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**Date:                         04/12/2018**

### **EU ministers to decide on new consumer guarantee rights**

EU Ministers will be meeting in Brussels on 7 December to adopt a position on reforming the guarantee rights consumers enjoy when buying goods. This is an important step before negotiations can start on the text between Member States, the Commission and the Parliament.

The critical reform, which already failed twice in the past 10 years, is about how long a product is under guarantee from the seller, which rights the consumer has if a fault occurs after buying the product, and as of when it is up to the consumer to prove a product was not faulty at the time the consumer bought it, in case of a dispute. Currently EU law stipulates what protection consumers must enjoy in all countries as a minimum, but now the current reform could set a ceiling for these rights across the EU. Consequently, some national rights are endangered.

BEUC urges EU ministers not to weaken existing consumer rights in EU countries.

Monique Goyens, Director General of the European Consumer Organisation (BEUC), said: "Consumers attach great importance to the guarantee rights they have when they buy a TV, a piece of furniture or a washing machine. It would send a terrible signal to consumers if their governments were ready to weaken well-established and well-functioning rights.

"We call on national governments to only agree to rules that do not lower the standard of protection consumers enjoy in their countries. For example, consumers in France and Portugal currently rely on a 2-year period when it is up to the seller to prove there was no fault with the product when sold. Governments for example should consider adopting this as the new EU standard, rather than weaken it."

Another important aspect of consumer protection is the consumer's right to choose what happens when there is a fault with a product, which is already the case in several countries, such as Greece, Portugal, or Slovenia. However, the current text foresees a structure put in place of first, repair or replacement depending on what the consumer prefers, and only then a price reduction or termination of the contract.

On the other hand, it is very welcome that Member States want to include 'smart' goods under this directive which would be a major improvement compared to the situation today. Currently, there are no EU-wide specific rules to protect consumers when they buy goods which have software in them or are connected to a digital service. This would mean smartphones or TVs would now be covered by this directive and consumers would enjoy specific rights, such as having the software in their products updated.

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The BEUC position paper on this file is available [here](#).