



VÝROČNÍ ZPRÁVA

annual report

EVROPSKÉ SPOTŘEBITELSKÉ CENTRUM  
ČESKÁ REPUBLIKA

european consumer centre  
czech republic



2010



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ČESKÁ REPUBLIKA



# FOREWORD

**The European Consumer Centre Czech Republic (ECC CZ) deals with consumers' rights when shopping in other member states of the European Union (EU), Norway and Iceland. Within the year 2010, which was the second year of the Centre operating by the Czech Trade Inspection, we detected an increased number of information requests and requests for out-of-court assistance in disputes with traders from the mentioned countries.**

The number of information requests concerning internet frauds increased significantly in 2010. This is why it is so important from our point of view, to stress the need to check who is, let's say, on the other side, i.e. with what kind of a trader one deals with; and this is what we do in the media and at our lectures for professionals and laics.

The year also brought several important events, not only from the ECC point of view. Probably the most significant was the so called volcano ash crisis in April when the European air space was closed due to the eruption of the Icelandic volcano Eyjafjallajökull and when we informed passengers via media about their rights and about duties of air carriers and travel operators and agencies after flights are cancelled due to the so called force majeure. As the knowledge of the air passenger rights is still quite low within the society, we will continue in our informational activities on the topic. In March, the European Consumer Centre together with the consumer association TEST made public the results of the consumer competition concerning the most interesting or funniest experience with a trader from another EU country, Norway or Iceland. The end of the year belonged to the results of prices and services comparison of ski resorts in 20 European countries that we presented to the Czech public in Prague together with our Austrian colleagues who lead the project within the ECC-Net.

We very much appreciate the successful and still developing cooperation with other EU networks, with the Representation of the Commission in the Czech Republic and its Eurocentres, with consumer associations and other stakeholders. What is very important for the centre's activities is the cooperation within the hosting organization, the Czech Trade Inspection, and also the support of the Ministry of Industry and Trade of the Czech Republic.

Let me wish you pleasant shopping in the European market.

*Tomáš Večl*

*Director of the European Consumer Centre Czech Republic*



## SERVICE TO CONSUMERS

Probably the most visible part of the European Consumer Centre's work is **provision of information** to Czech consumers on their rights when shopping in other member states of the European Union, Norway and Iceland, and **direct help in their disputes** against sellers of goods and services from these countries.

In 2010, the Czech ECC answered 357 information requests and in an amicable out-of-court way helped solve 410 consumer complaints concerning mostly e-commerce, air transport, accommodation services, car rental, car purchase and so forth.



With the total of 767 contacts the centre experienced an increase in comparison to the year 2009 when it had 733 contacts in total. The success rate of the Czech ECC is about 70 percent when resolving entitled cases.

The centre takes part in the development of European legislation on consumer protection and advises in the matter of extrajudicial solving of consumer disputes in the ADR system in whose development in the Czech Republic it participates. It also educates with the help of its informational materials, lectures and cooperation with media.

**The ECC offers its services for free** and is not competent to assist Czech consumers in national disputes against Czech traders. In the European Consumer Centres' Network (ECC-Net) it cooperates with centres in other EU countries, Norway and Iceland. The ECC CZ activities are financed by the European Commission and the Czech Trade Inspection by which it operates since January 2009. Until then, it operated by the Ministry of Industry and Trade where it was established four years earlier.

# FREQUENT AREAS OF COMPLAINTS

**e-commerce**

accommodation or travel services

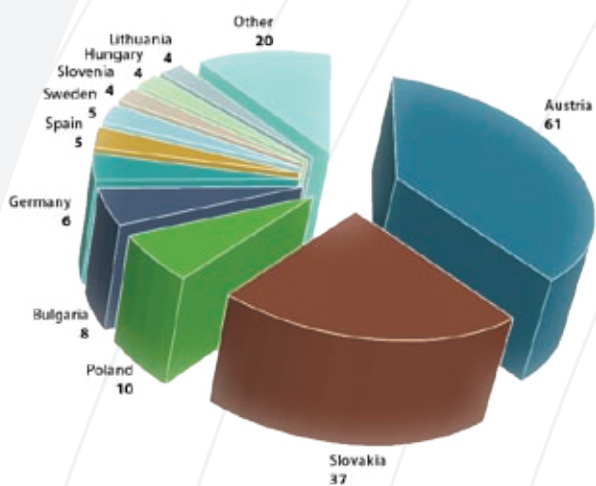
**purchase of goods**

**air transportation**

car rental and purchase

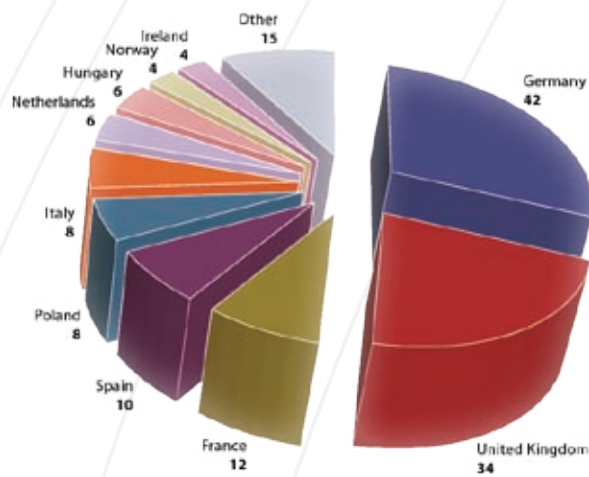
## Foreign consumers' complaints against Czech traders

(absolute number of complaints solved in the ECC-Net)



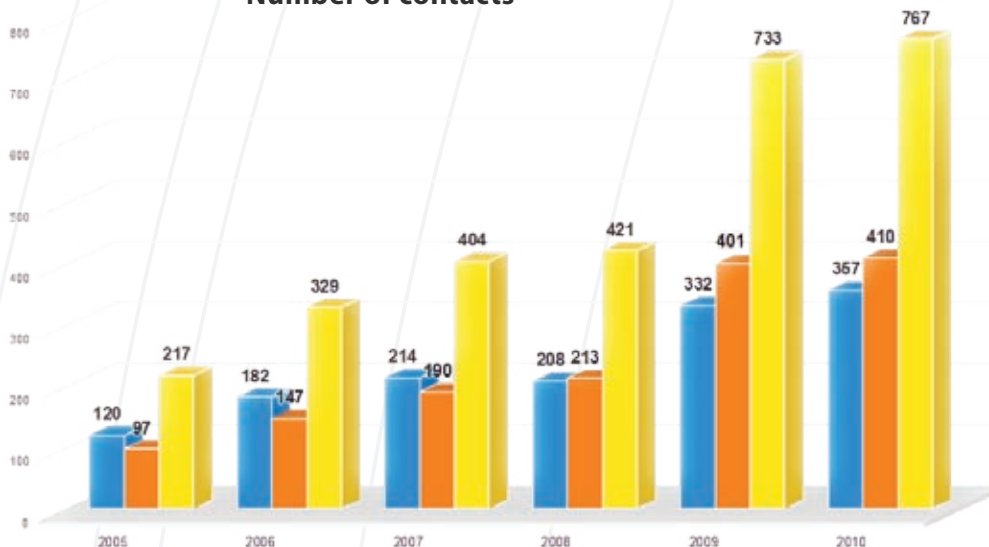
## Czech consumers' complaints by traders' country

(absolute number of complaints solved in the ECC-Net)



## Number of contacts

- Information requests
- Complaints and disputes
- Total



## ECC-NET

**In Europe, 29 European Consumer Centres operate, except for the EU member states also in Norway and Iceland. They are associated in the ECC network (ECC-Net) coordinated by the European Commission and the participating states. Individual centres in various countries operate by national authorities or consumer associations and are financed by the Commission and the participating states through annual grants. The centres cooperate on fulfilling the goals of the network.**

Apart from the cooperation when resolving cross-border complaints, among these objectives are also common projects performed to provide information to European consumers or reports to the European Commission on functioning of the internal market and on practical effectiveness of measures adopted on the European level and so forth. This complex activity requires a tight cooperation and communication among the individual centres, including personal meetings concerning particular projects or study visits. Centres' representatives also regularly meet the Commission to consult and evaluate activities, operation and directing of the network.

In the previous year, the Czech ECC contributed for example to the ECC-Net report "The European Online Marketplace: Consumer Complaints 2008-2009" and to the Ski Resorts Report 2010/2011 comparing prices and services in 20 European countries.



The picture above is from a lecture given by the Czech ECC representatives at the ECC-Net 5 years Anniversary Conference organized in Warsaw by the European Consumer Centre Poland.



## RESOLVING CASES

The ECC-Net activity concerning the assistance in consumer-to-business cross-border disputes is based on the effort to reach an amicable out-of-court resolution. The European Consumer Centres do not act as surveillance administrative authorities and thus are not entitled to give a binding decision or issue a fine in a consumer-to-trader dispute. This would be the task for competent enforcement bodies.

Before the ECC enters the negotiation with the trader, the consumer should try to resolve the case in an amicable way on his/her own.

## SUCCESSFUL CASES

- In August 2009, a Czech consumer had her precious things and cash hidden in a safe of a Spanish hotel. After burglars stole everything from the safe, she got assured to get back the value of 1,350 EUR. She was helplessly waiting and only after the ECC-Net intervened, she got reimbursed the total price in October 2010.
- A Czech consumer purchased a shower bath from a Polish trader who installed the bath, too. Surface of the bath cracked. The trader accepted the claim, but was willing only to send a new bath and refused to uninstall the old one and install the new one stating that he does it only in Poland (despite in time of purchase he promised to do so in case of a claim). Due to the ECC-Net assistance the trader fulfilled his promise and did all the work.
- Flight from Stockholm to Katowice was cancelled due to the Icelandic volcano's eruption and Czech passengers travelled home on their own, as the Hungarian carrier did not offer any alternative way of transportation. Subsequently, they wanted the carrier to refund the costs for re-routing in the total amount of 250 EUR. But the carrier would not do so if there was no help by the ECC-Net.

## FEEDBACK FROM CONSUMERS

*You can only barely guess how much happy I am! Huge thanks to you and your colleagues both in Prague and in Budapest! Once again, big big thanks! A. L.*

*You are the only institution who managed to get in touch with the Italian hotel or its attorney at law. M. R.*

*Thank you for the positive news. I would much love to thank you for your help in resolving the whole case and for your very professional attitude. May there be more people like you! P. P.*



# INFORMATION IN ADVANCE

**One of the remaining main aims of the ECC CZ is to provide information in advance so that consumers are aware of their rights and know what to do and where to turn for advice in case of a cross-border claim before they even have it.**

From this perspective, cooperation with the media is very important and beneficial. Developing contacts with some of the Czech main media provided us with the opportunity to advise Czech consumers in issues frequently concerned in our work, e.g. e-commerce (how to claim goods purchased via internet and how to avoid problems and frauds) or refunds or compensations in air transportation. The research on prices and services of ski resorts in 20 European countries, performed by the ECC-Net, had its loud echo in the media, too.

From the media point of view, the most significant event of 2010 was the eruption of the Icelandic volcano Eyjafjallajökull after which the European air space was closed. Thousands of Czech passengers were stranded not only in Europe. In the media, the lawyers of the Czech ECC informed about the passengers' rights and about the obligations of air carriers and travel agencies and operators in this extraordinary situation; the ECC published press releases, was answering journalists' questions and participated in TV debates. As a consequence of this crisis and unclarities that appeared in the media, we prepared an online course concerning the air passenger rights; the course is available on the web page [www.coi.cz/esc](http://www.coi.cz/esc). Also press releases which we started to send regularly to consumers and media within the ECC Newsletter in 2010 are available on this page.



The ECC published four information leaflets: How to claim goods bought within the EU, Your Air Passenger Rights, VAT when importing cars from another EU country and Renting a car in other EU countries (all of them produced in Czech and English). Together with the 2009 Risk-free Online Shopping leaflet, the goal was reached that all the most frequent ECC CZ consumer claim areas are covered in the leaflets. These are to be updated in the future.

In the frame of the German-Czech project ConNet, which is focused on information to consumers in the border regions of Bavaria and Western Bohemia when shopping cross-border, the centre's employees participated on the preparation of the brochures *Einkaufen in Tschechien* and *Nakupování v Německu*. The author and coordinator of the project was the Technical University Munich.

In the context of consumer education, meetings with both laics and professionals are important. This is why the ECC CZ also gave 15 lectures on European consumer legislation and the ECC activities at universities, seats of regional authorities, Eurofestivals and so forth.

## COOPERATION

**The ECC CZ is trying to develop relationships with various stakeholders who are in any appropriate way involved in cross-border consumer issues and also with other European networks.**

The ECC submits notifications towards Czech traders' practices to its hosting organization, the Czech Trade Inspection. In terms of air passengers' disputes, it successfully cooperates with the Civil Aviation Authority. Excellent collaboration has developed with SOLVIT, Eurocentres and Europe Direct, concerning common lectures at regional Trade Licensing Offices, universities etc. ECC representatives also gave lectures at Eurofestivals organized by the Representation of the Commission in the Czech Republic.



In the framework of the out-of-court consumer disputes resolution system (ADR), lead by the Ministry of Industry and Trade, the European Consumer Centre participates in the meetings of the Platform for out-of-court consumer disputes resolution. The platform is inter-resort authority deciding about the fundamental project issues. The members of the platform are also representatives of the Ministry of Industry and Trade, the Czech Chamber of Commerce, consumer associations, Arbitration Court attached to the Czech Chamber of Commerce and Agrarian Chamber of the Czech Republic, Association of Mediators and the Ministry of Justice.



The closest cooperation is required within the ECC network. On the picture are representatives of the Austrian ECC Georg Mentschl and Andreas Herrmann with the ECC CZ Director Tomáš Večl. The citylights advertising the Czech ECC's services were placed at the Main Railway Station in Prague in December when many people travel to do shopping especially in Germany. The campaign was completed by a video spot shown on screens at the six most frequent Czech railway stations.

## COMPETITION

**The results of the almost one year lasting competition on the most interesting or funniest experience with a trader from another EU country, Norway or Iceland were announced by the Czech ECC and the co-organizing consumer association TEST in March 2010.**

The most interesting experience for the year 2009 was the story of a family from Ostrava. They demanded money from a Norwegian car rental company which withdrew 4000 Norwegian Crowns (CZK 12,000) from their bank account without any authorization. The company argued that it was due to the family having returned the rented car with damages to the car body. The family led the dispute to a victorious ending and got the money back. Their story showed how to behave in such situations, how to get evidence about the state of a rented vehicle when borrowing it and when returning it.



The objective of the competition was to point at ways how to protect one's consumer rights in the European market and to find out what kinds of stories can come about when shopping from a foreign trader. Various media informed about the competition's results; a member of the successful family and the ECC CZ Director performed in a live interview in the Czech TV morning show.





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Štěpánská 15, 120 00 Praha 2, Czech Republic  
[www.coi.cz/esc](http://www.coi.cz/esc); e-mail: [esc@coi.cz](mailto:esc@coi.cz); telephone: +420 296 366 155  
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