ECCG meeting 19 -20 November 2014 – Thematic discussion

**Consumer Policy Priorities**

**in Digital Environment**

**Input from Belgian Consumer Associations**

1. **Test-Achats / Test-Aankoop**

# Intellectual property – private copy

* The consumer must have the full user rights of what he bought on a legal way on the internet. So he must have the possibility to make some copies for private use. It is not the role of the consumer to check if the intellectual property rights have been paid by the internet seller.
* Concerning the exchange of content via internet: we are in favour of a system of ‘collective licences’. Paying a fixed sum to get unlimited access to exchange material protected by intellectual property (of course only for a non-commercial use).
* Internet providers can’t be obliged to filter and block sending and receiving information for reason of protection of intellectual property.

# Buying on line

* An obligation for internet sellers to give complete and transparent information about the selling price and conditions and that at the beginning of the buying procedure.
* In no case of consumer right, the legal technique of the ‘optional instrument’ may be used. EU needs to work with directives of minimal harmonisation to obtain a high level of consumer protection.

# Personal data – privacy

* The consumer must be in full control of his personal data. He always must be informed about the personal data that are processed.
* Sensitive personal data (ex.: phone number, e-mail address, localisation, health data, …) only can be treated after the explicit consent of the consumer. Some data should automatically be removed after some time.
* The IP-address of the user must be legally protected as personal data.

# Telecommunications

* Here also, all EU-regulation must be a minimum harmonisation so it stays possible for member states to adopt more severe rules at national level.
* The EU common base should contain:
  + A contract duration of maximum 24 months (changing afterword in a contract of unlimited duration).
  + The obligation to offer short term contracts (maximum 12 months).
  + Interdiction of penalties in case of contract termination by the consumer.
  + Operators must be obliged to automatically applicate the most advantageous tariff.
  + Set-up boxes and decoders must be standardized so consumers don’t have to change when they want to choose another operator (see mobile phone chargers).
  + All international traffic in EU should be at the same prices as national traffic.
  + Define a minimum universal internet service that is in line with the existing high speed internet and that keep track with technological evolution
* the Telecom Single Market proposal: it must be avoided that a re-monopolisation of the telecom market is installed. If the EU-market is dominated by only 3 or 4 big companies, there is a high risk of obtaining a ‘monopole the fact’ on local markets, surely in smaller member states.
* Net neutrality. All internet data and content should be treated without undue discrimination by telecoms companies, thereby maintaining the open and neutral character of the internet.

1. **Input from Crioc / Oivo**

# Inn-app selling

* In July 2014 there was a communication about inn-app selling by the FOD economy in Belgium. We could read that the commission and the member states took a common viewpoint and formulated some demands to the sector. Crioc-Oivo wants to know what the impact was of this action and if the EU is planning to take more concrete and better consumer protecting measures?

1. **Input from other Belgian organisations**

# None

Joost Vandenbroucke,

Domainhead European Policy and Advocacy

Test-Aankoop / Test-Achats