

**THE CZECH REPUBLIC**

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# 1 Consumer Policy Institutions

## 1.1 MINISTRIES RESPONSIBLE FOR CONSUMER POLICY

The Ministry of Industry and Trade (MIT) is the main responsible authority for consumer-related issues in the Czech Republic. In order to ensure a high level of consumer protection in all various areas, the MIT cooperates with other ministries, in particular with the Ministry of Finance, the Ministry of Health, and the Ministry for Regional Development, Ministry of Agriculture, Ministry of Transport and other public authorities dealing with the consumer protection issues. However, the MIT has the general responsibility for consumer protection.

The ministries were set up and their competencies are given by the Act N°2/1969 Coll., on establishment of ministries and other central authorities of state administration of the Czech Republic, as amended.

### ➤ Ministry of Industry and Trade

Address	Na Františku 32, CZ-110 15 Praha 1
Phone:	+420 224 851 111
Fax:	+420 224 811 089
Email:	<a href="mailto:posta@mpo.cz">posta@mpo.cz</a>
Web:	<a href="http://www.mpo.cz/">http://www.mpo.cz/</a>

The MIT's main role in the field of consumer protection is in particular to:

- implement consumer policy;
- prepare and submit conceptual and legal proposals and other legal regulations of binding force related to consumer protection in line with EU legislation and international treaties and documents. It coordinates the establishment of conditions for the protection of consumers' safety and for the protection of their economic interests. In this regard, it cooperates with other government authorities, civil consumer organisations and business associations;
- represent the Czech Republic in committees and working bodies of the EU institutions, the OECD;
- supervise and coordinates out-of-court settlement of consumer disputes;
- act as the single liaison office in pursuance of cooperation in the field of consumer protection within the framework of the CPC Regulation;
- the MIT acts as a contact point for RAPEX system;
- allocate the state subsidies for non-governmental non-profit organizations acting in the fields of consumer protection;
- provide advice to consumers (also through the special Facebook profile "Ochránce spotřebitele"), but the MIT does not enforce consumer laws.

### ➤ Ministry of Finance

Address	Letenská 15, CZ-118 10 Praha 1
Phone:	+420 257 041 111
Fax:	+420 257 042 788
Email:	<a href="mailto:podatelna@mfcz.cz">podatelna@mfcz.cz</a>
Web:	<a href="http://www.mfcz.cz">www.mfcz.cz</a>

The Ministry of Finance (MF) is according to the Act No. 2/1969 Coll., responsible among others for the price regulation and for the area of consumer protection in the financial market (excluding the area of its supervision, where the Czech National bank is the body in charge).

The MF's main role in the field of consumer protection in the financial market is in particular to:

- prepare and submit conceptual and legal proposals and other legal regulations of binding force related to consumer protection in line with EU legislation and international treaties and documents. In this regard, it cooperates with other government authorities, civil consumer organizations and business associations;
- draw up and implement the Framework Policy on Consumer Protection in the Financial Market;
- represent the Czech Republic in committees and working bodies of the EU institutions, the OECD and other international financial consumer protection organizations;
- coordinate financial education in the Czech republic through the Working Group for Financial Education and support the process of implementing financial education in primary and secondary education. The MF coordinated the creation of the Financial Education Strategy and the Financial Education System for Primary and Secondary Schools and initiated the Public Opinion Poll on Financial Education.

### ➤ Ministry of Health

Address	Palackého nám. 4, CZ-128 01 Praha 2
Phone:	+420 224 971 111
Fax:	+420 224 972 111
Email:	<a href="mailto:verejnost@mzcr.cz">verejnost@mzcr.cz</a> , <a href="mailto:mzcr@mzcr.cz">mzcr@mzcr.cz</a>
Web:	<a href="http://www.mzcr.cz">www.mzcr.cz</a>

The Ministry is responsible mainly for public health protection; health care; the supervision of cosmetics, drugs and sanitary conditions. The National Institute of Public Health, the State Institute for Drugs Control and Regional Hygiene Stations are enforcement bodies directly subordinated to the Ministry.

### ➤ Ministry for Regional Development

Address	Staroměstské náměstí 6, CZ-110 15 Praha 1
Phone:	+420 224 861 111
Fax:	+420 224 861 333
Email:	<a href="mailto:info@mmr.cz">info@mmr.cz</a>
Web:	<a href="http://www.mmr.cz">www.mmr.cz</a>

The Ministry in consumer-related matters is the central government authority for tourist industry in the Czech Republic. Its role is to regulate and promote the development of tourism in the Czech Republic by laying down rules for the operation of travel agencies and tour operators and protection of consumers' interests.

### ➤ Ministry of Agriculture

Address	Těšnov 65/17, Praha 1, 11000
Phone:	+420 221 811 111
Fax:	+420 224 810 478
Email:	<a href="mailto:info@mze.cz">info@mze.cz</a> , <a href="mailto:posta@mze.cz">posta@mze.cz</a>
Web:	<a href="http://www.eagri.cz">www.eagri.cz</a>

The Ministry is a central department of state administration, responsible for agriculture, water management, the food industry and forest, hunting and fishing management in the Czech Republic, excluding the areas of national parks. The Czech Agricultural and Food Inspection and the State Veterinary Administration of the Czech Republic are enforcement bodies in the field of food industry directly subordinated to the Ministry.

### ➤ Ministry of Transport

Address	nábřeží Ludvíka Svobody 1222/12 110 15 Praha 1
Phone:	+420 225 131 111
Fax:	+420 225 131 184
Email:	<a href="mailto:posta@mdcr.cz">posta@mdcr.cz</a>
Web:	<a href="http://www.mdcr.cz">www.mdcr.cz</a>

The Ministry and transport authorities are responsible for enforcement the compliance with obligations related to passengers rights in bus and coach transport. The Civil Aviation Authority and National Navigation Authority are also enforcement bodies in the field of transport industry directly subordinated to the Ministry.

## 1.2 PUBLIC AGENCIES

Public enforcement authorities of the Czech Republic in the field of consumer protection are as follows:

Enforcement body	Contact details
Czech Trade Inspection Authority	<p>Address: Štěpánská 15, CZ-120 00 Praha 2            Tel: +420 296 366 102            Fax: +420 296 366 236            E-mail: <a href="mailto:podatelna@coi.cz">podatelna@coi.cz</a>            Website: <a href="http://www.coi.cz/en">www.coi.cz/en</a></p>
Regional Trades Licensing Offices	<p>Ministry of Industry and Trade            Trades Licencing Department            Address: Na Františku 32, CZ-110 15 Praha 1            Tel: +420 224 851 111            Fax: +420 224 811 089            E-mail: <a href="mailto:posta@mpo.cz">posta@mpo.cz</a>            Website: <a href="http://www.mpo.cz/en/business/licensed-trades/">www.mpo.cz/en/business/licensed-trades/</a></p>
Local Trades Licensing Offices	
Regional Pricing Authorities	<p>Ministry of Finance            Department of Pricing Policy            Address: Letenská 15, CZ-118 10 Prague 1            Tel: +420 257 042 719 / +420 257 042 722            Fax: +420 257 049 272 / +420 257 049 273            E-mail: <a href="mailto:informace@mfcrcz.cz">informace@mfcrcz.cz</a>            Website: <a href="http://www.mfcrcz.cz">www.mfcrcz.cz</a></p>
Czech National Bank	<p>Address: Na Příkopě 28, CZ-115 03 Praha 1            Tel: +420 224 411 111            Fax: +420 224 412 404 / +420 224 413 708            E-mail: <a href="mailto:info@cnb.cz">info@cnb.cz</a>            Website: <a href="http://www.cnb.cz/en/">www.cnb.cz/en/</a></p>
Office for Personal Data Protection	<p>Address: Pplk Sochora 27, CZ-170 00 Praha 7            Tel: +420 234 665 111            Fax: +420 234 665 444            E-mail: <a href="mailto:posta@uouu.cz">posta@uouu.cz</a>            Website: <a href="http://www.uouu.cz/">www.uouu.cz/</a></p>
Council for Radio and Television Broadcasting	<p>Address: Škrétova 44/6 CZ-120 00 Praha 2            Tel: +420 274 813 830            Fax: +420 274 810 885            E-mail: <a href="mailto:podatelna@rrtv.cz">podatelna@rrtv.cz</a>            Website: <a href="http://www.rrtv.cz">www.rrtv.cz</a></p>
State Institute for Drug Control	<p>Address: Srobarova 48, CZ-100 41 Praha 10            Tel: +420 272 185 111            Fax: +420 271 732 377            E-mail: <a href="mailto:posta@sukl.cz">posta@sukl.cz</a>            Website: <a href="http://www.sukl.cz/enindex.htm">www.sukl.cz/enindex.htm</a></p>

Regional Sanitary (Hygiene) Stations	<p>Minsitry of Health  Address: Palackého náměstí 4, CZ-128 01  Praha 2  tel.: +420 224 971 111  fax: +420 224 972 111  E-mail: <a href="mailto:mzcr@mzcr.cz">mzcr@mzcr.cz</a>  Website: <a href="http://www.mzcr.cz/">www.mzcr.cz/</a></p>
State Veterinary Administration	<p>Address: Slezská 7, CZ-120 00 Praha 2  Tel: +420 227 010 156  Fax: +420 227 010 191  E-mail: <a href="mailto:epodatelna@svscr.cz">epodatelna@svscr.cz</a>  Website: <a href="http://www.svscr.cz">www.svscr.cz</a></p>
Czech Agriculture and Food Inspection Authority	<p>Address: Květná 15, CZ-603 00 Brno  Tel: +420 543 540 111  Fax: +420 543 540 202  E-mail: <a href="mailto:epodatelna@szpi.gov.cz">epodatelna@szpi.gov.cz</a>  Website: <a href="http://www.szpi.gov.cz/en/">www.szpi.gov.cz/en/</a></p>
Czech Proof House for Firearms and Ammunition	<p>Address: Jilmová 759/12, CZ-130 00 Praha 3  Tel: +420 284 081 822  Fax: +420 271 773 064  E-mail: <a href="mailto:info@cuZZS.cz">info@cuZZS.cz</a>  Website: <a href="http://www.cuZZS.cz">www.cuZZS.cz</a></p>
Civil Aviation Authority	<p>Address: Letiště RUZYNĚ, CZ-160 08 Praha 6  Tel: +420 225 421 111  Fax: +420 220 561 823  E-mail: <a href="mailto:podatelna@caa.cz">podatelna@caa.cz</a>  Website: <a href="http://www.caa.cz">www.caa.cz</a></p>
National Navigation Authority	<p>Address: Jankovcova 4, CZ-170 04 Praha 7  Tel: +420 234 637 111  Fax: +420 283 871 514  E-mail: <a href="mailto:reditelstvi@plavebniurad.cz">reditelstvi@plavebniurad.cz</a>  Website: <a href="http://www.plavebniurad.cz">www.plavebniurad.cz</a></p>
Czech Telecommunication Office	<p>Address: Sokolovská 219, CZ-190 00 Praha 9  Tel: + 420 224 004 111  Fax: + 420 224 004 830  E-mail: <a href="mailto:podatelna@ctu.cz">podatelna@ctu.cz</a>  Website: <a href="http://www.ctu.cz">www.ctu.cz</a></p>
Energy Regulatory Office	<p>Address: Masarykovo náměstí 5, 586 01 Jihlava  Tel: + 420 564 578 666  Fax: + 420 564 578 640  E-mail: <a href="mailto:podatelna@eru.cz">podatelna@eru.cz</a>  Website: <a href="http://www.eru.cz/cs">www.eru.cz/cs</a></p>

### 1.3 NATIONAL CONSUMER ORGANISATIONS

#### ➤ dTest, o.p.s. (dTest - Czech Consumer Organization)

Address	Černomořská 419/10, CZ-101 00 Praha 10
Phone:	+420 241 404 922
Fax:	+420 241 406 533
Email:	<a href="mailto:dtest@dtest.cz">dtest@dtest.cz</a>
Web:	<a href="http://www.dtest.cz">www.dtest.cz</a> , <a href="http://www.dtest.sk">www.dtest.sk</a>

Main activities of dTest are:

- Testing products and publishing the test results for qualified decision-making by consumers, while purchasing and making choice; protection of consumer from low- quality products.
- More than 17 000 products were tested already and published in the magazine dTest and online.
- Providing help to consumers (more than 155 000 cases).
- Promoting consumers' rights and consumer relevant information via different channels (media, leaflets, brochures, Facebook profile with more than 120 000 fans, Twitter with more than 5000 followers).
- Operating the most visited consumer web portal in the Czech Republic.
- To ensure full independence of all tests both the magazine and web site are completely advertising-free.

dTest is member of European Consumer Organization BEUC, ICRT (International Consumer Research & Testing) and TACD (Transatlantic consumer dialogue).

#### ➤ Sdružení českých spotřebitelů (Czech Consumer Association)

Address	Pod Altánem 99/103, CZ-100 00 Praha 10
Phone:	+420 261 263 574
Fax:	-
Email:	<a href="mailto:spotrebitel@regio.cz">spotrebitel@regio.cz</a>
Web:	<a href="http://www.konzument.cz">www.konzument.cz</a>

The Czech Consumers Association (SČS) is a nongovernmental consumer association established in 1990. SČS sees its priorities in:

- Supporting consumer awareness of their rights;
- Preventive actions to improving the relations between the economic operators and consumers;
- Supporting those (consumers) who need an advice or particular assistance in solving their consumer disputes, etc.

SČS activities are developed on professional basis and expertise, both at national as well as international level. SČS fosters areas that relate to the vulnerable consumers such as children (safety of shoes, playgrounds), elderlies (how to behave in risky situations) or persons with disabilities (consumer information for the blinds and the deaf).

SČS is aiming to improve relations and trust between the service providers/traders and consumers and is one of the ADR and ODR Dispute Resolution Bodies in the Czech Republic. Advice and factual assistance to consumers, especially at the regional level, belongs to core activities of the SČS.

➤ **Asociace občanských poradén (Association of Citizen Advice Bureaus)**

Address	Sabinova 287/3, CZ- 130 00 Praha 3
Phone:	(+420) 284 019 220
Fax:	-
Email:	<a href="mailto:aop@obcanskeporadny.cz">aop@obcanskeporadny.cz</a>
Web:	<a href="http://www.obcanskeporadny.cz">www.obcanskeporadny.cz</a>

The organisation was found in 1998 for the development of a network of Citizens Advice. It associates 43 citizen advice bureaus in 82 places in The Czech Republic

- Citizens advice bureaux provide independent, expert, impartial and free social expertise in 18 areas of law;
- Alert the appropriate state and local authorities to shortcomings in the legislation and the unsolved problems of citizens;
- Endeavor to ensure that citizens do not suffer from ignorance of their rights and obligations, ignorance of available services or the inability to express their needs.

➤ **Sdružení obrany spotřebitelů, Moravy a Slezska, z. s. - Consumer Defence Association of Moravia and Silesia**

Address	Střelniční 8, CZ-207 00 Ostrava
Phone:	+420 596 111 252, +420 606 382 280
Fax:	+420 596 111 252
Email:	<a href="mailto:ostrava@sos-msk.cz">ostrava@sos-msk.cz</a>
Web:	<a href="http://www.sos-msk.cz">www.sos-msk.cz</a> , <a href="http://www.neotvirejte.cz">www.neotvirejte.cz</a>

Consumer Defence Association of Moravia-and Silesia is an independent non-profit organisation – association defending the interests of consumers. SOS MaS, z. s. is currently active in Moravian-Silesian, Olomouc, Zlín, South Moravian, Liberec, South Bohemian and Pardubice Regions, where we provide personalised counselling via the system of our advisory centres. We also provide counselling to the citizens of the Czech Republic – electronic and telephonic communication. We run websites and organise a number of educational events.

Principal Activities of the Association:

- Providing consultancy to consumers in the area of consumer protection law and related rights.
- Operating in the sphere of crime prevention.
- Communication with bodies with legislative initiative and commenting upon arising legislative standards.



- Preparation and implementation of projects designed to improve protection of consumers, patients and victims of criminal acts, and ensures material resources necessary for carrying out these projects.
- By public enlightenment and publishing, helping consumers, patients and victims of criminal acts to gain an insight and to gain confidence as equal market participants.
- Seeking, keeping records, and, in an appropriate manner, supporting entrepreneurs, which sell products to consumers and provide services according to both laws, and accepted principles of morality.
- Initiating of proposals to public authorities for adequate interventions.
- Initiating of proposals for the commencement of proceedings before the Court, regarding the protection of consumer rights, and participates as a party to these judicial proceedings.
- Provision or mediation of services in the field of settling disputes out of the Court and thus helping with an out-of-court settlement between Contracting Parties in different situations in life (between consumer and entrepreneur, patient and health institution, between neighbours ...)
- Collaboration with other organisations with similar goals in the Czech Republic and abroad.
- Carrying out further actions in the area of protection of consumers, patients and victims of criminal acts.
- Provision of consultancy concerning the goals and mission of the association
- Mediation and provision of legal advice in collaboration with partner organisations.
- Implementation of projects leading to the strengthening of the legal status of consumers, patients and victims of criminal acts.
- Supporting the activities of other organisations, which defend the right of citizens.

#### Secondary Activities of the Association:

- Provision of consultancy concerning the goals and mission of the association.
- Mediation and provision of legal advice in collaboration with partner organisations.
- Implementation of projects leading to the strengthening of the legal status of consumers, patients and victims of criminal acts.
- Spreading information about out-of-court settlements.
- Implementation of out-of-court settlements projects.
- Supporting the activities of other organisations, which defend the rights of citizens.
- Carrying on training and educational activities.
- Organising courses, lectures, training, seminars and conferences.
- Supporting the formation of systems of twinning projects at both regional and national level.
- Carrying out lobbying activities in the area of protection of the right of the citizens.
- Publishing and editing activities.

#### ➤ **Sdružení obrany spotřebitelů – Asociace, z.s. (Consumers Protection Organization - Association)**

Address	Mečová 5, 602 00 Brno
Phone:	+420 542 210 778
Fax:	-
Email:	<a href="mailto:info@asociace-sos.cz">info@asociace-sos.cz</a>
Web:	<a href="http://www.asociace-sos.cz">www.asociace-sos.cz</a>

Sdružení obrany spotřebitelů – Asociace, z.s. (hereinafter as “organization”) is an autonomous, voluntary, non-governmental and non-profit organization established for the protection of rights of consumers and also of tenants and patients. It has 5 Active Members and 3061 Sympathize Members.

The organization’s mission consists of:

- Consumer counselling

The main activity of the organization is giving consumers legal advice in their specific cases and providing them with information about their consumer rights. This service is provided for free in 18 regional Consumer centres established in 9 regions of the Czech Republic including the main Consumer centre in Brno where the seat of the organization is situated. Consumer counselling is also provided online or by phone. In the year 2015 there were 8157 advice provided to consumers personally in Consumer centres, 5489 were given by phone and 4579 by e-counselling.

- Publishing and broadening consumer information

Organization publishes leaflets and brochures about the consumer topics and distributes them to consumers in its Consumer centres, during its consumer lectures and other public activities (attendance at fairgrounds etc.). Leaflets and brochures can be also downloaded from the organization’s web page: [www.asociace-sos.cz](http://www.asociace-sos.cz). Organization also publishes press releases and warns against the unfair commercial practices of some entrepreneurs. The chairwoman of the organization is a regular guest of a Czech Radio show and is often interviewed by TV or radio stations on consumer themes. Organization also publishes its own on-line magazine called “SOSák” which brings the consumers information on development in consumer protection and news about the organization.

- Affecting consumer legislation

Most of the draft versions of laws concerning interests of consumers are consulted with the organization. The organization also brings its own proposals to amend or change the laws affecting consumer rights. It cooperates with some Members of the Parliament and tries to affect the legislation on behalf of consumers.

- Contributing to consolidation of commercial practices

Organization also offers lectures on consumer law and courses for entrepreneurs to educate the entrepreneurs in consumer topics, so they can become better partners for consumers in B2C contracts. Organization also provides the so-called “GOS program” for entrepreneurs. In this program the entrepreneurs can have their Terms and Conditions checked and adapted to be more consumer-friendly. If an entrepreneur uses “GOS logo”, then any consumer can be sure, that he will not be exposed to unfair practices, when contracting with such an entrepreneur. Organization provides many actions for consumers, such as meetings, lectures etc., where the consumers are informed of their rights and also of most common unfair practices they can meet. All of these activities should promote to consolidation of market and enhance the consumers’ position and their knowledge of consumer rights.

## 1.4 NATIONAL COUNCILS/ASSEMBLIES OF CONSUMER ORGANISATIONS AND OTHER STAKEHOLDERS

Address	Ministry of Industry and Trade, Na Františku 32, CZ-110 15 Praha 1
Phone:	+420 224 062 865
Fax:	-
Email:	<a href="mailto:mpo@mpo.cz">mpo@mpo.cz</a>
Web:	<a href="http://www.mpo.cz">www.mpo.cz</a>

The Consumer Consultative Committee is an advisory body on consumer policy issues. It was established by the MIT in 2000 and the Ministry provides the secretariat services.

The Members of this Committee are representatives of 7 consumer organisations. Representatives of Czech Chamber of Commerce, of Czech Confederation of Commerce and Tourism and of European Consumer Centre are regularly invited to participate in the meetings.

According to the statutes of the Committee, its meetings should be held three times a year.

## 1.5 CONSUMER MEDIA

Besides useful information, advice and alerts related to consumer protection provided by the public authorities and the consumer organizations listed above, consumer awareness of their rights is increased via several other consumer media, in particularly:

- **TV and Radio programmes:**
  - Černé ovce/Bílé ovce – [www.cerneovce.cz](http://www.cerneovce.cz)
  - Poradna pro spotřebitele, Spotřebitelský servis (Czech Radio) - <http://www.rozhlas.cz/>
- **Print media:**
  - dTest (independent monthly consumer magazine publishing test results of comparative product tests, advice & recommendations for consumers and findings on dangerous products. Advertising free.) – [www.dtest.cz](http://www.dtest.cz).
- **Internet/Facebook**
  - Ochránce spotřebitele - <https://cs-cz.facebook.com/OchranceSpotrebitele/> (information and advice provided by the MIT via the facebook profile)
  - <https://cs-cz.facebook.com/casopis.dTest/>

## 1.6 REDRESS BODIES: COURTS AND ADRS

### ➤ Courts

Courts responsible for hearing cases of a private nature are all country district courts. The cases that they deal with in the field of consumer protection concern mainly protection of consumers' economic interests (timeshare, door-step selling, distance selling, unfair contractual terms, etc.). Regarding public law, it is the

Administrative Court that decides appeals against administrative decisions of state supervisory authorities, such as the Czech Trade Inspection Authority.

➤ **ADR**

Besides bringing traders before the court, there exists another possibility how to solve national or cross-border disputes between consumers and traders, in most cases faster and less expensive that is the alternative dispute resolution system (ADR).

The system of ADR has been introduced in the Czech Republic since February 2016. In most cases the Czech Trade Inspection Authority is the competent body to assist consumers in resolving the difficulties. Other competent alternative dispute resolution entities are in the area of financial services the Financial Arbitrator, in the area of electronic communications and post services, the Czech Telecommunication Office and in the area of electro-energetics, gas and heat industry the Energy Regulatory Office. In cases of international disputes the European Consumer Centre helps consumers with access to the relevant subject of the extrajudicial resolution of consumer disputes.

Contact details of the Czech entities ensuring alternative dispute resolution for consumer disputes are listed below.

- **Czech Trade Inspection Authority**

Address:	Česká obchodní inspekce Ústřední inspektorát - oddělení ADR Štěpánská 15 120 00 Praha 2
Phone:	+420 296 366 159
Email:	<a href="mailto:adr@coi.cz">adr@coi.cz</a>
Web:	<a href="http://www.adr.coi.cz">www.adr.coi.cz</a>

- **Financial Arbitrator (financial services)**

Address	Kancelář finančního arbitra Legerova 1581/69 110 00 Praha 1
Phone:	+420 257 042 070
Email:	<a href="mailto:arbitr@finarbitr.cz">arbitr@finarbitr.cz</a>
Web:	<a href="http://www.finarbitr.cz">www.finarbitr.cz</a>

- **Czech Telecommunication Office** (electronic communication services and postal services)

Address	P.O. Box 02, 225 02 Prague 025
Phone:	+420 224 004 688
Email:	<a href="mailto:spotrebitelskespory@ctu.cz">spotrebitelskespory@ctu.cz</a>
Web:	<a href="http://www.ctu.eu/">www.ctu.eu/</a>

- **Energy Regulatory Office** (electricity, gas and heat industry)

Address	Masarykovo náměstí 5 586 01 Jihlava
Phone:	+420 564 578 666
Email:	<a href="mailto:podatelna@eru.cz">podatelna@eru.cz</a>
Web:	<a href="http://www.eru.cz/en/">www.eru.cz/en/</a>

## 1.7 EUROPEAN CONSUMER CENTRE

- **European Consumer Centre by the Czech Trade Inspection Authority**

Address	Štěpánská 15, CZ-120 00 Praha 2
Phone:	+420 296 366 155
Fax:	+420 296 366 236
Email:	<a href="mailto:esc@coi.cz">esc@coi.cz</a>
Web:	<a href="http://www.evropskyspotrebitel.cz/eng">http://www.evropskyspotrebitel.cz/eng</a>

The ECC Czech Republic was founded on January 1, 2005, within the financial support of the European Union. It was opened for consumers in April 2005. On January 1, 2009, its office moved from the Ministry of Industry and Trade to the Czech Trade Inspection Authority.

## 1.8 SELF OR CO-REGULATION

- **Asociace direct marketingu, e-commerce a zásilkového obchodu (Direct Marketing, E-commerce and Mail Order Sales Association, ADMEZ)**

Address	Malá Štupartská 7 110 00 Praha 1
Phone:	+420 739 205 347
Fax:	-
Email:	<a href="mailto:info@admez.cz">info@admez.cz</a>
Web:	<a href="http://www.admez.cz">www.admez.cz</a>

ADMEZ is a professional association of natural and legal persons in direct and mail-order marketing undertaking. The main goal of the association is to develop credible direct, digital, database, mobile and mail-order marketing, protection of the professional interests of the members and its representation at dealing with state authorities, joint professional promotion, organizing specialized actions for members, exchange of experience and counselling.

- **Rada pro reklamu (Advertisement Council)**

Address	Malostranské nám 23/37, CZ-118 00 Praha 1
Phone:	+420 257 531 441
Fax:	+420 257 531 441

Email:	<a href="mailto:info@rpr.cz">info@rpr.cz</a>
Web:	<a href="http://www.rpr.cz">www.rpr.cz</a>

Advertising Council was founded in order to enforce self-regulation of advertising. The main goal is to ensure and enforce the honest, legal, true and decent advertising on the territory of the Czech Republic. It cooperates closely with regional trade licensing offices, Czech state departments, the Council for Radio and TV Broadcasting, and others.

➤ **Asociace osobního prodeje (Association of Direct Selling)**

Address	Klimentská 1216/46 110 00 Praha 1
Phone:	+420 702 147 232
Fax:	-
Email:	<a href="mailto:info@osobniprodej.cz">info@osobniprodej.cz</a>
Web:	<a href="http://www.osobniprodej.cz">www.osobniprodej.cz</a>

The main objective of the Association is raising awareness, promotion and protection of the legitimate interests of the members and their distributors, dialogue with the media, regulators and state institutions and consumer protection cooperation.

➤ **Sdružení Korektní podnikání (SKP)**

Address	Václavské náměstí 21, CZ-113 60 Praha 1
Phone:	-
Fax:	-
Email:	<a href="mailto:info@korektnipodnikani.cz">info@korektnipodnikani.cz</a>
Web:	<a href="http://www.korektnipodnikani.cz">www.korektnipodnikani.cz</a>

The SKP was founded by the professional organizations of producers, service providers, and traders together with other Czech companies in order to improve the public image of entrepreneurships and entrepreneurs, to cultivate the business environment and to increase consumer confidence towards suppliers, trade and advertising.

➤ **Asociace pro elektronickou komerci APEK**

Address	Sokolská 23, CZ-120 00 Praha 2
Phone:	+420 222 510 100
Fax:	-
Email:	<a href="mailto:info@apek.cz">info@apek.cz</a>
Web:	<a href="http://www.apek.cz">www.apek.cz</a>

The Association for electronic commerce (APEK) is an association of more than 426 companies, entrepreneurs and experts in the field of e-commerce. The association was founded in 1998 as an

independent organization that promotes the development of e-commerce in the Czech Republic. Among its members the largest Czech online shops, the leading software companies and financial institutions belong.

## 2 Consumer Policies

### 2.1 CONSUMER PROTECTION LEGISLATION

Consumer protection in the Czech Republic is built upon various levels of legal protection. It is mainly based on private-law principles and it is also governed by public law.

#### ➤ Private law

In the recent years the Czech private law has been subject to a substantial revision. Regarding private law, consumer protection basis is defined in the new Civil Code (Act No. 89/2012 Coll.). The following EU directives have been transposed into the Civil Code:

- Directive on consumer rights (2011/83/EU);
- Directive on certain aspects of the sale of consumer goods and associated guarantees (1999/44/EC);
- Directive on unfair terms in consumer contracts (1993/13/EEC);
- Directive on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts (2008/122/EC);
- Directive on package travel, package holidays and package tours (90/314/EEC);
- Directive concerning the distance marketing of consumer financial services (2002/65/EC);
- Directive on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products (85/374/EEC).

Other acts (containing provisions of private and public-law nature) regulating areas such as for example consumer credit, electronic communications, energy sector are:

- Act No. 257/2016 Coll., on Consumer Credit;
- Act No. 127/2005 Coll., on Electronic Communications and on Amendment to Certain Related Acts;
- Act No. 458/2000 Coll., on Business Conditions and Public Administration in the Energy Sectors.

#### ➤ Public law

Besides the private-law rules, consumer protection is incorporated into several acts of public nature, of which the most important is the Consumer Protection Act (Act No. 634/1992 Coll.). This Act applies to the sale of products and provision of services in cases where performance is affected in the territory of the Czech Republic, it stipulates a number of basic requirements and obligations for traders in relation to consumers including special arrangements for organized events and prohibition of unfair commercial practices. Furthermore this act defines the role of public administration, alternative resolution of consumer disputes, and outlines the rights of consumers, associations of consumers, and other legal entities established with the purpose of protecting consumers.

However, there are other laws where consumer protection is more or less concerned.

- Act No. 102/2001 Coll., on General Product Safety,
- Act No. 64/1986 Coll., Czech Trade Inspection Authority,
- Act no. 526/1990. Coll., on Prices,
- Act no. 258/2000 Coll., on Public Health Protection.

Some of the above mentioned acts can be found in English on [www.mpo.cz](http://www.mpo.cz).

## **2.2 CONSUMER ORGANISATIONS**

The legal status of consumer associations and other legal entities established to protect consumers is basically governed by Consumer Protection Act No. 634/1992 Coll., as amended. However, it provides that legal status is governed by general rules, especially by Act 89/2012 Coll., Civil Code. According to these rules, at least three persons driven by a common interest may implement this interest by forming an association as a self-governing and voluntary group of members to associate with each other.

The Ministry of Industry and Trade funds the consumer organisations activities. The resources are allocated to them according to the projects approved by the Ministry in a tendering procedure.

Consumer organisations can ask for injunctions in civil court proceedings. According to the national law, organisations entitled to launch such proceedings have to have either this objective in their statute, or be listed in a register of empowered entities. The list of entities is registered with the EC Commission and is published in the Official Journal of the EU. In the Czech Republic, an independent non-profit consumer association which has been functioning for at least two years in the consumer protection area, with settled financial obligations towards the Czech Republic, can be enlisted in the above list.

## **2.3 ENFORCEMENT/REDRESS**

Enforcement bodies supervise whether traders comply with all the legal obligations. If they detect failures they can apply for remedy or impose penalties.

Regarding remedies, the most common measure that is taken is a request for terminating an infringement; in cases of direct danger to life, health or property, authorities can also ban the sale of products or provision of services; they are also entitled to withdraw products from the market. In really urgent cases the competent authorities can even close the business premises. However, they may not impose that the relevant entrepreneur provides redress to the consumer who has suffered any harm/injury.

In such a case, the consumer may directly ask the relevant entrepreneur for redress and if they do not settle the dispute together, the consumer may go to court and ask for redress. Eventually, out of court dispute settlement can be used, but it is rather an exception.

Class actions are not regulated in the Czech Republic.

## **2.4 INFORMATION AND EDUCATION**

Informing and educating consumers is carried out via:

- government authorities that inform and educate by means of their websites, press articles, TV and radio broadcasting;
- non- governmental organisations that carry out many activities framed in projects that are financed from the state budget. The NGOs also provide information by means of their Internet web sites, counselling, seminars, lectures, discussions, leaflets, etc.;
- media.