CONSUMER PROTECTION

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ITALY

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THE EUROPEAN UNION promotes consumers’ rights, prosperity and wellbeing, and it ensures additional protection for consumers following 10 basic principles no matter where you are in the EU. The details of exactly what your rights are – and how you can apply them – will vary from country to country depending on how they have implemented the EU rules in their national law.
TEN BASIC PRINCIPLES

1. Buy what you want, where you want. A few exceptions apply to products such as fire-arms or morally offensive items
2. If it doesn’t work, send it back
3. High safety standards for food and consumer goods
4. Know what you are eating
5. Contracts should be fair to consumers
6. Sometimes consumers can change their mind
7. Making it easier to compare prices
8. Consumers should not be misled
9. Protection while you are on your holiday
10. Effective redress for cross-border disputes
THE ITALIAN CONTEXT

In Italy some provisions of the Penal Code which suppress fraudulent, put in place by manufacturers and merchants, which are harmful to the interests of the buyer, have always been valid. However, the rules were guided by the traditional nineteenth century system of selling, and they considered only the case where the product was devoid of essential qualities or shows hidden defects.
The EU consumer protection legislation has been collected into a consolidated Act called "Consumers’ Code" (Codice del Consumo - Legislative Decree n. 206, dated 6 September 2005).

The Consumers’ Code is a fundamental reference law covering the protection of consumers’ and users’ rights, that brings together, coordinates, and simplifies current enacted law as it regards consumers, citizens aware of their rights and duties.

In conclusion, the Italian consumer protection policy reflects the guidelines of the EU programme.
The main aspects of our Consumer’s Code are:
CONSUMERS ARE ENTITLED TO THE FOLLOWING BASIC RIGHTS

- Health protection;
  - The safety and quality of products and services;

- Proper information and proper advertising;
  - Fairness, transparency and equity in contractual relationships;

- The promotion and development of free, voluntary and democratic associations of consumers;
  - The supply of public services, according to standards of efficiency and quality
THE CONSUMER must be informed about product characteristics (all information must be in Italian);
TO IMPROVE CONSUMER INFORMATION and facilitate comparison of prices, the products offered by traders to consumers must bear, in addition to the indication of the selling price, the indication of prices per unit of measurement;
THE PRODUCER is responsible for the safety of products;
THE DISTRIBUTOR is responsible for the products sold, and must inform consumers;
ADVERTISING must be clear, fair and correct;
THE ANTITRUST AUTHORITIES must protect especially children and the elderly from misleading advertising, and punish those responsible.
CONSUMER ASSOCIATIONS ARE RECOGNIZED AND PROTECTED AND ARE EMPOWERED TO:
• express their opinion on legislation affecting the interests of consumers and users;
  • make proposals concerning the protection of consumers and users;
• promote studies and statistics to control the quality of products and services;
  • assist consumers and users in the causes that they are involved in the protection of their rights.
CONSUMER ASSOCIATIONS are also empowered to take action on behalf of the collective interests of consumers as a whole. In certain circumstances, where a judge thinks it is appropriate, a group or a single association may also start a legal action on behalf of a number of consumers, who ask for a refund. Key areas of consumer complaints, identified by consumer groups are: insurance and financial services, telecommunications, public services.

...and many others...
http://it.wikipedia.org/wiki/Tutela_del_consumatore
http://it.wikipedia.org/wiki/Codice_del_consumo
http://www.sardegnaconsumatitore.it/schedadidattica/Strumenti%20di%20tutela
http://www.dolceta.eu/italia/
http://www.consumatori.it/index.php?option=com_content&task=view&id=1688&Itemid=1
http://www.codicedelconsumo.it
http://www.euroconsumatori.org/16856v16856d17394.html
IT_web_country_profile.pdf
Paolo Ronchetti. 50 Lezioni di diritto ed economia. Seconda edizione di Comunità ZANICHELLI

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