 1. Royal Decree of 29 October 2001 amending the Act of 22 October 1997 on the structure and rates of excise duty on mineral oils | Increases excise duty on high-sulphur fuel   | In force                |
| 2. Act of 10 August 2001 reforming personal tax (M.B. 20/09/2001)  | Introduces tax concessions for individuals who agree to certain energy-saving investments  | In force                |
| 3. Ecotax on drinks packaging, batteries, single use cameras, industrial packaging   | Tax disincentive for less environmentally friendly products  | In force                |
| 4. € 508.18 premium payable in 2001 and 2002 for installation of LPG equipment on petrol vehicles already on the road            |  | 2001 – 2002             |
| 5. Various measures to promote the European eco-label  | Example: Two new educational packages: 1) on paper products, for upper primary education and 2) on textile products, for lower secondary education   | Ongoing                 |
| 6. Circular on green public purchasing   | A circular has been drawn up to promote green purchasing (environmental and social aspects) within the federal public services. It gives the environmental and social criteria for some 80 common consumer products, and administrative information on how to include these clauses in the specifications. The circular was published on the Internet on 22 November 2002: | Available since 11/2002 |

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| <p>7. Information and education activities to increase public environmental awareness, via financial support for the voluntary sector</p>   | <p>Examples:</p> <ul style="list-style-type: none"> <li>– Réseau éco-consommation (eco-consumer network):</li> <li>– Observatoire bruxellois de la consommation durable (Brussels monitoring centre for sustainable consumption):</li> <li>– Verde:</li> <li>– Réseau Idée:</li> <li>– "Schoolkoopwijzer" website drawn up by the Bond Beter Leefmilieu:</li> </ul> | <p>Ongoing</p>                                    |
| <p>8. Computer application incorporating the technical data from the Guide to the fuel economy and CO2 emissions of new passenger cars (Directive 1999/94/EC, RD 05/09/2001) accessible on the Internet</p> |   | <p>Accessible from 09/2003</p>                    |
| <p>9. Draft product and environment policy master plan (15/02/2003)</p>   | <p>Incorporates the product and environment policy proposals and planned measures for 2003-2005:</p> <ul style="list-style-type: none"> <li>– by type of instrument (legal, economic, socio-cultural)</li> <li>– by product category (e.g. packaging, vehicles, construction materials, electrical and electronic appliances, paints, etc.)</li> </ul>              | <p>Details not yet defined at political level</p> |
| <p>10. Draft Royal Decree on reducing the VOC content of products used for vehicle refinishing</p>  |   | <p>Due to enter into force on 01/01/2004</p>      |
| <p>11. Draft Royal Decree on reducing the VOC content of decorative paints and varnishes for professional and non-professional use</p>  |   | <p>Due to enter into force in 2005</p>            |

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| 12. Draft Royal Decree regulating nitrogen oxide (NOx) and carbon monoxide (CO) emission levels for central heating boilers and combustors fired by liquid and gaseous fuels with a nominal heat output of up to 400 kW |   | Due to enter into force 10/2004   |
| 13. Draft Royal Decree governing the regulation of domestic central heating installations   | Establishes a link between the heat demand of the dwelling and the capacity of the central heating system   | 2004: preparation   |
| 14. Draft Royal Decree governing the minimum efficiency standards for solid fuel heating appliances   |   | 2004: preparation   |
| 15. Royal Decree restricting the marketing and use of certain dangerous substances and preparations   | <ul style="list-style-type: none"> <li>– Two European Directives: 200/41/EC prohibiting the marketing of various dangerous substances and preparations containing carcinogens, mutagens or substances toxic to reproduction intended for consumers, and 2001/90/EC restricting the marketing of creosote</li> </ul>   | M.B. 09/08/2002   |
| 16. Draft Royal Decrees restricting the marketing and use of certain dangerous substances and preparations  | <ul style="list-style-type: none"> <li>– Two European Directives, 2003/34/EC and 2003/36/EC, prohibiting the marketing of various dangerous substances and preparations containing carcinogens, mutagens or substances toxic to reproduction intended for consumers;</li> <li>– European Directive 2003/11/EC on brominated flame retardants;</li> <li>– Directive 2003/53/EC on chromium salts in cement (causes dermatitis) NP/NPE</li> </ul> | <p>Submission to CIE/ICL</p> <p>Submission to CIE/ICL</p> <p>Drafting of text</p> |
| Approval of the NEHAP as a reference framework for the competent government ministers   | <ul style="list-style-type: none"> <li>– National Environmental Health Action Plan</li> </ul>   | April 2003  |

## OBJECTIVE 2: EFFECTIVE ENFORCEMENT OF CONSUMER PROTECTION RULES

| Action   | Description   | Timeframe / State of play |
|--|---|---------------------------|
| <b>Protection of consumers' economic interests</b> |   |                           |
| 1. Market surveillance for consumer protection     | As from 01.01.2003, this administration has been designated the Directorate-General for Control and Mediation ( <i>Direction générale Contrôle et Médiation</i> ).<br><br>Statistical overview of checks carried out by the General Economic Inspectorate in the area of consumer protection: | 2002 report               |
| <b>Areas monitored</b>                             | <b>Investigations</b>   | <b>Pro-Justitias</b>      |
|  |   | <b>Official warnings</b>  |
| Commercial Practices Act                           | 45.683  | 2.043                     |
| Travel contracts                                   | 271   | 56                        |
| Marriage agencies                                  | 96  | 35                        |
| Consumer credit                                    | 789   | 68                        |
| Consumer safety                                    | 3.568   | 48                        |
| Timesharing  | 12  | 5                         |
| Fixed and controlled prices                        | 846   | 53                        |
| Petrol quality                                     | 759   | 131                       |
| Euro   | 30.064  | 57                        |
| <b>Total</b>                                       | <b>82.088</b>   | <b>2.496</b>              |
|  |   | <b>5.829</b>              |

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| <p>2. General surveys in connection with consumer protection</p> | <p>1) Monitoring of the introduction of the euro for scriptural transactions in Belgium</p> <p>The aims of this measure were:<br/> optimum information for traders and consumers, including the most disadvantaged;<br/> ongoing grassroots market surveillance and price surveys;<br/> rapid handling of complaints.</p> <p>2) Use of bar codes in large stores. The purpose of this survey was to establish whether the marked price was the price charged. Some errors were encountered (around 4.80% in favour of or at the expense of the consumer).</p> <p>3) Displaying of prices in the tourism sectors</p> <p>At the instruction of the Minister for Economic Affairs, in May-June 2002 the public authorities conducted a massive survey on compliance with the existing rules on comprehensive, clear and unambiguous indication of prices. This monitoring operation, which focused on town centres and tourist areas, looked in particular at the hotel and catering sector, markets, souvenir shops, recreational parks and garages.</p> <p>The survey looked in total at over 8 000 businesses and market stalls, including 3 000 cafes, 500 hotels, 300 garages and 3 000 restaurants.</p> <p>Shortcomings were found in price display practices. A total of 828 warnings and 217 "Pro Justitia"</p> | <p>2002<br/> First half of 2003</p> |
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|  | <p>infringement reports were issued for partial or total failure to display prices correctly, representing around 13%.</p> <p>Most infringements involved partial rather than total non-compliance.</p> <p>4) Shoe labelling survey</p> <p>From 16 to 31 October 2002, a monitoring exercise was carried out to check compliance with the Royal Decree of 8 July 1996 on the labelling of materials used in consumer footwear.</p> <p>Monitoring focused on two specific points:</p> <ul style="list-style-type: none"><li>– did the shoe have a label or other means of indicating clearly the composition of the upper, lining, and inner and outer soles?</li><li>– Did the shop display a sign explaining the meaning of the pictorial symbols?</li></ul> <p>The checks were carried out in 618 shops and 22 markets.</p> <p>14 official warnings were issued for failure to provide labelling on footwear (17 infringements in all).</p> <p>82 official warnings were issued for failure to display an explanatory sign, for a total of 88 infringements (involving one shop in seven).</p> <p>Subsequent surveys of suppliers showed that infringement of the legislation was not systematic.</p> <p>5) Monitoring of price indication per unit of measurement</p> |  |
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Since 1 July 2002, the distribution sector has been under a general obligation to indicate the price per unit of measurement of most food and certain non-food products.

Between 16 September and 4 October 2002, a general survey of compliance with this obligation was conducted. The survey took in 1 352 businesses broken down by surface area (under 200m<sup>2</sup>, 200m<sup>2</sup> - 400m<sup>2</sup>, over 400m<sup>2</sup>), including door-to-door sales companies.

62% of businesses in all failed to meet the obligations in respect of price indication per unit. These were generally those in the <200m<sup>2</sup> category, 78% of which were non-compliant. In the 200m<sup>2</sup> - 400m<sup>2</sup> category, 50% were non-compliant, and in the >400m<sup>2</sup> and over category the figure was 4 in 10.

The results of the monitoring operation were forwarded to the Commission via the Ministers for Economic Affairs, Consumer Protection and Small Firms and Traders, for an assessment of whether small businesses should be exempt from this obligation.

6) Indication of CO<sub>2</sub> emissions and fuel consumption when selling new vehicles.

Monitoring undertaken at the request of the federal environmental authorities responsible for a survey of compliance with the Royal Decree of 5 September 2001 on the availability of information for consumers on the fuel consumption and CO<sub>2</sub> emissions of new passenger cars (M.B. 12.10.01). This RD falls under sustainable

development policy and this was the first monitoring exercise since its entry into force.

#### Results of monitoring

Checks were carried out at 291 new car sales outlets. 113 official warnings were issued for non-compliance with the RD of 5 September 2001. A further 44 official warnings were issued for failure to indicate prices correctly.

Of the 42 Internet sites visited, 15 were not in order.

#### 7) Split and concealed credit

Monitoring here was aimed at credit brokers who apply to a creditor without disclosing that another credit has been applied for or obtained elsewhere. Such brokers habitually rely on the fact that there are only two credit insurers operating in Belgium. By splitting or concealing existing credit, they have managed to sell additional credit to consumers, thereby increasing their debts.

These were serious offences under the Act of 12 June 1991 on consumer credit and under criminal law (falsification, abuse of confidence), which were reported to the judicial authorities. The licences of the brokers concerned were suspended or withdrawn by the Minister for Economic Affairs.

8) Survey on the Act of 7 January 2001 amending the Act of 12 June 1991 on consumer credit. This law, often known as the "Santkin" Act after its author, amends the

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|  | <p>Act on credit for consumers. Consumers who have problems with payment will be better protected against compensation and interest claims, reminder charges and excessive default interest. The way in which creditors are applying the amendments to the law has been monitored.</p> <p>The following trends were observed:</p> <ul style="list-style-type: none"> <li>- Many small creditors appear to be unaware of the changes;</li> <li>- Default interest is often still calculated on a nominal rather than an actuarial basis;</li> <li>- Where credit is made available, the amount of capital owed by the consumer is not always calculated correctly.</li> </ul>   |  |
| <p>3. Creation of a "consumer fraud unit" within the Economic Inspectorate</p> | <p>Over the past few decades, the range of services on offer has increased considerably. Certain unscrupulous operators have taken advantage of the situation to develop often ingenious practices on the very edge of legality which constitute traps for both consumers and traders.</p> <p>This phenomenon harms both the consumers who allow themselves to be taken in and the majority of honest operators.</p> <p>The Control and Mediation DG deals directly with consumer fraud complaints. To enable it to operate more proactively and give its activities a higher profile, in May 2002 the Minister for Economic Affairs announced that a "consumer fraud unit" was to be set up within the DG, responsible for:</p> |  |

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|  | <ul style="list-style-type: none"> <li>– centralising information on fraud, in collaboration with businesses and consumers;</li> <li>– organising law enforcement;</li> <li>– taking preventive measures by issuing warnings in the press;</li> <li>– coordinating and evaluating measures with the actors concerned;</li> <li>– ensuring that complaints were followed up, in particular through the courts.</li> </ul> <p>The new unit was a success right from the outset. The hundreds of complaints received gave rise to dozens of warnings and various actions for injunction brought by the Economic Affairs Minister. The abuses concerned certain sellers of timeshares and mail order goods, misleading advertising for trade directories/guides, canvassing for advertising, foreign lotteries, marriage agencies, etc.</p> |         |
| 4. "Internet watch"  | Creation of a specialised unit to detect illegal activities on the Internet and monitor the legality of websites (priority given to national sites) – installation of advanced equipment from 1 July 2002 (InternetLab)   |         |
| 5. Membership of e.consumer.gov, member of ICPEN (International Consumer Protection and Enforcement Network) | The e.consumer.gov database brings together control or consumer protection organisations from 17 ICPEN member countries, and provides a channel for consumers to report their complaints to these organisations.  |         |
| 6. Economic controls by the Customs and Excise Department  | Brand names and indication of origin<br>Counterfeiting and piracy   | Ongoing |

| <b>Safety of services and equipment</b>       |  |  |
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| Tanning centres                               | Monitoring campaign of self-service centres  | 2000 –2004   |
| Recreation grounds<br>Portable football goals | Drafting of a safety guide<br>Application of the general safety obligation   | November 2002  |
| Karting                                       | Drafting of a safety guide<br>Application of the general safety obligation   | Text being drafted for publication end 2003/beginning2004                    |
| Recreation grounds<br>Skating track           | Drafting of a safety guide<br>Application of the general safety obligation   | Text being drafted for publication end 2003                                  |
| Recreation grounds<br>Information campaign    | Information sessions   | 2002 – 2003  |
| Lifts in service<br>Information campaign      | Information sessions<br><br>Explanatory leaflet  | 2003<br><br>Publication: September 2003<br>Distribution: September 2003 - .. |
| Lifts in service                              | Coordination of bodies   |  |
| Lifts in service                              | Monitoring campaign under the new decree   | End 2003 – 2004  |
| Information on the regulations                | Drafting of guides, leaflets, websites with comprehensive information on the regulations and what they mean in practice, for producers and consumers:<br>– portable football goals<br>– bungee jumping<br>– scooters<br>– skateboards<br>– karting | Ongoing<br><br>2002<br>2002<br>2003<br>2003<br>2003                          |
| Information on dangerous products             | The public (producers and consumers) will be informed about dangerous products via the ICSMS system  | Already operating<br>Regularly updated                                       |
| RAPEX   | Follow-up to RAPEX notifications   |  |

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| Complaint settlement  | Follow-up to consumer complaints   |   |
| Monitoring of compliance  | <p>Annual checks on various products by the Control and Mediation DG's product safety unit</p> <p>Campaigns target specific groups of products/services:</p> <ul style="list-style-type: none"> <li>- cycling helmets</li> <li>- elbow pads, knee pads, wrist guards</li> <li>- safety jackets (reflective)</li> <li>- protective accessories (reflective)</li> <li>- protective masks</li> <li>- sunbeds</li> </ul> <p>Follow-up inspections to check compliance after a warning. Sampling for subsequent technical or administrative examination.</p> <p>The customs authorities also carries out targeted checks and consults the Product Safety unit on legal compliance</p> | <p>2002</p> <p>2002</p> <p>2002</p> <p>2002</p> <p>2003</p> <p>2002 – 2003</p> <p>Ongoing</p> |
| <b>Enforcement cooperation between Member States</b>  |  |   |
| 1. ICPEN worldwide network  | Coordination of international action – participation in the annual "Internet Sweep Day" – handling of individual dossiers – legal cooperation  | 2002<br>2003  |
| 2. ICPEN European network   | Exchange of individual files – networked handling of cases – annual "Best Practices" operation – participation in DG SANCO-led coordination  | 2002<br>2003  |
| 3. Bilateral cross-border cooperation agreements (France – Netherlands – United Kingdom – Luxembourg) | Exchange of individual files – handling of cases – concertation and exchange of personnel  | 2002<br>2003  |
| 4. Administrative cooperation   | Participation in the activities of the European Commission or European Council working parties preparing draft directives or regulations   | 2002<br>2003  |

| <b>Redress</b>   |  |                                |
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| 1. Support and development of the European Consumer Centre   | Joint funding with the Commission<br>Cooperation and coordination                | Since October 2001             |
| 2. Support and development of the EEJ network                | Joint financing of the clearing house, coordination, representation, supervision | Since launching of the network |
| 3. Support and development of the Travel Disputes Commission | Funding, personnel, logistics, collaboration, supervision                        | Since 1994                     |

### **OBJECTIVE 3: PROPER INVOLVEMENT OF CONSUMER ORGANISATIONS IN EU POLICIES**

| Action  | Description  | Timeframe / State of play |
|---|--|---------------------------|
| 1. Draft bill on collective consumer agreements   | Legal arrangements governing the framework and conditions for agreements between consumer organisations and trade organisations  | Consultation procedure    |
| 2. Consultation of the consumer organisations on Community schemes via the Consumer Council | Opinion on the proposal for a "sales promotions" regulation, the Green Paper on EU Consumer Protection, the Follow-up Communication to the Green Paper.<br>Opinions on the draft transposal instruments. |                           |
| 3. Stand at the Cion Green Week   | Theme: recycled paper; education pack for schools  |                           |

## ACTIONS TO IMPROVE THE QUALITY OF CONSUMER POLICIES

| Action   | Description  | Timeframe / State of play  |
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| <b>Impact assessment</b>                                 |  |  |
| 1. Consumer Council                                      | <p>- Central consultation and concertation body for policy affecting consumers, created by the Royal Decree of 20 February 1964 and composed jointly of consumer representatives and representatives of producers'/distributors'/small traders'/agricultural organisations;</p> <p>- Main function: advising the authorities, either on request or on its own initiative, on any matter concerning consumers</p> | 31 opinions in 2002 (transposition of the Guarantees Directive, proposal for a Regulation on sales promotions, Green Paper on EU Consumer Protection, basic banking services, product and environment policy plan, standards for packaging, electricity and gas billing, displaying of prices in pharmacies, etc.) |
| 2. Unfair Terms Commission                               | Advisory commission established by Royal Decree of 26 November 1993, responsible for terms and conditions used in offers for sale and sales to consumers   | Opinion on the general terms and conditions for mobile phone subscriptions   |
| 3. Commission on Environmental Labelling and Advertising | Advisory commission issuing opinions and recommendations on advertising and labelling claims in respect of the environment. It has drawn up a code of environmental advertising  | Opinions on whether the environmental advertising code should be binding, dealing with complaints and the creation of a new supervisory body   |
| 4. Consumer Safety Commission                            | This Commission, established by the Act of 9 February 1994 on the safety of products and services, issues opinions on all matters relating to consumer health/safety. It is composed of consumer representatives and representatives of trade organisations. Its responsibilities include delivering   | Opinions delivered in 2002-2003:<br><ul style="list-style-type: none"> <li>- ECOSA "Priorities for child safety in the EU" (play areas in nurseries, safety guide on portable football goals,</li> </ul>   |

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|   | <p>opinions on federal policy and planned legislation within its area of competence, organising consultation, making proposals on information campaigns, etc.</p>   | <p>FAQs on safety of recreation grounds, cords in children's clothing, lighting for children)</p> <ul style="list-style-type: none"> <li>- fire safety in hotels</li> <li>- breast implants</li> <li>- aluminium foil</li> <li>- safety of services</li> <li>- lead poisoning</li> <li>- guide on bungee jumping</li> <li>- olive oil spray</li> <li>- amusement park attractions</li> <li>- quality labels for piercing and/or tattoo practitioners</li> <li>- activities for the "Year of people with Disabilities"</li> <li>- study on home and leisure accident statistics</li> <li>- study on domestic fire safety</li> <li>- guide on scooters</li> <li>- sunbeds</li> <li>- information campaign on the "lift" legislation</li> </ul> |
| <p>5. Federal Public Service for Planning "Consumer Protection"</p> | <p>Established by Royal Decree of 25 February 2002 within the Federal Public Service Economy, SMEs, Self-employed and Energy, under the Minister responsible for consumer protection.</p> <p>Functions:</p> <ol style="list-style-type: none"> <li>1. Preparation, coordination, evaluation and monitoring of policy on the safety of consumer products and services</li> <li>2. Running of the Central Bureau, organisation of consultation and mediation in the area of consumer</li> </ol> |  |

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|   | <p>protection</p> <p>3. Policy on commercial practices (jointly with FPS Economy)</p>   |  |
| 6. Central Bureau for Consumer Products | <p>Created by the Act of 9 February 1994 on the safety of products and services.</p> <p>Functions:</p> <ol style="list-style-type: none"> <li>1. Contact point for consumers, producers, distributors, employers and authorities for matters concerning the safety of products and services</li> <li>2. Belgian contact point for European exchange systems on safety</li> <li>3. Contact point for dangerous products and services</li> <li>4. Inventory and centralisation of data on dangers presented by products and services</li> <li>5. Secretariat of the Consumer Safety Commission</li> <li>6. Coordination of federal information campaigns on the safety of consumer products and services</li> </ol> |  |
| <b>Knowledge-based policy</b>           |   |  |
| ...                                     |   |  |