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EU concludes reform with stronger guarantee rights for consumers in future

The EU institutions have approved a deal which includes rights for consumers of digital content and services like software, streaming or game downloads for the first time. The deal also covers users if they provide personal data instead of money to access the service or the software.

The reform also modernises rules on tangible goods, particularly for the 'Internet of things', which are goods that function with software or which connect to the internet like smartphones or smart TVs. Shoppers will be entitled to receive software updates to keep their devices cybersecure as well as a right to repair or replacement if something goes wrong.

Monique Goyens, Director General of The European Consumer Organisation (BEUC), said: "If a consumer buys access to a music streaming service or a video game but the download fails or the service is bad quality, they will now have specific rights everywhere in the EU for the first time. Consumers will be able to ask for a replacement or to get the problem fixed if what they purchased doesn't deliver what was promised.

"The EU has now established that consumers of smart goods are entitled to software updates. This was important because consumers could sometimes find themselves with a device that worked, but without the updates necessary to keep it secure and functioning properly. It is also a key element to avoid early obsolescence."

For all types of goods, it will now be up to the seller to prove that the product was not faulty when it was sold for at least the first year after purchase. Some countries like France or Portugal will also be able to retain their two-year period, which was already the case in their national law.

The only downside is that in case a product is faulty, consumers in Greece, Portugal or Slovenia will no longer be able to choose what happens to remedy the situation. The EU has put in place a hierarchy of remedies of first, repair or replacement depending on what the consumer prefers, and only then a price reduction or termination of the contract.

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