

GREEN PAPER ON COLLECTIVE REDRESS: THE POSITION OF THE UGC- UNIÃO GERAL DE CONSUMIDORES, PORTUGAL

Question 1: The UGC is in favour of intervention by the European Commission with a view to guaranteeing the fair and equal access of all European citizens to justice matters. The widely varying legal mechanisms need to be substituted by a Europe-wide regulatory model.

Question 2: In principle, the UGC is in favour of Option 4. However, as we are aware that, in the short and medium term, it is not possible to implement a legal mechanism for the whole of Europe, we favour a combination of Option 2 and 3. This option will always take into account the various legal mechanisms, the network of European Consumers Centres, the legislation on unfair trading practices and the coordination of consumer policies between Member States.

Question 3: Yes, we take all the legislation safeguarding European consumers into consideration, e.g. timesharing legislation, distance selling etc. We agree to the maintenance and reinforcement of out-of-court mechanisms for improving consumer information and dialogue with the professionals.

Question 4: The new European model for access to justice should be financed by national and European funds alike. However, we shall have to take into account the limited and disproportionate means of the 12 most recent members.

Question 5: In the articulation of Options 2 and 3, we are in favour of the network of public authorities all having precisely the same powers to impose fines for disputes involving small claims (the amount of a small claim should be defined on a common basis for all Member States).

Question 6: We always see the need for binding instruments in questions of collective redress and consider that all the opportunities of out-of-court mechanisms should be maintained.

Question 7: We are in favour of the publication of a brochure in all EU languages explaining the state-of-the-art of collective redress and the imperative of citizens' rights. In addition, a European seminar, extensively prepared beforehand, could provide consumers associations in the whole of Europe with knowledge of the proposals presented by the specialists in collective redress.

União Geral de Consumidores

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