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*New version of the Law as of 01/03/2007:*

No [X-1014](#), 12/01/2007, *Žin., 2007, No 12-488 (30/01/2007)*

**REPUBLIC OF LITHUANIA  
LAW  
ON CONSUMER PROTECTION**

*Title of the Law is amended:*

No [X-1014](#), 12/01/2007, *Žin., 2007, No 12-488 (30/01/2007)*

10 November 1994, No I-657  
Vilnius

**CHAPTER ONE  
GENERAL PROVISIONS**

**Article 1. Purpose and application of the Law**

1. This Law defines consumer rights and areas of consumer protection, establishes an institutional framework for consumer protection and the competence of consumer protection authorities, regulates consumer education, relations between consumers, sellers and service providers, the out-of-court procedure for consumer rights protection and liability for infringements of legal acts regulating consumer protection.

2. This Law aims at ensuring the application of the EU legal acts referred to in the Annex to this Law.

3. This Law shall not apply to educational and social services financed from the national and municipal budgets, to personal and public healthcare services whose costs according to laws are covered (compensated) from the budget of the Compulsory Health Insurance Fund and the national or municipal budgets, to the supply of medicines and enforcement of court judgments.

4. In the cases of application of the Law on Payments, the provisions of Articles 11 and 18 of the Law on Payments shall apply instead of the information requirements laid down in Article 36(5) to (9) of this Law, with the exception of Article 36(7)(3) to (8), Article 36(8)(1), (4) and (5) and Article 9(2) of this Law.

*Amendments to the paragraph of the Article:*

No [XII-2564](#), 30/06/2016, published in the Register of Legal Acts (TAR) on 13/07/2016, identification code 2016-20318

*Amendment to the Article:*

No [XI-562](#), 10/12/2009, *Žin., 2009, No 153-6900 (28/12/2009)*

**Article 2. Main definitions for the purposes of this Law**

1. **Producer** means a person operating (established) in accordance with the procedure laid down by legal acts in the Republic of Lithuania or any other state of the European Economic Area, who:

1) has produced a product or made a public statement to that effect by marking the product with his own name, trademark or some other distinctive sign;

2) acts as a representative of the producer where the producer has not been established in a state of the European Economic Area, or imports the product in the absence of any representative of the producer established in a state of the European Economic Area;

3) as a participant in the supply of a product, may influence the quality and safety of the product which is being placed on the market.

2. **Financial service** means any insurance and pension savings services and the financial services referred to in the Law on Financial Institutions.

3. **Financial services contract concluded using means of communication** means any financial services contract between a supplier and a consumer concluded using only means of communication (one or several).

4. *Repealed with effect from 13/06/2014.*

5. **Seller** means any businessperson who offers and sells goods to consumers.

6. **Sales price** means the final price of goods or services determined in monetary terms, including value added tax and all other taxes, and, where it is impossible to indicate the precise price, an example of its calculation on the basis of which a consumer may check the price.

7. **Service** means any remunerated activity and/or its result by which the specific need of a consumer is offered to be met or is met.

8. **Service provider** means any businessperson who offers and supplies services to consumers for remuneration.

9. **Durable medium** means any instrument which enables the consumer or the seller or service provider to store information addressed personally to him in a way accessible for future reference for a period of time adequate for the purposes of the information and which allows the unchanged reproduction of the information stored (i.e. paper written (printed) documents, USB flash drives, CD-ROM drives (CD-ROM), digital video disks (DVD), memory cards and PC hard drives, e-mails and other instruments).

10. **Initial financial services contract** means a contract between a consumer and a financial service provider which does not cover future transactions of the same type carried out in sequence or individually.

11. **Goods** means any item offered for sale or being sold to a consumer. Heat and electricity, and water and natural gas are also considered to be goods, unless otherwise provided for by other laws.

12. **Means of communication** refers to any means which may be used, without the simultaneous physical presence of the seller or service provider and the consumer, for the conclusion of a contract between the seller or service provider and the consumer.

13. **Cross-border consumer dispute** means a consumer dispute where, at the time the consumer orders the goods or services, the consumer is resident in a Member State other than that in which the seller or service provider is established.

*The paragraph is added to the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

14. **Expiry date** means a deadline after which a good is considered to be unsuitable for usage according to its intended purpose, i.e. the qualities of the good which the consumer could expect before the expiration of that date are or may be lower than those indicated in the technical regulation and/or producer's documentation (declarations and statements) applicable to the good).

*Change to the numbering of the paragraph of the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

15. **Member State** means a Member State of the European Union or a country of the European Economic Area (Iceland, Liechtenstein and Norway).

*The paragraph is added to the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

16. **Consumer dispute** means a disagreement on a fact and (or) legal issues arising between the consumer and the seller or service provider from the consumer contract.

*The paragraph is added to the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

17. **Out-of-court consumer dispute settlement procedure** means the settlement of consumer disputes out-of-court where a consumer dispute is settled in accordance with the requirements laid down in Article 22<sup>2</sup> to 22<sup>5</sup> of this Law by an out-of-court consumer dispute settlement entity.

*The paragraph is added to the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

18. **Out-of-court consumer dispute settlement entity** means the consumer dispute settlement authority referred to in Article 22(1) of this Law or other entity settling consumer disputes out-of-court referred to in Article 22<sup>2</sup> of this Law, resolving consumer disputes under the out-of-court consumer dispute settlement procedure and put on the list of out-of-court consumer dispute settlement entities in accordance with Article 29<sup>2</sup> of this Law.

*The paragraph is added to the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

19. **Consumer** means a natural person seeking to conclude or concluding contracts for purposes outside his business, trade, craft or profession (for consumption purposes).

*Change to the numbering of the paragraph of the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

20. **Consumer information** means the provision and dissemination of information relating to the satisfaction of consumers' needs and protection of their rights.

*Change to the numbering of the paragraph of the Article:*

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21. **Consumer consultation** means advice and practical assistance to consumers on the issues of the protection of consumer rights.

*Change to the numbering of the paragraph of the Article:*

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22. **Consumer awareness-raising** means consumer education, information and consultation.

*Change to the numbering of the paragraph of the Article:*

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23. **Consumer education** means a process focused on the awareness of the consumer rights and the development of critical thinking, decision-making and ability to receive information, and covering formal education (primary, basic and secondary education, vocational training, post-secondary and higher education) and non-formal education (pre-school, pre-primary and other non-formal education of children and adults).

*Change to the numbering of the paragraph of the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

24. **Businessperson** means a natural or legal person or other organisation, or a branch thereof, seeking to conclude or concluding contracts for purposes associated with its business, trade, craft or profession, including persons acting on behalf, or for the benefit, of the businessperson. A legal person may be considered to be a businessperson without regard to the legal status of its participants.

*Change to the numbering of the paragraph of the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

*Amendments to the Article:*

No [XI-1620](#), 13/10/11, Žin., 2011, No 129-6109 (27/10/2011)

No [XII-701](#), 19/12/2013, published in the TAR on 07/01/2014, identification code 2014-00066

## **CHAPTER TWO CONSUMER RIGHTS AND IMPLEMENTATION OF THEIR PROTECTION**

### **Article 3. Consumer rights**

1. Consumers shall have the right to:

- 1) acquire and use goods and services at their own discretion (to choose a seller and service provider);
  - 2) acquire safe goods or services of suitable quality;
  - 3) receive correct and full information in the official language on the goods sold or services supplied;
  - 4) receive information about the procedure for implementing and protecting their rights;
  - 5) defence of violated rights and redress for pecuniary or non-pecuniary damage (loses);
  - 6) appeal to dispute settlement authorities or the court regarding the defence of violated rights;
  - 7) join consumer associations;
  - 8) education in the area of consumption;
  - 9) protection of economic interests.
2. Consumers shall also have other rights established by this Law and other legal acts.

### **Article 4. Specificities of consumer contracts**

The specificities of consumer contracts shall be established by the Civil Code.

*Amendments to the Article:*

No [XII-701](#), 19/12/2013, published in the TAR on 07/01/2014, identification code 2014-00066

### **Article 5. Provision of information to consumers**

1. The producer, seller and service provider must provide consumers, in the official language, with the information defined in the Civil Code and other legal acts and mark goods in the manner prescribed by legal acts. Other laws may impose an obligation on the producer, seller or service provider to provide consumers with the information defined in the Civil Code and other legal acts in the official language and other language.

2. The official language shall be obligatory in all public external and internal inscriptions of trade and service access points intended for consumers, including the names of trade and service access points.

3. Prior to ordering goods or services, information on any delivery limitations and available payment methods shall be clearly and legibly provided on websites offering goods and services to consumers.

4. The website of the seller or service provider, if it has one, must provide information on out-of-court consumer dispute settlement entities, competent to settle consumer disputes: entity

business name (name and surname), address and website address. This information shall be provided in a clear, comprehensible and easily accessible way.

*The paragraph is added to the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

5. The information specified in Article 5(4) shall also be provided in the standard terms and conditions of the seller's or service provider's contracts, if applicable.

*The paragraph is added to the Article:*

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6. In implementing EU legislation, other requirements for providing information to consumers on out-of-court consumer dispute settlement procedures than those laid down in Article 5(4) and (5) may be laid down by other laws. In such a case Article 5(4) and (5) shall apply insofar as other laws do not establish otherwise.

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*Amendments to the Article:*

No [XI-1620](#), 13/10/2011, Žin., 2011, No 129-6109 (27/10/2011)

No [XII-701](#), 19/12/2013, published in the TAR on 07/01/2014, identification code 2014-00066

#### **Article 6. Principle of fair business practice**

While offering for purchase and supplying goods and services to consumers, sellers and service providers must follow fair business practice. Goods and services shall be offered in such a way that a consumer is aware of the commercial character of an offer.

#### **Article 7. Implementation of the protection of consumer rights**

The protection of consumer rights shall be implemented:

- 1) by applying preventive measures (consumer awareness-raising, information and consultation, research, market surveillance and other measures);
- 2) through administrative, civil or criminal liability;
- 3) by defending consumer rights either out of court in accordance with the procedure laid down by Chapter VI of this Law and other laws or in court.

### **CHAPTER THREE AREAS AND INSTITUTIONAL FRAMEWORK FOR THE PROTECTION OF CONSUMER RIGHTS**

#### **Article 8. Areas of the protection of consumer rights**

The areas of the protection of consumer rights shall be the sale and purchase of goods and services relating thereto and all remunerated services where goods are acquired or services are supplied to consumers.

#### **Article 9. Institutional framework for the protection of consumer rights**

The protection of consumer rights shall be guaranteed in the Republic of Lithuania by:

- 1) public and municipal authorities;
- 2) consumer associations.

#### **Article 10. Competence of public and municipal authorities in the area of consumer protection**

1. In the area of consumer protection, the Government shall:  
1) every four years approve the National Strategy for Consumer Protection;

***Version of paragraph 1 as from 01/01/2019:***

1) approve the National Consumer Protection Development Programme;

*Amendments to the subparagraph of the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

2) set up the National Consumer Rights Protection Authority and approve its regulations;  
3) approve, in the cases prescribed by law, standard terms and conditions of contracts;  
4) approve, or authorise public authorities and bodies to approve, rules for the supply of individual types of services;  
5) perform other functions laid down by laws and other legislation.

2. In the area of consumer protection, the Ministry of Justice of the Republic of Lithuania (the 'Ministry of Justice') shall:

1) shape the national consumer protection policy;  
2) organise, coordinate and control the implementation of national policy in the area of consumer rights protection;  
3) perform other functions laid down by laws and other legislation.

*Amendments to the paragraph of the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

3. To ensure the implementation of the functions delegated to the Ministry of Justice in the area of consumer protection, a State Consumer Rights Protection Board (the 'Board') shall be set up. This Board shall be a voluntary collegiate advisory body.

4. The Board shall consist of representatives from public authorities responsible for consumer protection, authorities settling consumer disputes and consumer associations and one representative of the Association of Local Authorities in Lithuania. The regulations and composition of the Board shall be approved by the Minister for Justice of the Republic of Lithuania (the 'Minister for Justice'). The Board shall be headed by the representative of the Ministry of Justice.

*Amendments to the paragraph of the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

5. The Board shall:

1) submit proposals concerning the implementation and improvement of the consumer protection policy;  
2) analyse information from consumer protection authorities about their activities and submit proposals concerning their activities;  
3) submit proposals concerning the adoption and amendment of legal acts regulating consumer protection.

6. In the area of consumer protection, the Ministry of Education and Science shall:

1) coordinate consumer education and integrate consumer awareness-raising into formal education (primary, basic and secondary education, vocational training, post-secondary and higher education) and non-formal education (pre-school, pre-primary and other non-formal education of children and adults);

2) approve programmes for the professional development of teachers, including matters relating to consumer education, and implement the consumer awareness-raising policy jointly with educational institutions.

7. Other public and municipal authorities implementing the measures referred to in Article 7

of this Law shall, within their remit defined by this Law and other laws and legal acts, participate in the organisation of consumer protection and defence of consumer rights.

*Amendments to the Article:*

No [XI-1765](#), 01/12/2011, *Žin.*, 2011, No 153-7202 (15/12/2011)

### **Article 11. State Consumer Rights Protection Authority**

1. The State Consumer Rights Protection Authority shall be a public body under the Ministry of Justice implementing the national policy in the area of consumer protection and ensuring the protection of consumer rights.

2. The State Consumer Rights Protection Authority shall be a legal person. It shall have its bank accounts and the seal with the Coat of Arms of the State of Lithuania and its name.

3. The State Consumer Rights Protection Authority shall be a budgetary body.

4. The State Consumer Rights Protection Authority shall be headed by its director. The director of the State Consumer Rights Protection Authority shall be appointed to this position by the Minister for Justice in accordance with the procedure laid down by the Law on Public Service.

5. Working arrangements for the State Consumer Rights Protection Authority shall be established by this Law and other laws, the regulations of the Consumer Rights Protection Authority and its rules of procedure approved by the Authority.

*Amendments to the paragraph of the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

### **Article 12. Functions and rights of the State Consumer Rights Protection Authority**

1. The State Consumer Rights Protection Authority shall perform the following functions:

1) ensure the protection of consumer rights and monitor compliance by non-food products placed on the market with the safety, quality and marking requirements for non-food products laid down by legal acts;

*Amendments to the subparagraph of the Article:*

No [XII-1866](#), 25/06/2015, published in the TAR on 03/07/2015, identification code 2015-10766

2) coordinate the activities of consumer protection authorities responsible for the regulation of certain areas of consumption in the area of consumer protection (analysis of information collected and periodically received from public and municipal authorities in relation to the protection of consumer rights; submission of proposals for the improvement of consumer protection);

3) adopt and coordinate legal acts relating to consumer protection;

4) submit conclusions and proposals for draft laws and other legal acts relating to consumer protection;

5) settle disputes between consumers and sellers or service providers out of court;

*Amendments to the subparagraph of the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

6) control standard terms and conditions of contracts in the manner prescribed by law and contest unfair terms and conditions of consumer contracts;

7) impose sanctions laid down by law;

8) defend the public interest of consumers in accordance with the procedure laid down by Chapter Seven of this Law;

9) organise consumer awareness-raising, coordinate activities of other public and municipal authorities and consumer associations relating to the organisation of consumer awareness-raising; provide sellers and service providers with information about consumer rights;

10) create and manage a consumer protection database;

11) organise and carry out, jointly with other public authorities, the exchange of information with the European Commission and Member States (RAPEX system) in accordance with the procedure laid down by EU legislation, also publish on its website about dangerous non-food products, produced in the Republic of Lithuania or supplied from EU Member States or other countries whose placement on the market has been prohibited by the State Consumer Rights Protection Authority;

*Amendments to the subparagraph of the Article:*

No [XII-1866](#), 25/06/2015, published in the TAR on 03/07/2015, identification code 2015-10766

12) implement, jointly with the European Commission and the national authorities of other EU Member States, Regulation (EC) No 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws ('Regulation (EC) No 2006/2004') and Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC ('Regulation (EU) No 524/2013');

*Amendments to the subparagraph of the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

13) represent the Republic of Lithuania before international organisations in the area of consumer protection;

14) perform other functions laid down by laws and other legislation.

2. The State Consumer Rights Protection Authority shall have the right to:

1) obtain information relating to consumer protection from public and municipal authorities responsible for the relevant area of administration;

2) obtain from public and municipal authorities, bodies and other persons information and documents necessary for the investigation of infringements of laws and, where necessary, samples of advertised goods;

3) carry out necessary on-site inspections to the extent necessary to achieve the purposes of Regulation (EC) No 2006/2004;

*Amendments to the subparagraph of the Article:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

4) request that producers, importers, sellers and service providers or their representatives appear before the State Consumer Rights Protection Authority and provide oral or written explanations;

5) set up commissions or working groups to draw up legislation or discuss other issues within the remit of the State Consumer Rights Protection Authority and include in them specialists from other authorities (with the approval of their managers);

6) other rights laid down by laws and other legal acts.

### **Article 12<sup>1</sup>. Information system for consumer rights**

An information system for consumer rights shall be a State information system enabling consumers to submit requests and complaints electronically, while public and municipal authorities exercising their functions in the area of consumer protection shall, in accordance with the procedure laid down by the Government, accept these requests and complaints and submit replies to them and their decisions, and provide e-services ensuring the prevention of infringements of consumer rights and information on the protection of consumer rights.

*The Article is added:*

No [XII-2212](#), 22/12/2015, published in the TAR on 05/01/2016, identification code 2016-00082



### **Article 13. Consumer associations**

1. Consumer associations shall have the right to:
  - 1) carry out a survey on what consumers think about the range and quality of goods and services and the organisation of trade and supply of services;
  - 2) examine the quality of goods and services at testing laboratories, and submit goods and services for expert examination and investigations;
  - 3) publicise the results of consumer surveys and the expert examinations and tests of goods and services;
  - 4) put forward proposals to public and municipal authorities for the prohibition of production of goods and sale/supply of services hazardous to consumer health;
  - 5) submit to sellers and service providers proposals for the improvement of consumer protection;
  - 6) raise consumer awareness, issue publications for consumers, prepare broadcasts, etc.;
  - 7) represent consumers in hearing disputes in accordance with the out-of-court dispute settlement procedure;
  - 8) obtain information from producers, sellers or service providers about the quality of goods sold and services supplied and other data necessary to defend consumer rights and interests;
  - 9) obtain information from public and municipal authorities;
  - 10) implement consumer information and consultation programmes;
  - 11) submit proposals for the development of a consumer protection policy and participate in its implementation;
  - 12) defend the public interest of consumers in accordance with the procedure laid down by Chapter Seven of this Law;
  - 13) other rights laid down by laws and other legal acts.
2. Consumer associations that meet the conditions set out in Article 31(1) of this Law shall be granted financial support from the State in accordance with the rules approved by the Government after they have reported on their activities in the manner prescribed by the Government.
3. Municipalities shall have the right to support consumer associations in accordance with the procedure laid down by a municipal council.

## **CHAPTER FOUR QUALITY AND SAFETY OF GOODS AND SERVICES**

### **Article 14. Quality and safety requirements for goods and services**

1. Quality and safety requirements for goods and services shall be established by the Civil Code, the Law on Product Safety, the Law on Food, and other legal acts.
2. *Repealed with effect from 13/06/2014.*
3. *Repealed with effect from 13/06/2014.*

*Amendments to the Article:*

No [XII-701](#), 19/12/2013, published in the TAR on 07/01/2014, identification code 2014-00066

### **Article 15. Repealed with effect from 01/11/2017**

*Amendments to the Article:*

No [XII-701](#), 19/12/2013, published in the TAR on 07/01/2014, identification code 2014-00066

*Amendments to the Article:*

No [XIII-65](#), 08/12/2016, published in the Register of Legal Acts (TAR) on 20/12/2016, identification code 2016-29146

### **Article 16. Quality guarantee**

1. The quality guarantee provided by the seller or service provider must not constrain the consumer rights granted by law upon the acquisition goods or services of inadequate quality.

2. The quality guarantee must be in the official language. It shall state that the quality guarantee must not constrain consumer rights upon the acquisition of goods or services of inadequate quality; it shall also set out, in a clear intelligible language, the business name (or the name and surname) and address of the guarantor, and the terms and conditions of the guarantee, including the duration and territorial scope of the guarantee and essential particulars necessary for making claims under the guarantee.

3. On request by the consumer, the quality guarantee shall be made available on a durable medium accessible to him.

4. *Repealed with effect from 13/06/2014.*

*Amendments to the Article:*

No [XI-1620](#), 13/10/2011, Žin., 2011, No 129-6109 (27/10/2011)

No [XII-701](#), 19/12/2013, published in the TAR on 07/01/2014, identification code 2014-00066

## **CHAPTER FIVE CONSUMER AWARENESS-RAISING**

### **Article 17. Concept of consumer awareness-raising**

1. Consumer awareness-raising shall be a process enabling consumers to acquire knowledge and capacities which would be required when purchasing and using goods and services to meet personal, family or household needs and when exercising and defending consumer rights.

2. Areas and tasks of consumer awareness-raising shall be defined in the National Strategy for Consumer Protection.

### **Article 18. Broadcasting in relation to the matters of consumer protection**

The Lithuanian National Radio and Television shall, from the appropriations allocated from the State budget, provide information on consumer protection in programmes broadcast by it.

## **CHAPTER SIX OUT-OF-COURT-REDRESS**

*TAR note.* The provisions of the Law regarding the commencement and implementation of the procedure for out-of-court settlement of consumer disputes electronically enter into force on 9 January 2016.

### **Article 19. Scope**

1. This Chapter lays down out-of-court settlement of consumer disputes. The provisions of this Chapter shall also apply to the settlement of cross-border consumer disputes.

2. The provisions of this Chapter shall not apply to:

- 1) settlement of consumer disputes where the dispute is settled by employees of a seller or service provider or other persons who are rewarded by the seller or service provider;
- 2) consumer complaint hearing procedures which are laid down by the seller and service provider;
- 3) settlement of disputes arising among the sellers or service providers;
- 4) direct negotiations between the consumer and the seller or service provider;
- 5) reconciliation in court proceedings;

6) procedures for the out-of-court settlement of consumer disputes which are initiated against the consumer by the seller or service provider;

7) settlement of disputes regarding healthcare services provided by healthcare specialists which aim at assessing and maintaining patients' health status or improving their health, including prescriptions of pharmaceuticals and medical devices and dispensation and supply of pharmaceuticals and medical devices.

3. If there is a conflict between the provisions of this Law and any other law implementing an EU legal act regarding out-of-court procedures for the settlement of consumer disputes which are initiated by the consumer against the seller or service provider, the provisions of this Law shall apply, unless otherwise provided for by this Law.

### **Article 20. Ways of defending consumer rights and interests**

1. Presuming that the seller or service provider has infringed his rights or legitimate interests related to the consumer contract, the consumer shall have the right to appeal to the seller or service provider, the out-of-court consumer dispute settlement entity or the court, in order to defend his violated or disputed rights or legitimate interests. Appeal by the consumer to the out-of-court consumer dispute settlement authority shall not deprive the consumer of the right to apply to the court.

2. The consumer shall be entitled to defend his rights or legitimate interests in other lawful ways which are not covered by this Law.

### **Article 21. Applying to the seller or service provider**

1. Presuming that the seller or service provider has infringed his rights or legitimate interests related to the consumer contract, the consumer must first apply in writing to the seller or service provider and make a claim, except for the cases where the consumer appeals directly to the court. The consumer must apply to the seller or service provider no later than within three months after the day when the consumer became aware or should have become aware of the infringement of his rights or legitimate interests.

2. The seller or service provider must consider the consumer's application free of charge and, if objecting to the consumer's claims, must no later than within 14 days of receipt of the consumer's application give the consumer a detailed reasoned written reply supported by documents, unless otherwise laid down by other laws or EU legislation. Copies of those documents must be attached to the seller's or service provider's reply to the consumer. Consumer applications shall be considered by sellers and service providers free of charge.

3. Where the seller or service provider dismisses consumer's claims or satisfies them in part, the reply from the seller or service provider shall contain information on the out-of-court consumer dispute settlement entity which is competent to hear the consumer dispute.

### **Article 22. Authorities hearing consumer disputes**

1. The following authorities shall hear consumer disputes out-of-court ('consumer dispute settlement authorities'):

1) the Lithuanian Communications Regulatory Authority: disputes between consumers and electronic communications service providers or postal service providers regarding relations governed by the Law of the Republic of Lithuania on Electronic Communications and the Postal Law of the Republic of Lithuania;

2) the Bank of Lithuania: consumer disputes regarding financial services referred to in the Law of the Republic of Lithuania on the Bank of Lithuania;

3) the National Control Commission for Prices and Energy: disputes between consumers and energy companies and drinking water supply and/or waste water management companies regarding payment for energy consumed or services used, the application of State-regulated prices

and/or tariffs, the activities or omission of energy companies when supplying, distributing, transmitting and storing energy, connections, and the balancing of energy and energy resource supply flows, and other energy-related disputes between consumers and energy companies which are not delegated to the State Energy Inspectorate under the Ministry of Energy;

4) the State Energy Inspectorate under the Ministry of Energy: disputes between consumers and energy undertakings regarding the operation of energy facilities, installations and metering instruments, and the discontinuation, suspension or restriction of energy supply, and disputes between consumers and energy-saving service providers regarding the provision of energy-saving services;

*Amendments to the subparagraph of the Article:*

No [XII-2707](#), 03/11/2016, published in the Register of Legal Acts (TAR) on 09/11/2016, identification code 2016-26491

5) the Council of the Lithuanian Bar Association or a body set up by it: disputes between consumers and lawyers regarding legal services;

6) the State Consumer Rights Protection Authority: disputes in other areas of consumer protection excluded from Article 22(1)(1) to (5).

2. When settling consumer disputes, the consumer dispute settlement authorities shall have the right to:

1) apply to the consumer for additional information and specify a time limit for the provision of such information;

2) request the seller or service provider, against which the consumer's claim has been filed, to present, within the specified time limit, oral or written explanations and evidence necessary for the resolution of the dispute;

3) obtain from public and municipal authorities and bodies and other legal or natural persons information necessary for the resolution of the dispute and for decision-making;

4) obtain conclusions from the public and municipal authorities and bodies which are responsible for the consumer area relating to the dispute regarding the issues falling within the remit of that authority/body;

5) other rights established in the rules on an out-of-court dispute settlement procedure.

3. The consumer dispute settlement authorities must:

1) ensure functioning of a website which clearly publishes information about the out-of-court consumer dispute settlement procedure and which enables consumers to submit online applications for dispute settlement and annexes thereto;

2) on request, provide information on the out-of-court consumer dispute settlement procedure on a durable medium;

3) enable parties to the dispute to exchange information with the consumer dispute settlement authority online;

4) hear cross-border consumer disputes, including disputes subject to the application of Regulation (EU) No 524/2013;

5) ensure the processing of personal data in accordance with the Law of the Republic of Lithuania on Legal Protection of Personal Data.

4. The consumer dispute settlement authorities shall hear consumer disputes free of charge.

5. Articles 23 to 29 of this Law shall apply only to the consumer dispute settlement authorities.

#### **Article 22<sup>1</sup>. Consumer dispute commissions**

1. To hear disputes assigned to it by this Law, the State Consumer Rights Protection Authority shall set up standing consumer dispute commissions. The consumer dispute commissions shall consider consumer disputes in individual areas of consumer goods and services or

administrative units of the territory of the Republic of Lithuania where the amount of the dispute is at least two hundred euros and the dispute is considered under the oral procedure. The procedure for setting up consumer dispute commissions and their working arrangements and the consumer disputes subject to consideration by them shall be laid down in the regulations of consumer dispute commissions by the Government or an institution authorised by it.

2. The consumer dispute commission shall consist of three members:

1) the chairperson of the commission. A civil servant of the State Consumer Rights Protection Authority who is a graduate in law shall be appointed to that position.

2) a representative of a consumer association that meets the conditions laid down in Article 31(1) of this Law;

3) a representative appointed by a businesspersons' association. This association shall meet the following requirements:

a) the association shall be registered in the Register of Legal Persons;

b) the aim of the association's activities, as specified in the association incorporation instrument, shall be the protection of businesspersons' (business) rights and representation of interests thereof;

c) the association shall have at least 20 members.

3. The members of the consumer dispute commission must attend its sittings. Where a member(s) of the consumer dispute commission fails (fail) to attend a sitting, the commission chairperson shall at his/her own discretion decide whether to adjourn the meeting or consider the dispute on the merits.

4. The members of the consumer dispute commission referred to in Article 22<sup>1</sup>(2)(2) and (3) shall be exempted from their work duties for the period of their participation in the work of the consumer dispute commission. The members of the consumer dispute commission shall receive remuneration for their work in the commission's sittings and compensation for travel costs in accordance with the procedure laid down in the regulations of the consumer dispute commission.

5. The consumer dispute commission shall adopt a decision on the merits by majority vote. While adopting the decision on the merits only the members of the consumer dispute commission shall be present. The member of commission who objects to the decision on the merits may express a dissenting opinion. Where a member (members) of the consumer dispute commission is (are) absent from the meeting and the chairperson of the commission takes a decision to consider the dispute on the merits, a decision on the merits shall be taken by the members of the commission hearing the dispute. If the dispute is considered by two members of the consumer dispute commission and they hold divergent opinions, or if the dispute is considered by the chairman of the commission only, the decision shall be made by the chairman of the consumer dispute commission at his own discretion.

6. The grounds and procedure for challenges laid down in the Code of Civil Procedure shall apply *mutatis mutandis* to the members of the consumer dispute commission.

7. The State Consumer Rights Protection Authority shall ensure activity conditions for consumer dispute commissions and provide technical services to them.

#### **Article 22<sup>2</sup>. Other out-of-court consumer dispute settlement entities**

1. On the basis of a written agreement between consumers and sellers or service providers, consumer disputes may be settled out-of-court by other out-of-court consumer dispute settlement entities:

1) a permanent arbitration body operating in accordance with the Law of the Republic of Lithuania on Commercial Arbitration and included in the list of out-of-court consumer dispute settlement entities in accordance with Article 29<sup>2</sup> of this Law;

2) a public legal person established by a consumer association that fulfils the conditions laid down in Article 31(1) of this Law and a businesspersons' association that meets the requirements

laid down in Article 22<sup>1</sup>(2)(3) of this Law and included in the list of out-of-court consumer dispute settlement entities in accordance with Article 29<sup>2</sup> of this Law.

2. On the basis of a written agreement between consumers and sellers or service providers, consumer disputes may also be heard out-of-court by conciliatory mediators in civil disputes in accordance with the procedure laid down by the Law of the Republic of Lithuania on Conciliatory Mediation in Civil Disputes.

3. The consumer and the seller or service provider shall have the right to agree on a referral of the consumer dispute to other out-of-court consumer dispute settlement entity for consideration only when a dispute arises. Any agreement between the consumer and the seller or service provider on referring the consumer dispute to other out-of-court consumer dispute settlement entity for consideration shall be invalid if it is concluded prior to the existence of a dispute and deprives the consumer of the right to appeal to the court.

4. A decision by other out-of-court consumer dispute settlement entity taken after consideration of the dispute on the merits shall be binding on the consumer only if, before opening the out-of-court consumer dispute settlement procedure, the legal consequences of the decision have been explained to the consumer and his express content has been obtained.

5. When settling consumer disputes, other out-of-court consumer dispute settlement entities shall ensure that the binding consumer protection rules are applied.

#### **Article 22<sup>3</sup>. Expertise, independence and impartiality of out-of-court consumer dispute settlement entities**

1. Out-of-court consumer dispute settlement entities shall ensure that natural persons hearing consumer disputes have the necessary expertise and are independent and impartial. It shall be deemed that natural persons hearing consumer disputes meet these requirements if:

1) they are graduates in law or have experience in settling disputes out-of-court or in court, or are university graduates and have completed a training programme in the field of out-of-court consumer dispute settlement. In the event of collegial dispute settlement, that requirement shall be met by least one legal person;

2) they are appointed to settle disputes out-of-court for an indefinite period of time or for the period of at least two years and such duty may cease only on the statutory grounds;

3) they are not obliged to take into account instructions from the parties to the dispute or their representatives;

4) the remuneration or compensation paid to them for participation in dispute settlement is not relating to the outcomes of the out-of-court consumer dispute settlement procedure;

5) they are obliged to immediately disclose any circumstances to the out-of-court consumer dispute settlement entity which could affect their independence and impartiality or cause a conflict of interests with any party to the dispute. The obligation to disclose such circumstances shall be binding on these persons throughout the entire out-of-court consumer dispute settlement procedure.

2. In the presence of the circumstances referred to in Article 22<sup>3</sup>(1)(5):

1) a natural person settling consumer disputes shall be replaced by other natural person in the out-of-court consumer dispute settlement procedure, or

2) parties to the dispute shall be informed about these circumstances and the right to file challenges. If none of the parties to the dispute files challenges, the natural person may be allowed to continue the out-of-court consumer dispute settlement procedure.

#### **Article 22<sup>4</sup>. Provision of information on the settlement of consumer disputes**

1. Out-of-court consumer dispute settlement entities must publish, in a clear and comprehensible manner, on their websites the following information:

1) the entity's name and contact details, including the postal address and email address;

2) information that the entity is put on the list of out-of-court consumer dispute settlement

entities referred to in Article 29<sup>2</sup> of this Law;

3) natural persons (names, surnames and positions) responsible for the out-of-court settlement of consumer disputes, the procedure for their appointment and duration of their powers;

4) consumer disputes which fall within the competence of the out-of-court consumer dispute settlement entity;

5) the procedural rules for out-of-court consumer dispute settlement;

6) legal grounds for refusal to consider the consumer's application;

7) the provisions on the basis of which the out-of-court consumer dispute settlement entity settles disputes (for example, legal rules, principles of law, codes of conduct, etc.);

8) consumer's duty, before appealing to the out-of-court consumer dispute settlement entity; to first apply to the seller or service provider;

9) consumer's right to waive his claims and terminate the procedure at any time;

10) potential costs of the out-of-court consumer dispute settlement procedure and the rules on awarding such costs to the parties to the dispute;

11) the average length of the out-of-court consumer dispute settlement procedure;

12) legal effect, binding nature and enforcement procedure of the decision made after consideration of the dispute, including sanctions (if any) for failure to enforce such decision;

13) foreign language in which the consumer may submit his application to the out-of-court consumer dispute settlement entity, if necessary;

14) where the out-of-court consumer dispute settlement entity is a member of an international cooperation network aimed at facilitating the resolution of cross-border consumer disputes, information on this membership.

2. Out-of-court consumer dispute settlement entities shall, each year until 30 March, publish on their websites a report on the out-of-court settlement of consumer disputes in the previous calendar year. It shall contain information specified by the Minister for Justice.

3. On request, out-of-court consumer dispute settlement entities must provide information referred to in Article 22<sup>4</sup>(1) and/or (2) in writing on a durable medium.

#### **Article 22<sup>5</sup>. Requirements for out-of-court consumer dispute settlement procedures**

1. Out-of-court consumer dispute settlement procedures shall meet the following requirements:

1) the procedure may be opened in writing (upon submitting an application to settle a consumer dispute) or commenced and implemented online;

2) parties to the dispute shall not be obliged to be represented by a lawyer or other person;

3) the procedure shall be free of charge for the consumers;

4) having accepted the consumer's application to settle a consumer dispute, the out-of-court consumer dispute settlement entity shall inform the other party to the dispute to that effect in writing no later than within three working days;

5) a consumer dispute shall be resolved and a decision on the merits shall be taken no later than within 90 days after the day on which the out-of-court consumer dispute settlement entity received the documents referred to in Article 23(3) of this Law. If, for grounded reasons, the consumer dispute cannot be examined and a decision cannot be taken within that time limit, the out-of-court consumer dispute settlement entity may extend this time limit by a maximum of 30 days. The extension of that time limit shall be notified to the parties to the dispute.

2. During the out-of-court consumer dispute settlement procedure the following rights of parties of the dispute shall be guaranteed:

1) the right to express one's opinion and to obtain explanations, documents and other evidence provided by the other party to the dispute, and conclusions received and provide comments on them;

2) the right to be informed that a party is not obliged to be represented by a lawyer or other

person but is entitled to have his representative;

3) the right to obtain a reasoned decision, in writing in a durable medium, made by the out-of-court consumer dispute settlement entity after the dispute has been resolved on the merits.

3. Upon commencement of the out-of-court consumer dispute settlement procedure the consumer shall be supplied with the information that:

1) the consumer has the right to waive his claims and terminate the out-of-court consumer dispute settlement procedure prior to making a decision on the merits;

2) participation by the consumer in the out-of-court consumer dispute settlement procedure is without prejudice to the possibility of defending rights or legitimate interests in court;

3) the consumer who objects to the decision on the merits by the out-of-court consumer dispute settlement entity is entitled to appeal to the court of general competence with a request to hear the dispute on the merits;

4) legal effect, entry into force and enforcement procedure of the decision made after the dispute has been resolved on the merits;

5) the consumer has the right to consider the conditions of an amicable agreement within a reasonable time limit, if the dispute has been resolved by means of an amicable agreement.

### **Article 23. Appealing to consumer dispute settlement authorities**

1. When a consumer dispute arises, a consumer who is not satisfied with the reply from the seller or service provider shall have the right to appeal to the consumer dispute settlement authority regarding the same subject matter of the dispute, in order to protect his infringed or disputed rights or legitimate interests, by filing an application in writing or online.

2. The consumer shall have the right to appeal to a consumer dispute settlement authority not later than within one year from applying to the seller or service provider.

3. When appealing to a consumer dispute settlement authority, the consumer must submit:

1) an application to examine a consumer dispute; The application shall be signed by the applicant or his representative. When an application is submitted electronically, the application shall be deemed to have been signed;

2) a copy of reply from the seller or service provider to the consumer's application, and if no reply from the seller or service provider has been received within the time limit set in Article 21(2) of this Law, a copy of the consumer's application to the seller or service provider;

3) a copy of the disputed consumer contract, if concluded in writing;

4) copies of the documents evidencing the circumstances stated in the application;

5) a power of attorney in an ordinary written form, if the consumer is represented by the representative. If the consumer is represented by a consumer association to which that consumer belongs, a document confirming the membership of the consumer in that association shall be submitted instead of the power of attorney;

6) if the consumer is represented by a consumer association, copies of the documents confirming that the consumer association is registered in the Register of Legal Persons and, that the purpose of its activities indicated in its instrument of incorporation is the representation and defence of consumer rights and legitimate interests.

4. The application to examine a consumer dispute shall indicate the following:

1) the consumer's name, surname and address;

2) the business name (name and surname), registered office (residence) address of the seller or service provider in respect to whose actions/omission the consumer's claims are filed;

3) the disputed consumer contract;

4) consumer's claim and circumstances surrounding the dispute;

5) information on whether or not a dispute between the same parties regarding the same subject matter and on the same grounds is being considered by the court or an out-of-court consumer dispute settlement authority, or whether or not the settlement of the dispute was



terminated on the basis of Article 26 of this Law, or whether there is a definitive court decision regarding the same dispute, and whether there is a decision regarding the same dispute made by the out-of-court consumer dispute settlement authority;

6) a list of the documents enclosed.

5. If the consumer's application fails to meet the requirements laid down in Article 23(3) and/or (4), the authority hearing consumer disputes shall fix a time limit of at least seven days to eliminate the deficiencies.

6. If there is doubt as to the authenticity of the document copies submitted, the consumer dispute settling authority shall have the right to request the consumer, seller and/or service provider to submit originals of the documents.

7. The consumer dispute settlement authority shall explain to the consumer his right to request that the dispute be considered under the oral procedure.

### **Article 23<sup>1</sup>. Service of documents**

Documents may be served to parties to the dispute in the following ways:

- 1) delivering in person;
- 2) sending by post;
- 3) by electronic means.

### **Article 23<sup>2</sup>. Acceptance of an application to examine a consumer dispute**

1. The issue of accepting the application to examine a consumer dispute shall be resolved by a consumer dispute settlement authority by passing a resolution. Such resolution shall be considered to be the beginning of the out-of-court consumer dispute settlement procedure.

2. The consumer dispute settlement authority shall decide on acceptance of the application to examine a consumer dispute no later than within five working days after receipt of the consumer's application and other documents specified in Article 23(3) of this Law.

### **Article 23<sup>3</sup>. Declining of jurisdiction**

1. The consumer dispute settlement authority shall refuse to examine a consumer dispute in the following cases:

1) examination of the consumer dispute indicated in the consumer's application to examine a consumer dispute does not fall within the competence of the dispute settlement authority. In this case the consumer dispute settlement authority shall forward the consumer's application to other authority referred to in Article 22(1) of this Law and inform the consumer in writing accordingly;

2) a dispute between the same parties, on the same matter and on the same grounds is being examined by another out-of-court consumer dispute resolution entity, court or tribunal;

3) a decision by a court or tribunal has become definitive or a decision by an out-of-court consumer dispute settlement authority has entered into force regarding a dispute between the same parties, on the same subject matter and on the same grounds, or there is a decision to terminate dispute resolution;

4) parties to the dispute agreed on referring the consumer dispute to other out-of-court consumer dispute settlement entity entered in the list of out-of-court consumer dispute settlement entities in accordance with Article 29<sup>2</sup> of this Law after this dispute has arisen;

5) the consumer's application to examine a consumer dispute does not indicate the consumer's name, surname or address, or an unauthorised person has filed the application on behalf the consumer;

6) the consumer appealed to the consumer dispute settlement authority after the expiry of the period stipulated in Article 23(2) of this Law or did not apply to the seller or service provider as prescribed by Article 21 of this Law;

7) the consumer's appeal fails to meet the requirements laid down by this Law and the

deficiencies are not eliminated within the time limit of at least seven days set by the consumer dispute settlement authority;

8) the sum of the dispute is less than EUR 10, except in cases where the dispute has a bearing on the development of new consumer rights protection practices and/or there are other important circumstances.

2. The consumer dispute settlement authority shall take a decision to refuse to examine a dispute no later than within five working days after receipt of the consumer's application to examine a consumer dispute and other documents specified in Article 23(3) of this Law.

3. The decision to refuse to examine a dispute by the consumer dispute settlement authority shall be grounded. Copies of this decision shall within three working days be sent to parties to the dispute, and the application to examine a consumer dispute shall be returned to the consumer.

#### **Article 24. Preparation for the settlement of a dispute**

1. Having accepted the consumer dispute for settlement, the consumer dispute settlement authority shall no later than within three working days send to the seller or service provider in respect to whose actions/omission the consumer's claim has been filed a notice of the receipt of the consumer's application to examine a consumer dispute, copies of this application and enclosures thereto requesting no later than within ten days of the receipt of the notice to submit detailed written explanations and supporting documents.

2. The consumer dispute settlement authority may apply to the public or municipal authority or body which is responsible for the consumer area relating to the dispute with a request to present, within the specified term of at least of 20 days, its conclusion on the claim specified in the consumer's application or the explanations submitted by the seller or service provider.

#### **Article 25. Settlement of disputes**

1. When ready to settle a dispute, a consumer dispute settlement authority normally examines it in accordance with the written procedure based on written and/or material evidence provided to it. When the dispute is examined in accordance with the written procedure the parties to the dispute shall not be invited to the sitting and the dispute shall be settled in their absence.

2. On request of any of the parties to the dispute or on its own initiative, the consumer dispute settlement authority may decide to settle the dispute in accordance with the oral procedure where it is necessary to hear oral explanations of the parties to the dispute or in other cases when the dispute may be better examined under the oral procedure. While settling a dispute under the oral procedure, the parties to the dispute and other parties concerned shall be informed about the venue, date and time of a sitting for the settlement of the dispute. If a party(parties) to the dispute fails (fail) to attend the sitting, the consumer dispute settlement authority shall have the right to pass a decision in the absence of the party (parties).

3. Minutes shall be kept of all sittings of the consumer dispute settlement authority during which disputes are settled under the oral procedure.

4. Settlement of disputes under the oral procedure shall be open to the public, with the exception of the cases where by the decision of the consumer dispute settlement authority it is necessary to protect State, official, commercial, bank and occupational secrets or other secrets protected by laws or to ensure that the natural person's right to the inviolability of his private life be respected.

5. Consumer disputes shall be settled in compliance with the adversarial principle and the principles of expedition, concentration, efficiency and cooperation in dispute hearing.

6. The consumer dispute settlement authority shall determine the substance of the dispute, examine evidence available and take measures for conciliation of the parties to the dispute.

7. During the oral procedure, the parties to the dispute and other persons concerned participating in the settlement of the dispute shall adhere to the conduct of the sitting established by

the chairman of the sitting.

8. The parties to the dispute and other persons concerned participating in the hearing of the dispute shall have the right to request for the hearing of the dispute under the oral procedure, access to the material of the case, excluding the material that comprises the State, official, commercial, bank or professional secret or other secrets protected by laws or the disclosure of which would infringe the natural person's right to the inviolability of his private life, make extracts, transcripts and copies, file evidence and be present in examination thereof, submit explanations and arguments, challenge the petitions and arguments submitted by the other party to the dispute or other participating parties, pose questions to other participating parties, file petitions, obtain a transcript of the decision made by the consumer dispute settlement authority, and exercise other rights granted by this Law. The parties to the dispute and other parties participating in the settlement of the dispute must exercise these rights fairly, without protracting the settlement of the dispute.

9. A consumer dispute settlement authority shall first of all take measures to reconcile the consumer and the seller or service provider and propose to settle the dispute in an amicable manner, if, in the opinion of the authority, such amicable settlement is possible taking into consideration the specific circumstances which have come to light in the course of the settlement of the dispute. If the seller or service provider and the consumer end the dispute in the form of an amicable settlement, the settlement of the consumer dispute shall be terminated by the decision of the relevant authority. In the event of failure to end the dispute with an amicable settlement, the consumer dispute settlement authority shall take a decision on the merits.

10. The consumer dispute settlement authority shall take measures to prevent any misuse of rights by the parties to the dispute and delay in the settlement of the dispute, and shall seek that the dispute be resolved properly within the shortest period possible.

11. The consumer dispute settlement authority shall terminate the settlement of a dispute in the following cases:

1) a legal person or a natural person who was a party to the dispute ceases to exist or dies, respectively; In this case the settlement of a dispute shall be suspended until the rights and duties of the ceased or dead party to the dispute are taken over or circumstances preventing the taking over of such rights and duties come to light. If the claims which are not relative to the ceased or dead party to the dispute can be separated, the consumer dispute settlement authority shall separately examine the dispute regarding the claims not relative to the ceased or dead party to the dispute;

2) a case is being heard by a court, without the settlement of which the consumer dispute cannot be settled;

3) there are grounds to presume that the terms and conditions of the consumer contract which are to be applied in hearing the dispute are unfair, and the issue of the unfairness of the terms and conditions of the consumer contract is under consideration or other administrative procedure is carried out without the closure of which the dispute cannot be resolved;

4) an expert examination or laboratory tests are in progress and without the results thereof the dispute cannot be resolved.

12. The Government or an institution authorised by it shall approve the rules governing the out-of-court consumer dispute settlement procedure.

### **Article 26. Termination of the settlement of a dispute**

The consumer dispute settlement authority shall terminate the settlement of a dispute in the following cases:

1) the parties to the dispute settle the dispute by amicable agreement or the seller or service provider satisfies the consumer's claims;

2) the consumer fails to provide explanations which are necessary for the consideration of the dispute or otherwise hinders the consideration of the dispute;

3) one of the parties to the dispute appeals to a court of general jurisdiction in relation to

the dispute pending;

4) the circumstances referred to Articles 23<sup>3</sup>(1) to (4) or (8) of this Law come to light, or it turns out that the dispute is not a consumer dispute;

5) the consumer waives his claims;

6) it is not possible to examine the dispute and make a decision due to objective circumstances.

### **Article 27. Decision on the merits by a consumer dispute settlement authority**

1. Having examined a dispute, a consumer dispute settlement authority shall take one of the following decisions on the merits:

1) to uphold the consumer's claims;

2) to uphold the consumer's claims in part;

3) to dismiss the consumer's claims.

2. The consumer dispute settlement authority shall make a decision on the merits by taking into consideration the circumstances established during the settlement of the dispute and supporting evidence.

3. A decision on the merits by the consumer dispute settlement authority must indicate:

1) the date and place of decision-making;

2) name of the authority which made the decision;

3) the composition of the collegiate body which made the decision, if the dispute was settled on a collegial basis, the secretary of the sitting, the parties to the dispute and other persons who participated in the settlement of the dispute;

4) substance of the dispute;

5) summary of explanations provided by the parties to the dispute and other parties participating in the settlement of the dispute;

6) evaluation of the evidence;

7) provisions of the laws and other legal acts which were complied with in making the decision, and other legal arguments;

8) one of the decisions referred to in Article 27(1);

9) legal effect, entry into force and procedure for the enforcement of the decision;

10) the right of the parties of the dispute to appeal to the court regarding the same subject matter of the dispute.

4. When making a decision on the merits, the consumer dispute settlement authority shall decide on the validity of the consumer claims which are specified in Article 6.363 of the Civil Code and shall fix a time limit not longer than six months to satisfy the claims. In addition, the consumer dispute settlement authority shall decide on compensation for the costs incurred by the consumer in relation to the out-of-court consumer dispute settlement procedure (including the cost of necessary expert examinations or laboratory tests, costs relating to remuneration to a layer or assistant layer and translation costs) in proportion to the amount of the upheld claims of the consumer.

5. The decision on the merits by the consumer dispute settlement authority shall be sent to the parties to the dispute no later than within three working days after it has been taken.

6. The decision on the merits by the consumer dispute settlement authority shall be public and be published on the website of the consumer dispute settlement authority without violating the requirements for the protection of personal data, protection of the State, official, commercial, bank or professional secret or other secrets protected by other laws, and the consumer's right to the inviolability of his private life. When submitting documents to the consumer dispute settlement authority, the parties to the dispute and other parties participating in the settlement of the dispute shall specify which data comprises the State, official, commercial, bank or professional secret or other secrets protected by laws and the confidentiality of which data has to be ensured.

**Article 28. Entry into force and enforcement of a decision by the consumer dispute settlement authority**

1. A decision by the consumer dispute settlement authority shall become effective and binding, if, within 30 days after the decision on the merits has been passed by the consumer dispute settlement authority, neither party to the dispute files an action before the court of general jurisdiction under the procedure laid down in the Code of Civil Procedure, requesting examination of the dispute on the merits.

2. A definitive decision by the consumer dispute settlement authority shall be an enforcement instrument. In the case of non-enforcement, the decision may be enforced in accordance with the procedure laid down by the Code of Civil Procedure.

3. Other laws may lay down rules on the entry into force and enforcement of a decision by the consumer dispute settlement authority other than those laid down in this Article.

**Article 29. Appealing to a court of general jurisdiction**

1. Appeal by the consumer to a consumer dispute settlement authority shall not deprive the consumer of the right to appeal to a court of general jurisdiction, under the procedure laid down by the Code of Civil Procedure, with a request to settle the dispute on the merits.

2. Appeal to the court after the decision on the merits has been taken by the consumer dispute settlement authority shall not be considered as an appeal against that decision.

3. Procedural decisions taken by the consumer dispute settlement authority in the course of hearing a consumer dispute, including decisions to refuse to settle a consumer dispute, or suspend or terminate the settlement of a consumer dispute, which prevent further examination of the consumer dispute may be appealed against before the court of general jurisdiction within seven days after the decision has been delivered to the interested party. Court rulings on the decisions referred to in Article 29(3) shall not be subject to appeal.

**Article 29<sup>1</sup>. Suspension of limitation periods for actions**

1. Appeal by the consumer to the consumer dispute settlement authority put on the list of out-of-court consumer dispute settlement entities in accordance with the requirements laid down by this Law shall suspend the limitation period for an action.

2. The limitation period shall be suspended from the day of provision by the consumer to the consumer dispute settlement authority of all documents referred to in Article 23(3) of this Law until taking a decision on the merits.

**Article 29<sup>2</sup>. List of out-of-court consumer dispute settlement entities**

1. The Ministry of Justice shall compile and keep a list of out-of-court consumer dispute settlement entities. The list of out-of-court consumer dispute settlement entities shall be public and published on the website of the Ministry of Justice. The list of out-of-court consumer dispute settlement entities shall be compiled and kept in the manner prescribed by the Minister for Justice.

2. Having provided the Ministry of Justice with the information specified by the Minister for Justice, the consumer dispute settlement authorities referred to in Article 22(1) of this Law shall be put on the list of out-of-court consumer dispute settlement entities.

3. Other consumer dispute settlement entities shall be entered in the list of out-of-court consumer dispute settlement entities on their request provided that:

1) they submit to the Ministry of Justice the information specified by the Minister for Justice;

2) the decision is made by the same number of persons appointed (proposed) by consumer associations and businesspersons' associations when the consumer dispute is considered and a decision thereon is made on a collegial basis;

3) an out-of-court consumer dispute settlement entity meets the requirements laid down in Articles 22(3), 22<sup>2</sup>, 22<sup>3</sup>, 22<sup>4</sup> and 22<sup>5</sup> of this Law.

4. The Ministry of Justice shall evaluate whether or not the out-of-court consumer dispute settlement entities which have provided information in accordance with Article 29<sup>2</sup>(3) meet the requirements laid down by this Law.

5. Out-of-court consumer dispute settlement authorities must every two years report on their activities relating to the out-of-court settlement of consumer disputes to the Ministry of Justice in the manner prescribed by the Minister for Justice.

6. The Ministry of Justice shall transmit the list of out-of-court consumer dispute settlement entities and any other information on the implementation of Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC to the European Commission. The Ministry of Justice shall notify amendments to the list of out-of-court consumer dispute settlement entities to the European Commission.

7. Where an out-of-court consumer dispute settlement entity which has been entered in the list of consumer dispute settlement entities fails to comply with the requirements of this Law, the Ministry of Justice shall inform the entity to that effect, indicating the requirements with which it fails to comply. If an out-of-court consumer dispute settlement entity, except for the consumer dispute settlement authorities referred to in Article 22(1) of this Law, fails to eliminate the deficiencies within three months after receipt of a notice, the Ministry of Justice shall remove that entity from the list of out-of-court consumer dispute settlement entities. In this case the entity which is removed from the list of out-of-court consumer dispute settlement entities shall refer all non-settled consumer disputes to the State Consumer Rights Protection Authority, while the decisions on the merits made by that entity prior to its removal from the list of out-of-court consumer dispute settlement entities shall be implemented in accordance with the statutory procedure.

8. By 9 July 2018, and every four years thereafter, the Ministry of Justice shall publish and send to the European Commission a report on the development and functioning of out-of-court consumer dispute settlement entities. This report shall:

- 1) identify best practices of out-of-court consumer dispute settlement entities;
- 2) point out the shortcomings of out-of-court consumer dispute settlement, supported by statistics, that hinder the hearing of consumer disputes, including cross-border consumer disputes, by out-of-court consumer dispute settlement entities;
- 3) make recommendations on how to improve the functioning of out-of-court consumer dispute settlement entities.

### **Article 29<sup>3</sup>. Specificities of the settlement of cross-border consumer disputes**

1. In application of the provisions of this Chapter it shall be deemed that a seller or service provider is established:

- 1) where he has his place of business, if the seller or service provider is a natural person;
- 2) where it has its seat, central administration or place of business, if the seller or service provider is a legal person or a legal person's branch or representative office or other organisation.

2. In application of the provisions of this Chapter it shall be deemed that an out-of-court consumer dispute settlement entity is established:

- 1) if he is a natural person, at the place where he carries out the activities of out-of-court consumer dispute resolution;
- 2) at the place where a legal person carries out the activities of out-of-court consumer dispute resolution or has its seat;
- 3) at the place where the authority of a Member State has its seat.

3. Where the law applicable to the consumer contract is determined in accordance with

Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I) ('Regulation (EC) No 593/2008') or the Rome Convention of 19 June 1980 on the law applicable to contractual obligations, an out-of-court consumer dispute settlement authority shall guarantee that consumers are protected by imperative legal provisions which are valid in the Member State of their habitual residence.

4. In application of this Article, the consumer's habitual residence shall be determined in accordance with Regulation (EC) No 593/2008.

5. In the event of a cross-border consumer dispute, a consumer wishing to appeal to a competent out-of-court consumer dispute settlement authority in other Member State shall be entitled to get information and assistance from the Public Institution European Consumer Centre.

6. The State Consumer Rights Protection Authority and the European Consumer Centre shall publish on their websites the list of out-of-court consumer dispute settlement authorities which is drawn up by the European Commission and information about the procedures for out-of-court settlement of consumer disputes in other Member States.

7. When examining cross-border consumer disputes, the out-of-court consumer dispute settlement authorities shall cooperate with the European Commission and out-of-court consumer dispute settlement authorities of other Member States.

#### **Article 29<sup>4</sup>. Administrative cooperation**

Out-of-court consumer dispute settlement entities and authorities implementing Regulation (EC) No 2006/2004 shall exchange information and cooperate in accordance with the procedure laid down by the Minister for Justice.

*Amendments to the Chapter:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

## **CHAPTER SEVEN PROTECTION OF THE PUBLIC INTEREST OF CONSUMERS**

#### **Article 30. Protection of the public interest of consumers**

1. The public interest of consumers shall be protected by the State Consumer Rights Protection Authority and consumer associations meeting the conditions set out in Article 31 of this Law and, in the cases laid down by law, by other public and municipal authorities and legal persons.

2. Protection of the public interest of consumers shall mean filing a claim or petition (complaint) for the protection of the public interests of consumers with a view to recognising or changing legal relations, prohibiting/terminating actions/omission by the seller or service provider that are in conflict with the legitimate public interests of consumers and are unfair from the point of view of consumers, are incompatible with fair business practices or are in breach of the Civil Code, this Law or other legal acts.

3. The provisions of this Chapter shall not preclude a consumer from exercising his right to protect infringed rights himself.

#### **Article 31. The right of consumer associations to protect the public interest of consumers**

1. Consumer associations shall have the right to protect the public interest of consumers, provided that such associations meet all of the following conditions:

1) they are registered in the Register of Legal Persons;

2) the purpose of their activities as indicated in their instruments of incorporation is representation and protection of consumer rights and legitimate interests;

3) they have at least 20 members. In the event that the members of an association are other consumer associations, the total number of members of those associations shall be not less than 20;

4) they are independent of business interests and other interests not relating to the protection of consumer rights.

2. When filing a claim or petition (complaint) for the protection of the public interest of consumers, a consumer association must present to the court evidence that it meets the conditions specified in Article 31(1). The fact that the consumer association meets the condition indicated in Article 31(1)(4) shall be confirmed by a statement made by that consumer association to the effect that it is independent of business interests and other interests not relating to the protection of consumer rights, unless proved otherwise.

### **Article 32. Applying to the seller or service provider**

1. Having established an infringement of the public interest of consumers, the State Consumer Rights Protection Authority shall apply to the seller or service provider with a proposal to cease acting contrary to the public interest of consumers within 14 days of the receipt of this proposal, and shall inform the seller or service provider that the State Consumer Rights Protection Authority will file a claim or petition (complaint) with a court for the protection of the public interest if the seller or service provider does not terminate the infringement of the public interest.

2. Having established that the terms and conditions of a consumer contract are unfair, the State Consumer Rights Protection Authority shall apply to the seller or service provider and propose that he should, within 14 days of the receipt of this proposal, amend, repeal or discontinue the application of the unfair terms and conditions when concluding contracts with consumers, and shall inform the seller or service provider that the State Consumer Rights Protection Authority will file a claim or petition (complaint) with a court for the unfair terms and conditions to be recognised as invalid or amended if the seller or service provider does not comply with the proposal of the State Consumer Rights Protection Authority.

3. Upon receiving the proposal from the State Consumer Rights Protection Authority referred to in Article 32(1) or (2) and consenting to cease the infringement of the public interest, the seller or service supplier shall, within the fixed time limit of 14 days, send to the State Consumer Rights Protection Authority a notice stating that he consents to cease or has actually ceased the infringement of the public interest. Having satisfied itself that the infringement of the public interest has actually ceased, the State Consumer Rights Protection Authority shall publish a notice to that effect on its web page. If the infringement of the public interest has not ceased, the State Consumer Rights Protection Authority shall appeal to a court for the protection of the public interest.

4. The provisions of Article 32(1) to (3) shall also apply *mutatis mutandis* where the public interest of consumers is protected by other public and municipal authorities in the cases laid down by law, and Article 32(1) and (2) shall apply *mutatis mutandis* where the public interest of consumers is protected by consumer associations and, in the cases laid down by law, by other legal persons.

### **Article 33. The right of institutions or organisations of EU Member States to bring an action in Lithuania to protect public interests**

1. The institutions or organisations of EU Member States which are included by the European Commission in the list provided in Directive 98/27/EC of the European Parliament and of the Council on injunctions for the protection of consumers' interests and published in the Official Journal of the European Communities shall have the right, in accordance with Article 49(1) of the Code of Civil Procedure, to bring an action in Lithuanian courts for an injunction for the cessation of infringements by sellers or providers of goods or services affecting the public interest. The provisions of Article 33(1) shall apply in cases where the activities of the sellers or providers of



goods and services operating in Lithuania are in breach of EU legal acts the list of which shall be approved by the Minister for Justice of the Republic of Lithuania in accordance with the Annex to Directive 98/27/EC of the European Parliament and of the Council on injunctions for the protection of consumers' interests, and such activities affect the public interest of consumers of another Member State.

2. The institutions or organisations of EU Member States may exercise the right to bring an action, as specified in Article 33(1), only after written consultations with the Lithuanian State Consumer Rights Protection Authority. The Lithuanian State Consumer Rights Protection Authority shall provide a reply to institutions or organisations of EU Member States within 14 days. Before bringing an action, the institutions or organisations of EU Member States shall also have the right to apply to the seller or service provider regarding the cessation of the infringement of the public interest of consumers and to propose that the seller or service provider should cease the practices affecting the public interest of consumers within 14 days of the receipt of the proposal, and to inform the seller or service provider that, in the event of failure by the seller or service provider to cease the infringement of the public interest of consumers, the institutions or organisations of EU Member States will bring an action before a court for the protection of the public interest.

3. The Lithuanian Consumer Rights Protection Authority shall notify the European Commission of the prior consultation procedure adopted in Lithuania, as provided for in Article 33(2).

#### **Article 34. Protection of the public interest of consumers in EU Member States**

1. The Lithuanian State Consumer Rights Protection Authority shall have the right to request the courts or other competent authorities of EU Member States to take a decision obligating a seller/supplier of goods and services operating in that EU Member State to cease the infringement of the public interest of Lithuanian consumers.

2. Consumer associations that meet the requirements laid down in Article 31 of this Law and have been notified to the European Commission in compliance with Article 34(3), shall also have the right to request courts or other competent authorities of other EU Member States to take a decision obligating a seller/supplier of goods or services operating in that EU Member State to cease the infringement of the public interest of Lithuanian consumers.

3. At the request of consumer associations meeting the requirements laid down in Article 31 of this Law, the Lithuanian Consumer Rights Protection Authority shall notify the names and purposes of those associations to the European Commission. If other laws provide for other public authorities to have the right of appeal to the courts or other competent authorities of other EU Member States, the State Consumer Rights Protection Authority shall notify the names of those authorities and the scope of their authority to the European Commission.

#### **Article 35. Communication to the public of public interest protection**

1. Consumer associations meeting the conditions laid down in Article 31 of this Law and, in the cases specified by law, other public and municipal authorities and legal persons protecting the public interest of consumers must, no later than within five working days of the acceptance of a claim or petition (complaint) for examination by a court, notify the State Consumer Rights Protection Authority accordingly. The State Consumer Rights Protection Authority shall publish this information on its web page.

2. The entities referred to in Article 35(1) shall, no later than within five working days of the adoption of a decision by a court under this Chapter, send this decision to the State Consumer Rights Protection Authority. The State Consumer Rights Protection Authority shall publish on its web page effective court decisions having established the infringement of the public interest.

## **CHAPTER EIGHT**

## **PROVISION OF FINANCIAL SERVICES UNDER CONTRACTS CONCLUDED USING MEANS OF COMMUNICATION**

### **Article 36. Provision of financial services under a contract concluded using means of communication**

1. The provisions of this Chapter shall apply where financial services are provided under contracts concluded using means of communication with the participation of the service provider himself or his intermediary. Any relationships for the provision of financial services excluded from this Chapter shall be subject to application of the Civil Code and other legal acts regulating the provision of financial services.

2. Consumers may not waive the rights conferred on them by this Chapter.

3. Where an initial financial services contract forms part of the contract for the provision of financial services, the provisions of this Chapter shall apply only to the initial financial services contract and shall not extend to successive operations or a series of individual operations of the same nature following the signature of such a contract.

4. Where successive or individual financial operations of the same nature are performed by the same contractual parties in the absence of any initial financial services contract, this Article shall apply only to the first operation. However, if no operation of the same nature is performed for more than one year, the next operation shall be deemed to be the first in a new series of operations and shall be subject to the requirements set out in this Article.

5. Before concluding a financial services contract, a financial services provider must provide the consumer with information containing data relating to the service provider, the financial service, the financial services contract being concluded using means of communication, and redress.

6. The information about the financial services provider shall include the following:

1) the service provider's business name, head-office (address), telephone and fax numbers, email and web page addresses, the register in which data about that legal person are gathered and stored, the legal person's ID number and data about the main commercial activity of the service provider;

2) data allowing identification of the representative of the financial services provider in the consumer's Member State of residence and the address relevant to the consumer's relations with the representative, if any;

3) if the consumer consults a specialist other than the financial services provider before concluding the contract, and if those consultations and all necessary data provided are known to the financial services provider, the specialist's name, surname, position, the basis on which he is acting and his address;

4) where the service provider's activity is subject to a licence and/or authorisation, the issuing authority, its address, telephone and fax numbers, email and web page addresses and the date of issue of the licence.

7. Information about the financial service shall include the following:

1) a description of the main characteristics of the financial service;

2) the price including all related fees, charges, expenses and taxes paid via the service provider or, if an exact price cannot be indicated, the basis for the calculation of the price enabling the consumer to verify it;

3) information that the financial service is related to instruments involving special risks relating to their specific features or operations to be performed;

4) information that the price depends on fluctuations in the financial markets that are beyond the provider's control and that historical performances are no indicators for future performances;

5) information that other taxes and/or costs that are not relating to the service provider may possibly occur;

- 6) the period of validity of the information provided;
- 7) financial service payment and performance arrangements;
- 8) any specific additional cost for the consumer relating to the use of means of communication, if such additional cost is charged.

8. The following information shall be provided about the financial services contract concluded by using means of communication:

- 1) the right of withdrawal and the procedure for exercising such right, including information on the amount which the consumer may be required to pay and the consequences of non-exercise of that right or the absence of the right of withdrawal;

- 2) the minimum duration of the contract in the case of financial services to be performed on a permanent basis;

- 3) information on any rights of the parties of early or unilateral termination of the contract, including any penalties established in the contract;

- 4) practical instructions on exercising the right of withdrawal indicating *inter alia* the address to which a withdrawal notice should be sent;

- 5) the State or States whose law is observed by the service provider prior to the conclusion of the contract;

- 6) any contractual clauses on law governing the contract and/or jurisdiction;

- 7) the language or languages in which the contractual terms and conditions, and the prior information referred to in this Chapter are supplied, and the language, or languages, in which the service provider undertakes, upon clearing with the consumer, to communicate during the duration of this contract.

9. The following information shall be provided about redress:

- 1) the out-of-court procedure for the settlement of disputes regarding the infringement of consumer rights or the absence of such procedure;

- 2) the existence of guarantee funds or other redress arrangements.

10. The commercial nature of the information referred to in Article 36(6) to (9) of this shall be defined in a clear and comprehensible manner and be appropriate to the means of communication used, considering the principles of good faith in contractual relationships and the principles governing the protection of incapacitated persons or persons with limited capacity.

11. During the pre-contractual phase the consumer shall be provided with information on the contractual obligations which will be binding upon the consumer and the service provider under law applicable to the contract, if concluded.

12. In the case of telephone communication, any such communication shall start with the identification of the financial services provider and the commercial purpose of the call. Subject to an explicit consent of the consumer, the identity of the person calling the consumer and his relation with the financial services provider, and also of the information specified in Article 36(7)(1), (2) and (5) and Article 36(8)(1) (except for information on the consequences of non-exercise of the right of withdrawal) shall be communicated to the consumer.

13. In the case of telephone communication, the financial services provider shall inform the consumer about his right to obtain information other than that referred to in Article 36(12) and shall specify the nature of that information.

14. After the conclusion of a contract, at any time within the period of duration of the contract, the consumer shall be entitled to request any printed information relating to the contract. The consumer shall be entitled to change the means of communication used, unless this is incompatible with the contract concluded or the nature of the financial services provided.

15. Before contract conclusion, the consumer shall receive information referred to in Article 36(6) to (9) on a durable medium accessible to the consumer.

16. If, at the request of a consumer, a contract is concluded by means of communication which make it impossible to furnish information in conformity with Article 36(15), the service

provider shall provide such information immediately after the conclusion of the contract.

17. The burden of proof that information has been provided to the consumer in accordance with the requirements of this Article, that the consumer has given an express consent to the conclusion of the contract and that the performance of the contract is adequate shall lie with the service provider.

*Amendments to the Article:*

No [XI-1620](#), 13/10/2011, *Žin.*, 2011, No 129-6109 (27/10/2011)

### **Article 37. Consumer's right to withdraw from or terminate a financial services contract concluded by means of communication**

1. A consumer shall have the right to withdraw from the financial services contract concluded by means of communication, by a notice on a durable medium to the service provider given within 14 days of the conclusion of the contract, unless otherwise provided for in Article 37(2).

2. The consumer shall have the right to withdraw from a life insurance contract or a pension savings agreement concluded using means of communication, by informing on a durable medium the service provider within a period 30 days. The period of withdrawal from pension savings agreements shall commence on the day of conclusion of the agreement. The period for withdrawal from life insurance contracts shall begin on the day on which the consumer is informed of the conclusion of the contract.

3. If the consumer receives information in accordance with Articles 36(15) or (16) of this Law after the conclusion of the contract or later than the notice of the conclusion of the contract, the period of withdrawal shall commence as of the receipt of information.

4. It shall be prohibited to restrict the consumer's right to withdraw from the contract, as defined in this Article, with additional obligations or fees or to limit it in any other way or to repeal it, with the exception of the cases provided for in this Article.

5. The consumer cannot exercise the right established in this Article to withdraw from:

1) a contract for the financial services whose price depends on fluctuations in the financial market that may occur during the withdrawal period and are beyond the service provider's control. A financial service whose price depends on fluctuations in the financial market that may occur during the withdrawal period and are beyond the service provider's control means any service relating to foreign exchange, money market instruments, transferable securities, units in collective investment undertakings, financial futures, including equivalent cash-settled instruments, forward interest-rate agreements, interest-rate, currency and equity swaps, options to acquire or dispose of any instruments referred to in Article 37(5)(1), including equivalent cash settled instruments (this category includes in particular options on currency and on interest rates);

2) travel and baggage insurance policies or similar short-term insurance policies of less than one month's duration;

3) contracts that, at the request of the consumer, have been fully completed by both parties before the expiry of the time limit for withdrawal.

6. The consumer who wishes to exercise his right of withdrawal shall, before the expiry of the deadline for withdrawal from the contract, notify the service provider in accordance with the practical instructions given to him under Article 36(8)(4) of this Law. The deadline shall be deemed to have been observed if a notice, on a durable medium available to the service provider, is given before the expiry of the period of withdrawal.

7. This Article shall not apply to consumer credit contracts terminated in the cases laid down by the Civil Code as additional or preliminary contracts.

8. Where, simultaneously with a financial service contract concluded by means of communication, another contract is concluded using means of communication for services provided by the service provider or by a third party on the basis of an agreement between the third party and

the service provider, such contract shall be terminated without any additional obligations for the consumer, provided that the consumer exercises his right of withdrawal from the contract.

9. If the service provider fails to comply with the provisions of this Chapter, the financial services contract concluded using means of communication must be terminated without any additional obligations for the consumer.

10. The financial services provider may begin performing the contract before the expiry of the period of withdrawal only with the consumer's consent. When exercising the right of withdrawal, the consumer shall, within the period specified in the contract, pay for the financial service actually provided by the supplier under the contract.

11. The consumer shall pay for the financial service actually supplied, if he has been duly informed in accordance with Article 36(8)(1) of this Law. The burden of proof that the consumer has been duly informed shall lie with the financial service provider. The financial services provider must not request payment for the financial service supplied, if he began the performance of the contract without a prior consent of the consumer before the expiry of the period of withdrawal, as provided for in Article 37(1) or (2).

12. The financial services provider shall, no later than within 30 days from receipt of a notice of withdrawal, return to the consumer any sums (and/or assets) received from him under the contract, except for those referred to in Article 37(10). The consumer withdrawing from the contract in accordance with Article 37(1) or (2), shall return to the supplier any sums (and/or assets) received from the financial services provider no later than within 30 days of the dispatch of the notice of withdrawal.

*Amendments to the Article:*

No [XI-1620](#), 13/10/11, Žin., 2011, No 129-6109 (27/10/2011)

No [XII-701](#), 19/12/2013, published in the TAR on 07/01/2014, identification code 2014-00066

### **Article 38. Unsolicited financial services**

1. The supply of financial services to the consumer without his consent shall be prohibited if payment is requested for such supply.

2. The consumer who has been supplied with financial services without his consent may make use of these services at his own discretion for free. In this case the consumer shall be exempt from any liability related to the use of the services.

### **Article 39. Unsolicited communications**

1. A financial services provider may send messages by automated calling systems without human intervention (automatic calling machines) and fax machines only with the consumer's prior consent.

2. The financial services provider may use the means of communication other than those referred to in Article 39(1), which the consumer uses for his personal needs, only with the consumer's prior consent.

3. In the cases referred to in Article 39(1) and (2) the consumer shall be enabled to express his will free of charge.

## **CHAPTER NINE**

### **LIABILITY OF SELLERS AND SERVICE PROVIDERS**

*Title of the Chapter is amended:*

No [XI-1620](#), 13/10/2011, Žin., 2011, No 129-6109 (27/10/2011)

### **Article 40. Liability for infringement of legal acts regulating consumer rights protection**

1. The State Consumer Rights Protection Authority may impose a fine from one hundred

forty four euros to one thousand four hundred forty eight euros on a seller and service provider for failure to comply with requirements (prohibitions) specified in Article 6.228<sup>5</sup>(5), Article 6.228<sup>6</sup>(1), Article 6.228<sup>7</sup>(1), Article 6.228<sup>8</sup>(2) to (6), Article 6.228<sup>9</sup>(4) and (5), Article 6.228<sup>10</sup>(1), (9) and (10), Article 6.228<sup>11</sup>(2), (6) to (12), Article 6.228<sup>12</sup>( 3), (4) and (7), Article 6.228<sup>16</sup>(1), Article 6.359, Article 6.359<sup>1</sup>, Article 6.369(3), (7) and (13) and Article 6.370(4) to (9) of the Civil Code and Article 36(5) to (17), Article 37(1) to (4) and (8) to (12), Article 38(1) and Article 39 of this Law. The State Consumer Rights Protection Authority may impose a fine from seventy two euros to seven hundred twenty four euros on a seller and service provider for failure to comply with requirements laid down in Article 14 of Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC and Article (3) to (5) and Article 21(2) and (3) of this Law.

*Amendments to the paragraph of the Article:*

No [XII-1256](#), 16/10/2014, published in the TAR on 27/10/2014, identification code: 2014-14862

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code K. 2015-19362

No [XII-2757](#), 08/11/2016, published in the TAR on 17/11/2016, identification code 2016-26961

2. When imposing the particular fine, account shall be taken of the extenuating or aggravating circumstances referred to in Article 40(3) and (4), and the nature, duration and scope of infringement. The amount of the fine imposed shall be determined on the basis of the average of the minimum and maximum fine amount, taking into account extenuating and aggravating circumstances. In the presence of extenuating circumstances, the amount of the fine shall be decreased from its average amount to the minimum amount, whereas in the presence of aggravating circumstances, the amount of the fine shall be increased from its average amount to the maximum amount. If both extenuating and aggravating circumstances are present, the fine shall be imposed taking into account their number and significance. The decrease or increase of the fine shall be grounded in the resolution of the State Consumer Rights Protection Authority.

3. Extenuating circumstances shall be actions taken by the seller or service provider on its own initiative to prevent any adverse consequences of the infringement, to assist the State Consumer Rights Protection Authority during the investigation, to compensate for the losses and/or to repair the damage caused. Other circumstances not indicated in Article 40(3) may also be recognised by the State Consumer Rights Protection Authority as extenuating circumstances.

4. Aggravating circumstances shall be actions by the seller or service provider to interfere with the investigation, to conceal the infringement committed or commission of the infringement repeatedly within one year, where the fine or warning set out by this Law has already been applied to it.

5. The court examining the complaint against the resolution of the State Consumer Rights Protection Authority imposing a fine shall consider the extenuating and other circumstances (due to which the respective fine to the seller or service provider would be obviously too big, because it is not proportionate to the committed infringement and thus being unjust) and, in accordance with the criteria of justice and reasonableness, shall have the right to impose a fine which is smaller than the minimum amount of the fine specified in Article 40(1).

6. Failure to provide information necessary for the investigation, also submission of incorrect or incomplete information, avoidance to present oneself and give explanations as requested by the State Consumer Rights Protection Authority, where a warning has been issued before, may result in a fine of up to two hundred eighty nine euros.

*Amendments to the paragraph of the Article:*

No [XII-1256](#), 16/10/2014, published in the TAR on 27/10/2014, identification code 2014-14862

7. Sellers and service providers shall be liable for other infringements of legal acts

regulating the protection of consumer rights in accordance with the statutory procedure.

*Amendment to the Article:*

No [XI-1620](#), 13/10/2011, *Žin.*, 2011, No 129-6109 (27/10/2011)

No [XII-701](#), 19/12/2013, published in the TAR on 07/01/2014, identification code 2014-00066

#### **Article 41. Basis for opening a procedure for examining a possible consumer rights infringement**

The procedure for examining the possible consumer rights infringement ('consumer rights infringement') indicated in Article 40(1) of this Law shall be opened:

1) after receiving a complaint from the consumer, public or municipal authority or body, or a consumer association ('applicants')

2) if, after the State Consumer Rights Protection Authority has made a reasoned decision on its own initiative, it finds sufficient data on the possible consumer rights infringement.

*The Article is added to the Law:*

No [XI-1620](#), 13/10/2011, *Žin.*, 2011, No 129-6109 (27/10/2011)

#### **Article 42. Filing and examining a complaint regarding the opening of the procedure for examining a possible consumer rights infringement**

1. A complaint about a possible consumer rights infringement (a 'complaint') shall be lodged with the State Consumer Rights Protection Authority in writing.

2. The complaint shall specify:

1) applicant's name, surname, address (if the applicant is a natural person) or business name, code, registered office (if the applicant is a legal person) and contact details;

2) facts surrounding the possible infringement of consumer rights which are known to the applicant. The complaint shall be accompanied by documents supporting these facts which are available to the applicant.

3. Opening the procedure for examining a possible consumer rights infringement on the basis of the complaint lodged shall be refused if:

1) the infringement indicated in the complaint does not fall within the competence of the State Consumer Rights Protection Authority;

2) the factual data specified in the complaint have already been verified and a relevant resolution has been made by the State Consumer Rights Protection Authority;

3) there are no factual data providing reasonable grounds for suspecting a consumer rights infringement, or the applicant has failed to submit supporting documents within the set time limits without valid reason;

4) more than three years have lapsed from the moment of a possible infringement of this Law until the lodgement of a complaint with the State Consumer Rights Protection Authority.

4. The State Consumer Rights Protection Authority shall, within 30 calendar days of receipt of the complaint meeting the requirements specified in this Article, notify the applicant of the reasons for refusing to open the procedure for examining a consumer rights infringement.

*The Article is added to the Law:*

No [XI-1620](#), 13/10/2011, *Žin.*, 2011, No 129-6109 (27/10/2011)

#### **Article 43. Participants and other parties in the procedure for examining a consumer rights infringement**

1. During the procedure for examining a consumer rights infringement the following parties shall be present:

1) the seller or service provider in respect of whom this procedure is being implemented;

2) the applicant whose appeal is the basis for opening the procedure for examining a consumer rights infringement;

3) experts, specialists and other parties by the decision of the State Consumer Rights Protection Authority.

2. The parties referred to in Article 43(1)(1) and (2) shall hereinafter be referred to as the participants in the procedure for examining a consumer rights infringement.

3. The participants in the procedure for examining a consumer rights infringement may be represented by their representatives.

*The Article is added to the Law:*

No [XI-1620](#), 13/10/2011, *Žin.*, 2011, No 129-6109 (27/10/2011)

#### **Article 44. Arrangements and time limits for examining a consumer rights infringement**

1. Having opened the procedure for examining a consumer rights infringement, the State Consumer Rights Protection Authority shall apply in writing to the seller or service provider whose actions are contested with a request to provide, within the time limit set by the State Consumer Rights Protection Authority, a grounded explanation and the supporting evidence on the circumstances on the basis of which the procedure for examining a consumer rights infringement has been opened.

2. At least 14 calendar days prior to the consideration of the consumer rights infringement at the State Consumer Rights Protection Authority, the participants in the procedure for examining a consumer rights infringement shall be notified by registered letter of the possible consumer rights infringement, the venue and time of investigation of that infringement, and shall be offered access to the documents received and other information, and to provide written explanations.

3. If the participants in the procedure for examining a consumer rights infringement are not present during the examination of a possible consumer rights infringement, this infringement may be examined only in the presence of data showing that the participants have been properly and timely notified of the venue and time of the examination of the consumer rights infringement.

4. In the course of examination of a consumer rights infringement, the participants in this procedure shall have the right to get access to the documents received and other information, give oral or written explanations, submit motions and supply additional information and other documents.

5. The State Consumer Rights Protection Authority shall examine the possible infringement of consumer rights and impose the sanctions specified in Article 40 of this Law within the shortest possible term, but no later than within four months after receipt of the complaint referred to in Article 41 of this Law by the State Consumer Rights Protection Authority or the decision-making day.

*The Article is added to the Law:*

No [XI-1620](#), 13/10/2011, *Žin.*, 2011, No 129-6109 (27/10/2011)

#### **Article 45. Obligation to provide information**

A seller or service provider in respect of whom the procedure for examining a consumer rights infringement has been opened shall present to the State Consumer Rights Protection Authority information and documents necessary for investigating a possible infringement of consumer rights.

*The Article is added to the Law:*

No [XI-1620](#), 13/10/2011, *Žin.*, 2011, No 129-6109 (27/10/2011)

#### **Article 46. Resolution following closure of the procedure for examining a consumer rights infringement**

1. Having closed the procedure for examining a consumer rights infringement the State Consumer Rights Protection Authority shall pass a resolution specifying the following:



- 1) name of the authority which made the resolution;
- 2) the date and place of passing the resolution;
- 3) data about the person (collegial body) having passed the resolution, secretary of the sitting, participants in the procedure for examining a consumer rights infringement and other interested parties;
- 4) data about the seller or service provider in respect of whose actions (omission) the resolution has been made;
- 5) content of the complaint on the grounds of which the procedure for examining a consumer rights infringement has been opened;
- 6) facts surrounding the established infringement of consumer rights;
- 7) data supporting the fact of infringement on which the resolution is based;
- 8) the article of this Law imposing responsibility for the infringement;
- 9) explanations by the seller or service provider in respect of whose actions (omission) the resolution has been made and their assessment;
- 10) the resolution passed;
- 11) arrangements and binding time limit for implementing the resolution;
- 12) time limits and procedure for appealing against the resolution.

2. Having closed the procedure for examining a consumer rights infringement the State Consumer Rights Protection Authority shall have the right to adopt the following decisions:

- 1) to obligate the seller or service provider having infringed consumer rights to discontinue unlawful acts;
- 2) to impose the sanctions referred to in Article 40 of this Law;
- 3) to refrain from imposing the sanctions referred to in Article 40 of this Law, if no consumer rights infringement has been established.

3. A resolution by the State Consumer Rights Protection Authority shall, within three working days after it has been passed, be sent by registered mail to the applicant and the person in respect of whom the resolution has been made.

*The Article is added to the Law:*

No [XI-1620](#), 13/10/2011, *Žin.*, 2011, No 129-6109 (27/10/2011)

#### **Article 47. Publication**

Having stated that a seller or service provider has committed a consumer rights infringement, the State Consumer Rights Protection Authority shall publish this fact on its website after 30 calendar days following the adoption of the resolution. If, within 30 calendar days after the resolution has been passed, the seller or service provider in respect of whose actions the resolution has been passed appeals against it to the court, the State Consumer Rights Protection Authority shall publish about the consumer rights infringement on its website when the court proceedings are over.

*The Article is added to the Law:*

No [XI-1620](#), 13/10/2011, *Žin.*, 2011, No 129-6109 (27/10/2011)

#### **Article 48. Enforcement of a resolution**

1. A resolution by the Consumer Rights Protection Authority shall be enforced no later than within one month after the delivery of the resolution to the seller or service provider who has infringed consumer rights. Where an appeal is lodged against a resolution by the State Consumer Rights Protection Authority imposing a fine, the fine shall be paid within 30 calendar days from the date of entry into force of the court decision dismissing the appeal.

2. The resolution by the State Consumer Rights Protection Authority shall be an enforceable instrument to be enforced in accordance with procedure laid down by the Code of Civil Procedure. The resolution of the State Consumer Rights Protection Authority may be presented for

enforcement no later than within three years after it has been passed.

*The Article is added to the Law:*

No [XI-1620](#), 13/10/2011, Žin., 2011, No 129-6109 (27/10/2011)

#### **Article 49. Appealing against the resolution**

1. The seller or service provider or the applicant who object to the resolution by the State Consumer Rights Protection Authority shall have the right within 30 calendar days after passing it to appeal against the resolution to the court under the procedure laid down by the Law on Administrative Proceedings.

2. Appealing to the court shall suspend the implementation of the resolution by the State Consumer Rights Protection Authority imposing a fine.

*The Article is added to the Law:*

No [XI-1620](#), 13/10/2011, Žin., 2011, No 129-6109 (27/10/2011)

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC

ALGIRDAS BRAZAUSKAS

Annex to the Law of the  
Republic of Lithuania on  
Consumer Protection

#### **EUROPEAN UNION LEGISLATION IMPLEMENTED**

1. Directive 98/27/EC of the European Parliament and of the Council of 19 May 1998 on injunctions for the protection of consumers' interests (OJ 2004 Special Edition, Chapter 15, Volume 4, p. 223), as last amended by Directive 2002/65/EU of the European Parliament and of the Council of 23 September 2002 (OJ 2004 Special Edition, Chapter 6, Volume 4, p. 321).

2. Directive 1999/44/EC of the European Parliament and of the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees (OJ 2004 Special Edition, Chapter 15, Volume 4, p. 223).

3. Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC (OJ 2004, Special Edition, Chapter 6, Volume 4, p. 321).

4. Regulation (EC) No 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (OJ L 364, 2004, p. 1).

5. Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC (OJ L 319, 2007, p. 1).

6. Directive 2008/122/EC of the European Parliament and of the Council of 14 January 2009 on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts (OJ L 33, 2009, p. 10).

7. Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 2011, p. 64).

8. Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on

alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (OJ L 165, 2013, p. 63).

*The subparagraph is added:*

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362

9. Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (OJ L 165, 2013, p. 1).

*The subparagraph is added:*

No [XII-2757](#), 08/11/2016, published in the TAR on 17/11/2016, identification code 2016-26961

*Amendments to the Annex:*

No [XI-562](#), 10/12/2009, *Žin.*, 2009, No 153-6900 (28/12/2009)

No [XI-1620](#), 13/10/2011, *Žin.*, 2011, No 129-6109 (27/10/2011)

No [XII-701](#), 19/12/2013, published in the TAR on 07/01/2014, identification code 2014-00066

### **Amendments:**

1.

Seimas of the Republic of Lithuania, Law

No [VIII-1946](#), 00.09.19, *Žin.*, 2000, No 85-2581 (00.10.11)

LAW AMENDING THE LAW ON CONSUMER DEFENCE

New version of the Law

The Law amending the Law on Consumer Defence, except Articles 29 and 30 of the Law on Consumer Defence, enters into force as of 1 January 2001.

Until 1 January 2004, a six months' period is applicable instead of the two years' period indicated in Article 7(4) and (6) of the Law on Consumer Defence.

2.

Seimas of the Republic of Lithuania, Law

No [IX-1575](#), 22/05/2003, *Žin.*, 2003, No 54-2372 (04/06/2003)

LAW SUPPLEMENTING ARTICLE 5 OF THE LAW ON CONSUMER DEFENCE

3.

Seimas of the Republic of Lithuania, Law

No [IX-2173](#), 27/04/2004, *Žin.*, 2004, No 72-2496 (30/04/2004)

LAW AMENDING ARTICLES 1, 2, 4 AND 30 AND ADDING CHAPTERS NINE AND TEN AND AN ANNEX TO THE LAW ON CONSUMER DEFENCE

Article 4 of this Law enters into force as of 1 September 2004.

4.

Seimas of the Republic of Lithuania, Law

No [X-498](#), 19/01/2006, *Žin.*, 2006, No 17-594 (11/02/2006)

LAW AMENDING ARTICLES 5, 8, 10, 29 AND 30 OF THE LAW ON CONSUMER DEFENCE

5.

Seimas of the Republic of Lithuania, Law

No [X-1014](#), 12/01/2007, *Žin.*, 2007, No 12-488 (30/01/2007)

LAW AMENDING THE LAW ON CONSUMER DEFENCE

**New version of the Law**

**Title of the Law was amended**

This Law, with the exception of paragraph 3 of this Article, enters into force on 1 March 2007.

6.

Seimas of the Republic of Lithuania, Law

No [XI-562](#), 10/12/2009, *Žin.*, 2009, No 153-6900 (28/12/2009)

LAW SUPPLEMENTING ARTICLE 1 OF THE LAW ON CONSUMER PROTECTION AND THE ANNEX THERETO

7.

Seimas of the Republic of Lithuania, Law

No [XI-1620](#), 13/10/2011, *Žin.*, 2011, No 129-6109 (27/10/2011)

LAW AMENDING ARTICLES 2, 5, 16, 36 AND 37 AND CHAPTER NINE OF THE LAW ON CONSUMER PROTECTION AND SUPPLEMENTING THE ANNEX TO THE LAW

This Law, with the exception of Article 8, enters into force on 1 December 2011.

8.

Seimas of the Republic of Lithuania, Law

No [XI-1686](#), 17/11/2011, *Žin.*, 2011, No 146-6832 (01/12/2011)

LAW AMENDING ARTICLE 22 OF THE LAW ON CONSUMER PROTECTION

This Law enters into force on 1 January 2012.

9.

Seimas of the Republic of Lithuania, Law

No [XI-1765](#), 01/12/2011, *Žin.*, 2011, No 153-7202 (15/12/2011)

LAW AMENDING ARTICLES 10, 19 AND 21 OF THE LAW ON CONSUMER PROTECTION

This Law, with the exception of paragraph 2 of this Article, enters into force on 1 July 2012.

10.

Seimas of the Republic of Lithuania, Law

No [XII-267](#), 07/05/2013, *Žin.*, 2013, No 54-2672 (25/05/2013)

LAW AMENDING ARTICLE 20 OF THE LAW ON CONSUMER PROTECTION

11.

Seimas of the Republic of Lithuania, Law

No [XII-701](#), 19/12/2013, published in the TAR on 07/01/2014, identification code 2014-00066

LAW AMENDING ARTICLES 2, 4, 5, 14, 15, 37 AND 40 OF THE LAW OF THE REPUBLIC OF LITHUANIA ON CONSUMER PROTECTION AND ANNEX THERETO AND REPEALING ARTICLE 16 THEREOF

This Law enters into force on 13 June 2014.

**Amendments:**

1.

Seimas of the Republic of Lithuania, Law

No [XII-1256](#), 16/10/2014, published in the TAR on 27/10/2014, identification code 2014-14862

Law amending Article 40 of Law No 1-657 of the Republic of Lithuania on Consumer Protection

2.

Seimas of the Republic of Lithuania, Law

No [XII-1866](#), 25/06/2015, published in the TAR on 03/07/2015, identification code 2015-10766  
Law amending Articles 10, 12, 19 and 21 of Law No 1-657 of the Republic of Lithuania on  
Consumer Protection

3.

Seimas of the Republic of Lithuania, Law

No [XII-2095](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19373  
Law amending Article 2 and repealing Articles 1, 3 and 4 of Law No XII-1866 amending  
Articles 10, 12, 19 and 21 of Law No 1-657 of the Republic of Lithuania on Consumer Protection

4.

Seimas of the Republic of Lithuania, Law

No [XII-2083](#), 26/11/2015, published in the TAR on 07/12/2015, identification code 2015-19362  
Law amending Articles 2, 5, 10, 11, 12 and 40 and Chapter Six of Law No 1-657 of the Republic of  
Lithuania on Consumer Protection and amending the Annex to the Law

5.

Seimas of the Republic of Lithuania, Law

No [XII-2212](#), 22/12/2015, published in the TAR on 05/01/2016, identification code 2016-00082  
Law adding Article 12-1 to Law No 1-657 of the Republic of Lithuania on Consumer Protection

6.

Seimas of the Republic of Lithuania, Law

No [XII-2564](#), 30/06/2016, published in the TAR on 13/07/2016, identification code 2016-20318  
Law amending Article 1 of Law No 1-657 of the Republic of Lithuania on Consumer Protection

7.

Seimas of the Republic of Lithuania, Law

No [XII-2707](#), 03/11/2016, published in the TAR on 09/11/2016, identification code 2016-26491  
Law amending Article 22 of Law No 1-657 of the Republic of Lithuania on Consumer Protection

8.

Seimas of the Republic of Lithuania, Law

No [XII-2757](#), 08/11/2016, published in the TAR on 17/11/2016, identification code 2016-26961  
Law amending Article 40 of Law No 1-657 of the Republic of Lithuania on Consumer Protection  
and the Annex thereto

9.

Seimas of the Republic of Lithuania, Law

No [XIII-65](#), 08/12/2016, published in the TAR on 2012/2016, identification code 2016-29146  
Law repealing Article 15 of Law No 1-657 of the Republic of Lithuania on Consumer Protection