

ITALY

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1. Consumer policy institutions

1.1. MINISTRY RESPONSIBLE FOR CONSUMER POLICY

In Italy, the Ministry responsible for consumer policies is the Ministry of Economic Development whose main task is to assure consumer protection in the fields of competition and market. On the other hand, there are some sector-based activities within other Ministries, Public Institutes, Independent Authorities and also there are other structures at the local level with competences in specific areas. Besides, the necessary link between consumer policy and other policies is currently assured through a series of general legal instruments which provide for coordination between the various authorities and bodies involved in the different sectors. In this connection, it's necessary to be mentioned the State-Regions Conference (Conferenza Stato-Regioni), whose job is to ensure coordination and liaison between the activities of the central government and the regional bodies, and the Services Conference (Conferenza di Servizi) provided for article 14 of Act n. 241 of 7th August 1990, in cases in which there is a need to examine in parallel the different interests that will be affected by an administrative procedure. Moreover, within the framework of its powers, each administration plays its part in consumer affairs, where necessary.

The EU consumer protection legislation has been collected into a consolidated Act called "Consumers' Code" (Codice del Consumo -Legislative Decree n. 206, dated 6 September 2005). The Consumers' Code is a fundamental reference law covering the protection of consumers' and users' rights that brings together, coordinates, and simplifies current enacted law as it regards consumers, citizens aware of their rights and duties. In conclusion, the Italian consumer protection policy reflects the guidelines of the EU programme.

Contact Information:

Ministero dello Sviluppo Economico (Ministry of Economic Development)

Website: <http://www.sviluppoeconomico.gov.it/>

1.2. PUBLIC AUTHORITIES

With reference to Regulation (EC) N.2006/2004 on cooperation between National Authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer protection cooperation), the Ministry of Economic Development's role is both the Italian Single Liaison Office (SLO), that means the Public Authority designated as responsible for coordinating the application of the above-mentioned regulation within this Member State, and the Competent Authority (CA) for several directives (for further information it's possible to see the list below), that means the Public Authority established at national level with specific responsibilities to enforce the laws that protect consumers' interests.

The goals of the mentioned regulation are to facilitate/strengthen cooperation between public authorities responsible for enforcement of the laws that protect consumers' interests in dealing with intra-Community infringements, and to contribute to the smooth functioning of the internal market, the quality and consistency of enforcement of the laws that protect consumers' interests and the monitoring of the protection of consumers' economic interests.

| Directives/Regulation | Public Enforcement Authorities |
|--|---|
| Directive 84/450/EEC Directive 97/55/EC | <ul style="list-style-type: none"> AGCM - Autorità Garante della Concorrenza e del Mercato - Direzione Centrale per i Rapporti Comunitari - Direzione Generale per la Tutela del Consumatore <i>Address:</i> Piazza Verdi, 6 A - IT-00198 Roma <i>Tel:</i> +39 06 85821262 <i>Fax:</i> +39 06 85821456 <i>Website:</i> http://www.agcm.it/ |
| Directive 85/577/EEC | <ul style="list-style-type: none"> Ministero dello Sviluppo Economico Dipartimento per l'impresa e l'internazionalizzazione - Direzione Generale per il mercato, la concorrenza, i consumatori, la vigilanza e la normativa tecnica Divisione X - Cooperazione amministrativa e punto di contatto infoconsumatore <i>Address:</i> Via Sallustiana, 53 - IT-00187 Roma <i>Tel:</i> + 39 06 47055478 <i>Fax:</i> + 39 06 47055447 <i>Website:</i> http://www.sviluppoeconomico.gov.it/ |
| Directive 87/102/EEC | <ul style="list-style-type: none"> Ministero dello Sviluppo Economico Dipartimento per l'impresa e l'internazionalizzazione - Direzione Generale per il mercato, la concorrenza, i consumatori, la vigilanza e la normativa tecnica Divisione X - Cooperazione amministrativa e punto di contatto infoconsumatore <i>Address:</i> Via Sallustiana, 53 - IT-00187 Roma <i>Tel:</i> + 39 06 47055478 <i>Fax:</i> + 39 06 47055447 <i>Website:</i> http://www.sviluppoeconomico.gov.it/ Banca D'Italia Servizio REA - Divisione Rapporti tra intermediari e clienti <i>Address:</i> Via Milano, 64 - IT-00184 Roma <i>Tel:</i> +39 06 47924853 or +39 06 47925146 <i>Fax:</i> +39 06 47923994 <i>Website:</i> http://www.bancaditalia.it/ |
| Directive 89/552/EEC | <ul style="list-style-type: none"> AGCOM - Autorità per le Garanzie nelle Comunicazioni Direzione contenuti audiovisivi e multimediali <i>Address:</i> Via delle Muratte, 25 - IT-00187 Roma <i>Address:</i> Via Sallustiana, 53 - IT-00187 Roma <i>Tel:</i> + 39 06 47055478 <i>Fax:</i> + 39 06 47055447 <i>Website:</i> http://www.agcom.it/ |

| Directives/Regulation | Public Enforcement Authorities |
|-----------------------|--|
| Directive 90/314/EEC | <ul style="list-style-type: none"> • Ministero dello Sviluppo Economico Dipartimento per l'impresa e l'internazionalizzazione - Direzione Generale per il mercato, la concorrenza, i consumatori, la vigilanza e la normativa tecnica Divisione X - Cooperazione amministrativa e punto di contatto infoconsumatore <i>Address:</i> Via Sallustiana, 53 - IT-00187 Roma <i>Tel:</i> + 39 06 47055478 <i>Fax:</i> + 39 06 47055447 <i>Website:</i> http://www.sviluppoeconomico.gov.it/ |
| Directive 93/13/EEC | <ul style="list-style-type: none"> • Ministero dello Sviluppo Economico Dipartimento per l'impresa e l'internazionalizzazione - Direzione Generale per il mercato, la concorrenza, i consumatori, la vigilanza e la normativa tecnica Divisione X - Cooperazione amministrativa e punto di contatto infoconsumatore <i>Address:</i> Via Sallustiana, 53 - IT-00187 Roma <i>Tel:</i> + 39 06 47055478 <i>Fax:</i> + 39 06 47055447 <i>Website:</i> http://www.sviluppoeconomico.gov.it/ |
| Directive 94/47/EC | <ul style="list-style-type: none"> • Ministero dello Sviluppo Economico Dipartimento per l'impresa e l'internazionalizzazione - Direzione Generale per il mercato, la concorrenza, i consumatori, la vigilanza e la normativa tecnica Divisione X - Cooperazione amministrativa e punto di contatto infoconsumatore <i>Address:</i> Via Sallustiana, 53 - IT-00187 Roma <i>Tel:</i> + 39 06 47055478 <i>Fax:</i> + 39 06 47055447 <i>Website:</i> http://www.sviluppoeconomico.gov.it/ |
| Directive 97/7/EC | <ul style="list-style-type: none"> • Ministero dello Sviluppo Economico Dipartimento per l'impresa e l'internazionalizzazione - Direzione Generale per il mercato, la concorrenza, i consumatori, la vigilanza e la normativa tecnica Divisione X - Cooperazione amministrativa e punto di contatto infoconsumatore <i>Address:</i> Via Sallustiana, 53 - IT-00187 Roma <i>Tel:</i> + 39 06 47055478 <i>Fax:</i> + 39 06 47055447 <i>Website:</i> http://www.sviluppoeconomico.gov.it/ • AGCOM - Autorità per le Garanzie nelle Comunicazioni Direzione Tutela dei Consumatori <i>Address:</i> Centro Direzionale Isola B5 - IT -80143 Napoli <i>Tel:</i> + 39 081 7507780 <i>Fax:</i> + 39 081 7507828/7829 <i>Website:</i> http://www.agcom.it/ |

| Directives/Regulation | Public Enforcement Authorities |
|-----------------------|--|
| Directive 98/6/EC | <ul style="list-style-type: none"> • Ministero dello Sviluppo Economico Dipartimento per l'impresa e l'internazionalizzazione - Direzione Generale per il mercato, la concorrenza, i consumatori, la vigilanza e la normativa tecnica Divisione X - Cooperazione amministrativa e punto di contatto infoconsumatore <i>Address:</i> Via Sallustiana, 53 - IT-00187 Roma <i>Tel:</i> + 39 06 47055478 <i>Fax:</i> + 39 06 47055447 <i>Website:</i> http://www.sviluppoeconomico.gov.it/ |
| Directive 99/44/EC | <ul style="list-style-type: none"> • Ministero dello Sviluppo Economico Dipartimento per l'impresa e l'internazionalizzazione - Direzione Generale per il mercato, la concorrenza, i consumatori, la vigilanza e la normativa tecnica Divisione X - Cooperazione amministrativa e punto di contatto infoconsumatore <i>Address:</i> Via Sallustiana, 53 - IT-00187 Roma <i>Tel:</i> + 39 06 47055478 <i>Fax:</i> + 39 06 47055447 <i>Website:</i> http://www.sviluppoeconomico.gov.it/ |

| Directives/Regulation | Public Enforcement Authorities |
|-----------------------|--|
| Directive 2000/31/EC | <ul style="list-style-type: none"> <li data-bbox="571 338 1430 696"> <p>• Ministero dello Sviluppo Economico Dipartimento per l'impresa e l'internazionalizzazione - Direzione Generale per il mercato, la concorrenza, i consumatori, la vigilanza e la normativa tecnica Divisione X - Cooperazione amministrativa e punto di contatto infoconsumatore <i>Address:</i> Via Sallustiana, 53 - IT-00187 Roma <i>Tel:</i> + 39 06 47055478 <i>Fax:</i> + 39 06 47055447 <i>Website:</i> http://www.sviluppoeconomico.gov.it/</p> <li data-bbox="571 741 1430 987"> <p>• AGCM - Autorità Garante della Concorrenza e del Mercato Direzione Centrale per i Rapporti Comunitari Direzione Generale per la Tutela del Consumatore <i>Address:</i> Piazza Verdi, 6 A - IT-00198 Roma <i>Tel:</i> +39 06 85821262 <i>Fax:</i> +39 06 85821456 <i>Website:</i> http://www.agcm.it/</p> <li data-bbox="571 1032 1430 1245"> <p>• Banca d'Italia Servizio REA - Divisione Rapporti tra intermediari e clienti <i>Address:</i> Via Milano, 64 - IT-00184 Roma <i>Tel:</i> +39 06 47924853 or +39 06 47925146 <i>Fax:</i> +39 06 47923994 <i>Website:</i> http://www.bancaditalia.it/</p> <li data-bbox="571 1290 1430 1503"> <p>• CONSOB -Commissione Nazionale per le Società e la Borsa Ufficio Relazioni Internazionali <i>Address:</i> Via G.B. Martini, 3 - IT-00198 Roma <i>Tel:</i> +39 06 8477277 <i>Fax:</i> +39 06 8477763 <i>Website:</i> http://www.consob.it/</p> <li data-bbox="571 1547 1430 1794"> <p>• ISVAP -Istituto per la vigilanza sulle assicurazioni private e di interesse collettivo Servizio Tutela degli utenti <i>Address:</i> Via del Quirinale, 21 - IT-00187 Roma <i>Tel:</i> +39 06 42133682 <i>Fax:</i> +39 06 42133720 <i>Website:</i> http://www.isvap.it/</p> |

| Directives/Regulation | Public Enforcement Authorities |
|--------------------------|---|
| Directive 2001/83/EC | <ul style="list-style-type: none"> • AIFA - Agenzia Italiana del Farmaco <i>Address:</i> Via del Tritone 181 - IT-00187 Roma <i>Tel:</i> + 39 06/59784564 <i>Fax:</i> + 39 06/59784816 <i>Website:</i> http://www.agenziafarmaco.it/ • Ministero della Salute Direzione Generale dei farmaci e dispositivi medici <i>Address:</i> Via G. Ribotta, 5 - IT-00144 Roma <i>Website:</i> http://www.salute.gov.it |
| Directive 2002/65/EC | <ul style="list-style-type: none"> • Banca d'Italia Servizio REA - Divisione Rapporti tra intermediari e clienti <i>Address:</i> Via Milano, 64 - IT-00184 Roma <i>Tel:</i> +39 06 47924853 or +39 06 47925146 <i>Fax:</i> +39 06 47923994 <i>Website:</i> http://www.bancaditalia.it/ • CONSOB -Commissione Nazionale per le Società e la Borsa Ufficio Relazioni Internazionali <i>Address:</i> Via G.B. Martini, 3 - IT-00198 Roma <i>Tel:</i> +39 06 8477277 <i>Fax:</i> +39 06 8477763 <i>Website:</i> http://www.consob.it/ • ISVAP -Istituto per la vigilanza sulle assicurazioni private e di interesse collettivo Servizio Tutela degli utenti <i>Address:</i> Via del Quirinale, 21 - IT-00187 Roma <i>Tel:</i> +39 06 42133682 <i>Fax:</i> +39 06 42133720 <i>Website:</i> http://www.isvap.it/ |
| Regulation (EC) 261/2004 | <ul style="list-style-type: none"> • ENAC -Ente Nazionale per l'Aviazione Civile Direzione Centrale Coordinamento Aeroporti - Struttura Carta dei Diritti del Passeggero e Qualità dei Servizi <i>Address:</i> Viale del Castro Pretorio, 118 - IT-00185 Roma <i>Website:</i> http://www.enac-italia.it |

| | |
|----------------------|--|
| Directive 2005/29/EC | <ul style="list-style-type: none"> • AGCM -Autorità Garante della Concorrenza e del Mercato - Direzione Centrale per i Rapporti Comunitari - Direzione Generale per la Tutela del Consumatore <i>Address:</i> Piazza Verdi, 6 A - IT-00198 Roma <i>Tel:</i> 39 06 85821262 <i>Fax:</i> +39 06 85821456 <i>Website:</i> http://www.agcm.it/ • AGCOM - Autorità per le Garanzie nelle Comunicazioni Direzione Tutela dei Consumatori <i>Address:</i> Centro Direzionale Isola B5 - IT -80143 Napoli <i>Tel:</i> + 39 081 7507780 <i>Fax:</i> + 39 081 7507828/7829 <i>Website:</i> http://www.agcom.it/ |
| Directive 2002/58/EC | <ul style="list-style-type: none"> • Autorità Garante per la Protezione dei Dati Personali - Dipartimento Comunicazioni e Reti Telematiche <i>Address:</i> Piazza di Monte Citorio, 121 - IT-00186 Roma <i>Tel:</i> +39 06 696772749 <i>Fax:</i> +39 06 696773785 <i>Website:</i> http://www.garanteprivacy.it/ • AGCOM - Autorità per le Garanzie nelle Comunicazioni Direzione Tutela dei Consumatori <i>Address:</i> Centro Direzionale Isola B5 - IT -80143 Napoli <i>Tel:</i> + 39 081 7507780 <i>Fax:</i> + 39 081 7507828/7829 <i>Website:</i> http://www.agcom.it/ |

1.3. NATIONAL CONSUMER ORGANIZATIONS

The consumer associations most representative at national level, according to the standards established by the framework law (article 137 Legislative Decree n. 206, dated 6 September 2005 - Consumers' Code), join to the National Council for Consumers and Users (CNCU); the National Council of Consumers and Users shall be set up at the Ministry of Economic Development. Nowadays, consumer associations' responsibilities are growing significantly but there is no central governmental funding (except for the CNCU expenses). Some Regions provide financial support but they are autonomous in the way in which they raise funds by membership fees and voluntary work. These resources are supplemented by projects grants from national/local bodies and the European Commission. Consumer associations are empowered to take action on behalf of the collective interests of consumers as a whole and in certain circumstances, where a judge thinks it is appropriate, a group or a single association may also start a legal action on behalf of a number of consumers who ask for a refund (especially by the following instruments: injunctions, according with article 139 and article 140 of Consumers' Code, and class actions -from 1 January 2010- according with article 140-bis of Consumers' Code). Key areas of consumer complaints identified by consumer groups are: insurance and financial services, telecommunications, public services.

The associations joining the list provided for article 137 of Consumers' Code are:

- **Associazione Consumatori Utenti (ACU)**, founded in 1984 - member of AEC and Consumers International
Main fields of action: consumer goods and services, corporate social responsibility and quality labelling.
Number of members: 48.302
Address: Via Padre Luigi Monti, 20/C - IT-20162 Milano
Tel: + 39 02 661 54 11
Fax: + 39 02 642 52 93
E-mail: associazione@acu.it
Website: www.acu.it
- **Associazione Italiana Difesa Consumatori e Ambiente (ADICONSUM)**, founded in 1987
Main fields of action: insurance, financial services (especially to prevent illegal money lending), transport, communication and new technologies. Publications: "Adinews" (weekly), "Consumi e Diritti" (monthly -normative information), "Adifinanza" (monthly -dealing with financial services), "Attorno al piatto" (monthly -dealing with food quality and healthy alimentation).
Number of members: 148.403
Address: Via G.M. Lancisi, 25 - IT-00161 Roma
Tel: +39 06 441 70 21
Fax: +39 06 441 70 230
E-mail: adiconsum@adiconsum.it
Website: www.adiconsum.it
- **Associazione per la Difesa e l'Orientamento Consumatori (ADOC)**, founded in 1988
Main fields of action: privacy, health services, communication, insurance public services.
Number of members: 81.269
Address: Via Lucullo, 6 - IT-00187 Roma
Tel: + 39 06 45420928
Fax: + 39 06 86329611
E-mail: info@adoc.org
Website: www.adoc.org
- **Associazione per la Difesa Utenti Servizi Bancari e Finanziari (ADUSBEF)**, founded in 1987
Main fields of action: financial services, insurance, communication and misleading advertising.
Publications: "Risparmio e futuro" (periodical)
Number of members: 67.475
Address: Via Farini, 62 - IT-00185 Roma
Tel: + 39 06 481 86 32
Fax: + 39 06 481 86 33
E-mail: info@adusbef.it
Website: www.adusbef.it

- **Altroconsumo**, founded in 1973
 Main fields of action: public services, banking and insurance services, product safety and quality and ADR.
 Publications: “Soldi&Diritti”, “Salutest”, “Hi Test”, “Soldi Sette e Fondi Comuni” (financial magazine).
 Number of members: 309.220
 Address: Via Valassina, 22 - IT-20159 Milano
 Tel: + 39 02 668 90209
 Fax: + 39 02 668 90 288
 E-mail: info@altroconsumo.it
 Website: www.altroconsumo.it
- **Assoconsum**, founded in 2002
 Main fields of action: credit and financial services, contracts, telecommunications, transport, class action, public health services, tourism, environment, nutrition, privacy.
 Number of members: 32.150
 Address: Via Lombardia, 30 - IT-00187 Roma
 Tel: + 39 06 42009318
 Fax: + 39 06 42009322
 E-mail: assoconsum@gmail.com
 Website: www.asso-consum.it
- **Assoutenti**, founded in 1982
 Main fields of action: transport, credit, insurance, communication and public services.
 Number of members: 33.435
 Address: Via Celimontana, 38 - IT-00184 Roma
 Tel: + 39 06 683 36 17
 Fax: + 39 06 686 74 34
 E-mail: info@assoutenti.it
 Website: www.assoutenti.it
- **Centro Tutela Consumatori e Utenti / Verbraucherzentrale Südtirol (CTCU/VZS)**, founded in 1993
 Main fields of action: European legislation, public services.
 Publications: “Pronto Consumatori” (monthly)
 Number of members: 4727
 Address: Via Dodiciville, 2 - IT-39100 Bolzano/Bolzen
 Tel: + 39 04 719 75 597
 Fax: + 39 04 719 79 914
 E-mail: info@consumer.bz.it
 Website: www.consumer.bz.it
- **Cittadinanzattiva**, founded in 1978
 Main fields of action: health services, education, public services.
 Number of members: 86768
 Address: Via Flaminia, 53 - IT-00196 Roma
 Tel: + 39 06 367 18 1
 Fax: + 39 06 367 18 333
 E-mail: mail@cittadinanzattiva.it
 Website: www.cittadinanzattiva.it

- **Coordinamento delle Associazioni per la Tutela dell'Ambiente e per la difesa dei Diritti degli Utenti e Consumatori (CODACONS)**, founded in 1986
 Main fields of action: public services, justice, education, transport, health, privacy, financial services.
 Publications: "Codaconsnews" (periodical)
 Number of members: 33.919
 Address: Viale Mazzini, 73 - IT-00195 Roma
 Tel: + 39 06 372 86 67
 Fax: + 39 06 370 17 09
 E-mail: n@codacons.it
 Website: www.codacons.it
- **Centro per i diritti del cittadino (CODICI)**, founded in 1993
 Main fields of action: financial services, public services.
 Number of members: 32.894
 Address: Viale Marconi, 94 - IT-00146 Roma
 Tel: + 39 06 553 01 808
 Fax: + 39 06 553 07 081
 E-mail: codici@codici.org
 Website: www.codici.org
- **Confederazione Generale dei Consumatori (CONFCONSUMATORI)**, founded in 1976
 Main fields of action: Corporate social responsibility, nutrition, new technologies.
 Publications: "Confconsumatorinotizie" (periodical)
 Number of members: 33.707
 Address: Via Mazzini, 43 - IT-43121 Parma
 Tel: +39 05 212 31 846
 Fax: +39 05 212 85 217
 E-mail: segreteria@confconsumatori.it
 Website: www.confconsumatori.it
- **Federazione Nazionale Consumatori e Utenti (FEDERCONSUMATORI)**, founded in 1988
 Main fields of action: legislation, public services.
 Publications: "Federconsumatorinews" (weekly) and "Robin" (monthly).
 Number of members: 121.202
 Address: Via Palestro, 11 - IT-00185 Roma
 Tel: + 39 06 420 20 755 / 420 20 759
 Fax: + 39 06 474 24 809
 E-mail: federconsumatori@federconsumatori.it
 Website: www.federconsumatori.it

- **La Casa del Consumatore**, founded in 2000
 Main fields of action: public services, financial services, public health services.
 Publications: “Il consumatore informato” (monthly).
 Number of members: 86.564
 Address: Via Bobbio, 6 - IT-20144 Milano
 Tel: + 39 02 763 16 809 - 848 78 7 838
 Fax: + 39 02 763 92 450
 E-mail: info@casadelconsumatore.it
 Website: www.casadelconsumatore.it
- **Lega Consumatori**, founded in 1971
 Main fields of action: communication, financial services and households safety.
 Publications: “Passaparola” (monthly).
 Number of members: 44.470
 Address: Via delle Orchidee, 4/A - IT-20147 Milano
 Tel: + 39 02 483 03 659
 Fax: + 39 02 483 02 611
 E-mail: legacons@tin.it
 Website: www.legaconsumatori.it
- **Movimento consumatori**, founded in 1985
 Main fields of action: health, insurance, financial services, tourism, consumers goods.
 Publications: Consumers’ Magazine (monthly).
 Number of members: 39822
 Address: Via Piemonte, 39/A - IT-00187 Roma
 Tel: + 39 06 488 00 53
 Fax: + 39 06 482 02 27
 E-mail: info@movimentoconsumatori.it
 Website: www.movimentoconsumatori.it
- **Movimento Difesa del Cittadino (MDC)**, founded in 1987
 Main fields of action: communication, public services.
 Publication: “Diritti & Consumi”, “Help Consumatori” (press agency) and “MDC News” (twiceweekly).
 Number of members: 38.766
 Address: Via Quintino Sella, 41 - IT-00187 Roma
 Tel: + 39 06 488 18 91
 Fax: + 39 06 482 02 27 / +39 06 42013163
 E-mail: info@mdc.it
 Website: www.mdc.it
- **Unione Nazionale Consumatori (UNC)**, founded in 1955
 Main fields of action: communication, public services
 Publications: “Le Scelte del Consumatore” (monthly)
 Number of members: 43.922
 Address: Via Duilio, 13 - IT-00192 Roma
 Tel: + 39 06 326 95 31
 Fax: + 39 06 323 46 16
 E-mail: info@consumatori.it
 Website: www.consumatori.it

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

The National Council of Consumers and Users (CNCU) represents the consumers' and users' associations nationwide and was founded by the Law n. 281 dated 30 July 1998, now article 136 of the Legislative Decree n. 206, dated 6 September 2005 (Consumers' Code). The tasks assigned to the Council by legislator aim to improve and strengthen the consumer's position into the market. The Council is part of the Ministry of Economic Development and its chair is held by the Minister or by one of his delegates. The mandate of CNCU is renewed every three years. At the moment the Council is composed of 17 recognized associations, that follow the criteria established by article 137 of the above-mentioned legislative decree, and of a representative member of the Regions and autonomous Provinces, who is elected by the State-Regions Conference.

National Council of Consumers and Users (CNCU)

Address: Department for Enterprise and Internationalization - General Directorate for Market, Competition, Consumer, Surveillance and Technical Provisions.

CNCU Management Office:

Tel: +39 06 470 51

Fax: +39 06 470 5394

E-mail: cncu@sviluppoeconomico.gov.it

Website: www.tuttoconsumatori.it

1.5. CONSUMER MEDIA

The CNCU's Website www.tuttoconsumatori.it is one of the main specialists on addressing consumer issues. In fact, it provides information on the nature, composition and activities carried out by the Council and, at the same time, offers the possibility to consult both legislation and principal actions in the field of consumer protection.

Other important consumer media are:

- The press offices of CNCU. Their main function is to connect all the other mass-media, such as newspapers, radios and television, to the actions undertaken by the CNCU;
- The insert "Tuttoconsumatori", is available every month with the specialist sectoral magazine "Il Salvagente".
- The annual publication of "Tuttoconsumatori"; the informative pamphlet which enclose all the addresses of national organizations/associations/institutions/independent authorities whose main task is to strengthen consumer protection.

Of course, two of the most important Websites where it is possible to find useful information concerning consumer policies are:

- <http://www.sviluppoeconomico.gov.it> -the official Website of the Ministry of Economic Development;
- <http://www.osservaprezzi.it> which gives to consumers important information on national, regional and sub-regional prices and tariffs of goods and services; it's been created by the Ministry of Economic Development -General Directorate for Market, Competition, Consumer, Surveillance and Technical Provisions. The national observatory on prices, attached to the Ministry of Economic Development, supervises prices at national level; for this reason it has

identified a basket of goods and services, which reflects the most common items of Italian households expenditure.

1.6. REDRESS BODIES: COURTS AND ADRS

- **Banking and Financial Arbitrator**

The Banking and Financial Arbitrator (ABF) represents an alternative dispute resolution system between customers, and banks/other financial intermediaries relating purchases of banking and financial services/products.

It's a simple, rapid and economic instrument more than a proceeding to traditional courts: in fact, consumers can, with only 20 euro, choose to use this procedure and even the same amount will be returned to them, just in case the ABF's decision is positive for the same ones. Approximately 1050 cases between 15 October 2009 and 31 March 2010 have been introduced to the ABF and beyond a quarter of them reached a decision. The ABF makes a decision on a specific case in a few months, but it's a new system that must not be confused with the instrument of conciliation or arbitration.

The ABF's decisions are not binding as those of a court judge but if the broker fails to comply with the above-mentioned decisions, this bad behaviour is made public.

The customer may approach the ABF only after trying to resolve the problem directly with the bank or the broker with a complaint. The consumer that is not satisfied with the ABF's decision, may still apply for the court.

The Bank of Italy provides the means for ABF's functioning.

The Interministerial Committee for Credit and Savings (CICR) -belonging to the Ministry of Economy and Finance- with the resolution of 29 July 2008, established the criteria for the performance of these procedures for dispute resolution and at the same time gave to the Bank of Italy the task to take care of its organization and its functioning.

The Bank of Italy adopted on 18 June 2009 the implementation of the above-mentioned resolution (published in the Official Gazette of 24 June 2009, General Series).

The Banking and Financial Arbitrator is independent and impartial and it's composed of a decision-making body (with 3 colleges) and a technical secretariat.

The following subjects are obliged to join to the Banking and Financial Arbitrator:

- Banks;
- Financial intermediaries- on the lists provided for Articles 106 and 107 of the Banking Code (TUB), including "i confidi" (Article 155, paragraph 4 of the Banking Act) and moneychangers (Article 155, paragraph 5 of the Banking Act);
- Banks and foreign brokers who carry out their activity in Italy (covered by Title VI of the Banking Code TUB);
- Electronic Money Institutions (IMEL);
- The Italian Post Office for banking activities (Bancoposta).

The National Council of Consumers and Users (CNCU) elects a representative for each college of ABF's decision-making body. For the College of Rome, Ms Daniela Primicerio was designated, for Milan Ms Anna Bartolini, and for Naples Mr Roberto Manzione.

Technical Secretariat of the Banking and Finance Arbitrator - College of Rome

Address: Via XX Settembre, 97/E - IT-00187 Roma

Tel: +39 06 47 929235

Fax: +39 06 47 9294208

Website: <http://www.arbitrobancariofinanziario.it>

- **Banking Ombudsman**

Ombudsman Bancario- Giurì bancario

The Banking Ombudsman (Ombudsman Bancario), collegial body with the task of settling disputes between customers and banks, was activated since May 1993 as a part of a series of initiatives to improve both the level of information and the level of protection for the bank customers.

Consumers can resolve disputes with banks and financial intermediaries by the help of this body for free, only after trying to resolve the problem directly with the bank or the financial intermediary with a complaint.

From 15 October 2009, the Ombudsman's powers are limited to matters relating to operations and investment services as well as other types of operations not covered by Title VI of the Banking Code (TUB); at the same time, was also extended the jurisdiction of the Ombudsman by value, the limit was raised from €50,000 to €100,000.

Address: Via delle Botteghe Oscure, 54 - IT-00186 Roma

Tel: +39 06 674821

Fax: +39 06 67482250

E-mail: associazione@conciliatorebancario.it

- **The Conciliation and Arbitration Chamber**

(published in the Official Gazette n. 67 of 22 March 2010 and in Consob's twice-monthly Gazette n. 3.1 of March 2010).

The Conciliation and Arbitration Chamber, is the organisation set up on Consob premises following the savings law reform (Law n. 262, dated 28 December 2005) with the mission of dealing with out-of-court disputes between investors and intermediaries. It was been necessary create this body to ensure a higher level of protection to savers mainly due to the serious and current financial crisis

Mr. Mario Finzi is designated to Consob as the representative of consumers.

CONSOB

Address: Via G. B. Martini, 3 - IT-00198 Roma

Tel: + 39 06 8417707

Fax: +39 06 8416703

Accepting hand-mail to the following address: Via C. Monteverdi, 19 - IT-00198 Roma.

Conciliation services run by the Chambers of Commerce, Industry and Craft Trades based in each Italian province. The main ones are those of Milan and Rome:

- **The Chamber of Commerce of Milan**
Camera Arbitrale
Address: Via Meravigli, 9 B - IT-20123 Milano
Tel: +39 02 8515 4444 / 4536
E-mail: camera.arbitrale@mi.camcom.it
Website: <http://www.camera-arbitrale.it/>
- **The Chamber of Commerce of Rome**
Address: Via de' Burrò, 147 - IT-00186 Roma
E-mail: callcenter-ciaa-roma@infocamere.it
Website: <http://www.rm.camcom.it/Home.shtm>

With reference to conciliation by Chambers of Commerce, for further information it's possible to see the following Website: <http://www.conciliazione.camcom.it/>

- **The Conciliation Body of Telecom**
Telecom Italia - AR/SR - Segreteria di Conciliazione
Address: Via di Val Cannuta, 182 - IT-00166 Roma

For further information about notified Adr bodies, it's possible to see the following website: http://ec.europa.eu/consumers/redress_cons/ecc_italy_en.htm

- **There are also conciliation's procedures based on agreements among consumers' associations and professional stakeholders. The main ones are:**
 - **Telecommunication**
Telecom www.tim.it
Tim www.tim.it
Wind www.wind.it
H3g www.areaclienti.tre.it
Fastweb www.fastweb.it
Vodafone www.vodafone.it
Tele 2 www.tele2.it
 - **Energy**
Enel www.enel.it
Eni www.eni.com
Edison www.edison.it
Sorgenia www.sorgenia.it
Confservizi/Federutility www.confservizi.emr.it / www.federutility.it
 - **Banking / Financial Services**
Intesa san Paolo (titoli Parmalat) www.group.intesasanpaolo.com
Intesa san Paolo (c/c mutui) www.group.intesasanpaolo.com
Monte dei Paschi di Siena www.mps.it
Agos www.agosweb.it
Poste/Banco posta www.poste.it

- **Insurance**
Ania rc auto www.ania.it
UGF www.unipolgf.it
Poste vita www.postevita.it
- **Postal service**
Poste italiane www.posteitaliane.it
- **Transport and mobility**
Trenitalia www.trenitalia.com
Autostrade www.autostrade.it
Fiavet www.fiavet.it

1.7. EUROPEAN CONSUMER CENTRE

The Italian European Consumer Centre is funded by the European Commission, by the Italian Ministry of Economic Development, by the Autonomous Province of Bozen - South Tyrol and by the Autonomous Region Trentino - Alto Adige/Südtirol.

It is supported by the Verbraucherzentrale Südtirol (Centro Tutela Consumatori Utenti) and Adiconsum.

The task of the European Consumer Centre (ECC) is to offer help in every Member State to consumers with cross-border problems; each ECC also takes part to the European Consumer Centre Network (Ecc-Net).

ECCs:

- **Sede Centrale di Roma c/o Adiconsum**
Address: Via G. M. Lancisi, 31/a - IT-00161 Roma
Tel: 00 39 0644238090 and 00 39 0644290734
Fax: 00 39 0644118348
E-mail: info@ecc-netitalia.it
Website: www.ecc-netitalia.it
- **Sede transfrontaliera di Bolzano**
Address: Via Brennero, 3 - IT-39100 Bolzano
Tel: +39 0471 980939
Fax: +39 0471 980239
E-mail: info@euroconsumatori.org
Website: www.euroconsumatori.org

1.8. SELF OR CO-REGULATION

The Consumers' Code contains references to self regulation. In particular, article 27 refers to the field of advertising (see also article 27-bis and article 27-quater) and article 101 to the field of public services.

Self regulation is also mentioned in the article 18 of Legislative Decree n.70/2003,(e-commerce) and in the article 18 of the Legislative Decree n.190/2005, (concerning the distance marketing of consumer financial services).

In the advertising field, a self-regulatory system was set up in Italy in 1963, the year in which the 7th National Conference on Advertising approved a motion in which the principles and aims to which voluntary control in advertising must conform were provided.

The Institute of Advertising Self Discipline, I.A.P., is the main example of self-regulatory body in Italy, based on a Code of Self-Regulation whose rules as a whole mark the boundaries of what is deemed to be correct and lawful communication.

IAP Istituto dell'Autodisciplina Pubblicitaria

Address: Via Larga, 15 - IT-20122 Milano

Tel: + 39 02 583 04 941

Fax: + 39 02 583 03 717

E-mail: iap@iap.it

Website: <http://www.iap.it/>

2. Consumer policies

2.1. CONSUMER PROTECTION LEGISLATION

Legislative Decree 6 September 2005 n.206 and following modifications - Consumers' Code.

The Consumers' Code harmonises and consolidates the laws of purchase and consumption, so as to ensure a high level of protection to consumers and users in accordance with the principles of the European Union legislation. The text was approved by the Council of Ministers of 22 July, 2005 and promulgated on 6 September 2005 (published in Italian Official Gazette on 8 October 2005, entered into force since 23 October 2005).

The Italian Government approved, on July 2006, measures designed by the Minister of Economic Development Pier Luigi Bersani that brought some benefits to '*citizens-consumers*' exploiting the effects of liberalization processes on the national market.

Law N°248, dated 4 August 2006 includes two main intervention policies: a reform package to fight tax evasion, and a strong stimulus to the deregulation process to encourage competition in professional sectors (such as pharmaceutical sector, taxi, bread licenses and credit sector).

Law N°40, dated 2 April 2007 (Decree-Law n. 7, dated 31 January 2007)

On January 2007 the Government approved a second package of measures aimed at increasing competition and better protecting consumers that would affect everything from airlines and mobile phones companies to hairdressers.

Among these necessary changes there are the following ones: phone companies can no longer charge a fee to add to the effective credit of the mobile phones accounts and airlines are obliged to include taxes and fees in ticket prices advertised.

The package also aims to reduce the time to start the activity for a new company. Under the measures, supermarkets are allowed to sell gasoline, and service stations would be permitted to sell newspapers. For barbers, hairdressers and beauty parlours it's now easier to open new shops.

Other measures that allow consumers to resolve a car insurance contract without paying a penalty.

Other measures approved by the Italian Government for strengthen consumer protection and for facilitate liberalization processes.

The significant measures of the current Government are the following ones:

- **Class action -article 140-bis of Consumers' Code**

In Italy, the class action came into force since the beginning of 2010. This new legal institute allows each consumer or user (component of the class) to act for the protection of a determined class of persons' rights, also through associations that have received mandate from consumers or users or through committees in which the same subjects participate.

Article 49 of Law n. 99 dated 23 July 2009, amending article 140-bis of Consumers' Code (article introduced by article 2, paragraph 446, of Law n. 244/2007 - Finance Act 2008), regulates the class action. The same article 49 also provides that the abovementioned action can be applied only with reference to the offenses completed after the date of entry into force of Law n. 99/2009 (therefore, after 15 August 2009).

- Strengthening of the powers of Garante Prezzi (Authority for the monitoring of prices) - article 5, Law n. 133/2008.
- Liberalization of local public services -article 23-bis, Law n. 133/2008.
- Review of the regulation of "sportello unico" -article 38, Law n. 133/2008.
- Rationalize of fuel distribution network -article 83-bis, Law 133/2008.
- Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market -Decree for the implementation of the Services Directive.

- **Regulation (EC) N°2006/2004**

Having regard to the obligations under Regulation (EC) n. 2006/2004 on cooperation between National Authorities responsible for enforcement of consumer protection, it's necessary to report the new provisions of the Act n.88 of 7th July 2009, on: "Disposizioni per l'adempimento di obblighi derivanti dall'appartenenza dell'Italia alle Comunità europee -Comunitaria 2008", published in the Italian Official Gazette of the 14th July 2009, n.161 and entered into force on 29th July 2009.

Article 22 of the above-mentioned act (amending article 144-bis of Consumers' Code) extended the powers of the Ministry of Economic Development; in fact now the same one can also act as Authority responsible under Regulation (EC) N. 2006/2004, for the following additional subjects: directive 97/7/EC on distance contracts, directive 85/577/EEC on contracts negotiated away from business premises; directive 94/47/EC on timeshare, Directive 98/6/EC on indication of the prices of products offered to consumers (subject to the sanctioning power of Municipalities).

2.2. CONSUMER ORGANIZATIONS

For further information it's possible to see the following websites:

<http://www.tuttoconsumatori.it/>

http://ec.europa.eu/consumers/empowerment/cons_networks_en.htm#national

2.3. INFORMATION AND EDUCATION

With Law n. 388, dated 23 December 2000, (Finance Act 2001) the revenues from penalties imposed by the Italian Competition Authority has been earmarked for initiatives to consumers' benefit. The allocated funds have allowed the implementation of important projects targeted to improve information, education and assistance for consumers and users.

The procedure provides that the Minister pro-tempore of the Ministry of Economic Development introduces to the competent parliamentary committees for the examination of the projects that need to be financed and the conditions that must be achieved by the same ones and, just in case of a positive opinion, the same Minister with a decree allocates the amount available.

A significant part of these resources, allocated in proportion to population, is targeted to Regions that use the same resources to realize projects that take into account local particularities, local needs and local actors involved for the consumers protection.

An additional amount is intended to finance projects proposed by national consumers associations; the allocation of these resources occurs through a public tender that specifically identifies both themes and projects' goals and also how to evaluate the same projects.

Finally, the Ministry of Economic Development uses directly some of resources, also through agreements with various government agencies, to realize some of the most important projects. Among many projects realized or still in progress that is necessary to mention, there are in particular those for combating counterfeiting, for monitoring of prices and tariffs, for strengthening of control on the safety of products and for the legal metrology, and more in general, for providing assistance to consumers in extrajudicial dispute resolution, for promotion of standard contracts and for verifying the presence of unfair terms in contracts.

There are also many projects aimed to consumers-users on important issues identified on the basis of development of laws and of the market, as well as those concerning education for younger people.

The CNCU has supported seven editions of a project concerning a specialized training of two University Masters of II level, organized by the University of ROMA TRE focused on market and consumer protection.

- Two Editions of University Masters of I level, at the University of Catania focused on "Customer care and consumer protection".
- One Edition of University Masters of I level, at the University of Siena focused on "Business ethics and social responsibility in the consumption";
- One Edition of University Masters of I level, at the University of Bologna focused on "Market, Consumer and rights".
- Scholarship for a Phd at the University of ROMA TRE in "Consumer and Markets".

Fall seminars for representatives of consumer organizations at the Permanent Representative of Italy to the European Union.

Courses (Full immersion one week for people who works for the consumers' organizations):

- Calabria - "The market and the consumer's rights"
- Torino - "European market's role and consumer protection";
- Benevento-University of Sannio "Economics and management of non-profit organizations"
- Bologna - "Market, Consumer and rights";
- Cosenza - "Week of studies on consumer protection";
- Torino - "European market's role and consumer protection";
- English courses for representatives of consumer organizations at the British Council of Rome.

Last 17 February the European Commission appointed officially Mr Massimiliano Dona as the Italian representative of consumer associations for the European Consumer Consultative Group (ECCG) and Mr. Carl Pileri, as alternate member . The task of each member designated of the mentioned group is to defend national consumers' interests, also listening comments or suggestions from representatives of the Italian associations.

2.4. INFORMATION GATHERING/RESEARCH

During 2006, was carried out an important research project, whose purpose was been the monitoring the actual level of performance of regional policies for consumer protection. The second report on regional policies concerning consumer protection was based on the above mentioned project and it was presented during the "Sessione Programmatica tra il CNCU e le Regioni", in November 2006. A collection of the main legal provisions at the local level concerning consumers and customers protection was also published in 2006.

The annual conference between CNCU and the Italian Regions takes place every year in a different Region and, in 2009, it was the tenth edition and was focused on economic crisis. Since 2003, the CNCU has 13 thematic working-groups, whose main task is to study specific issues of interest to consumers and customers, with the purpose of supporting the institutional activity of the CNCU through specific analysis and researches. These aforementioned groups try to compare their own activity with other parties involved such as independent authorities and associations.

These working groups are the following ones:

- Trade - prices and tariffs - e-commerce.
- Public services.
- Product safety.
- Credit and financial services.
- Insurance.
- Food safety.
- Conciliation - access to justice.
- Corporate social responsibility (CSR).
- Health.
- Transports and road safety.
- EU policies.
- Task force class action.
- Real estate.
- Postal services.
- Relations with Universities.
- Transparency in Public Administration.