

**NATIONAL ACTIVITIES OF LITHUANIA IN SUPPORT OF THE OBJECTIVES OF
THE CONSUMER POLICY STRATEGY (2002-2006)**

OBJECTIVE 1: A HIGH COMMON LEVEL OF CONSUMER PROTECTION

<i>Action</i>	<i>Description</i>	<i>Time frame / State of play</i>
<p>1. Harmonising national consumer protection law with respective EU requirements and improving existing legislation.</p>	<p>- Almost all consumer protection <i>acquis</i> has already been transposed to Lithuanian legislation, except of Directive 98/27/EC of the European Parliament and of the Council on injunctions for the protection of consumer interests and Directive 2002/65/EC of the European Parliament and of the Council concerning the distance marketing of consumer financial services and amending Council Directives 90/619/EEC, 97/7/EC and 98/27/EC. The provisions of the said directives will be transposed to Lithuanian national law by adopting the Law on Amendment of the Law on Consumer Protection, which will be also aimed at improving existing regulation and securing a higher level of consumer protection.</p> <p>- The Law on Product Safety is being amended in order to transpose the requirements of the Directive 2001/95/EC on General Product Safety.</p>	<p>- The adoption of the Law on Amendment of the Law on Consumer Protection is foreseen in the 4th quarter of 2003. The concept of the Law is currently under preparation.</p> <p>- The adoption of the Law on Amendment of the Law on Product Safety is foreseen in the 3rd quarter of 2003.</p>
<p>2. Integration of consumer interests into other policies.</p>	<p>- The Law on Payments, as amended from the 1st July 2003, foresees the right of consumer to address to the NCRPC with the complaint, if his rights stipulated in the Law on Payments were infringed and he did not reach the amicable solution with the service provider. Thus the provisions of the said Law define one more area of consumer protection, which was not introduced in Lithuanian legislation - financial services, and secure the enforcement means thereof.</p>	<p>The Rules of Procedure on the out-of-court investigation of consumer complaints, resulting from the infringement of their rights stipulated in the said Law, have to be drafted in order to allow the National</p>

	<p>- The Law on Heat Economy, adopted on May 20, 2003, stipulates the obligation on the providers of heating services in the case of concluding contracts on the purchase of heating with the consumers, to use standard contracts. The latter have to be approved by the National Consumer Rights Protection Council, which would ascertain if the contract terms correspond to the requirements of the said Law.</p>	<p>Consumer Rights Protection Council to investigate such complaints effectively. The adoption of the Rules is foreseen in the year 2004.</p> <p>-</p>
<p>3. The National Consumer Rights Protection Strategy and the National Consumer Education Programme.</p>	<p>The present legal and institutional system in Lithuanian does not create consistent state protection of consumer rights. Legal acts do not define clearly enough the areas of consumer right protection implemented by the state, nor does the consumer right protection system cover all consumption fields. Owing to that, in the third quarter of 2002 the Government of the Republic of Lithuania set up a commission, which drafted the National Consumer Rights Protection Strategy (further referred to as the Strategy) submitting it to the Government for approval. The Strategy was drafted taking into account the provisions set out in the Communication from the Commission of the European Communities on the Consumer Policy Strategy 2002 – 2006. The Strategy is aimed at guaranteeing a high level of consumer rights protection meeting the EU requirements in four prioritised directions: improvement of the legal framework of consumer protection, strengthening of the institutional framework of</p>	<p>The Government is expected to approve the Strategy and the Programme in the nearest future.</p>

	<p>consumer protection, consumer education and strengthening of the role of public consumer organisations in the field of consumer rights protection.</p> <p>An important consumer education element is the National Consumer Education Programme. The Programme sets trends and tasks of consumer education and is aimed at promoting institutional development of consumer education. The goal is to establish a consumer education institutional system, which would be reliable, efficient, accessible to everybody, including persons of restricted mobility or living in social exclusion, and would facilitate consumer education, information sharing and consulting. The Programme also addresses such issues as a more rational delegation of functions to state institutions, municipalities and public consumer organisations. A proposal has been made to introduce consumer education courses at secondary schools and tertiary and higher education institutions. This would help to nurture not only good specialists of the subject field but also well-informed consumers knowing their rights and able to exercise them.</p>	

OBJECTIVE 2: EFFECTIVE ENFORCEMENT OF CONSUMER PROTECTION RULES

<i>Action</i>	<i>Description</i>	<i>Time frame / State of play</i>
1. Joining the International Consumer Protection and Enforcement Network	The National Consumer Rights Protection Council, as the main enforcer of consumer protection in Lithuania considers it as a high priority to affiliate to International Consumer Protection and Enforcement Network, which provide a forum for discussion, information exchange and cooperation on cross-border issues with the other 29 member countries.	The Council has submitted the application for membership to the current presidency of the ICPEN and expects to be invited to the nearest ICPEN meeting, where the observership/future membership of the National Consumer Rights Protection Council will be discussed.
2. Information exchange under RAPEX procedure.	The legal basis for information exchange on unsafe and dangerous products under RAPEX system is being finalised. The necessary provisions are inserted in the Law on Product Safety and the Order on Rapid Exchange of Information on Unsafe and Dangerous for Consumer Health Products is due to be approved by the Resolution of the National Consumer Rights Protection Council in near future. The said Order will set the internal national system of exchange of information on unsafe and dangerous products among the competent national authorities and the operative provision of such information to the Commission and vice versa. The Council is designated as a national contact point for information exchange under RAPEX procedure, thus it has also foreseen the purchase of the necessary equipment/facilities for the proper management of this task under the PHARE project, that is due to start in October 2003. Different	All the necessary legal and material basis for the proper functioning of the RAPEX system in Lithuania will be in place on the date of accession.

	<p>trainings and seminars on product safety, including information procedures under RAPEX, will also be provided under the said project, thus strengthening the administrative capacities of the Council to carry out this task.</p>	
3. Joining the EEJ-Net and FIN-Net	<p>The Council is planning to establish a Clearing House once Lithuania has acceded to EU. The assistance of foreign counterparts in preparation of legal and material basis for the establishment of the Clearing House is foreseen under the PHARE project, that is due to start in October 2003. The staff of the Council participates in different trainings and seminars, and took part in the conference for the evaluation of the pilot phase of the EEJ-Net (10-11 June, 2003, Brussels) in order to gain the necessary knowledge, which will be used in the preparation of the establishment of the Clearing House.</p>	<p>It is planned that the Clearing House will be established in the year 2005, after all the necessary procedures for application for financial support (both national and of European Commission) have been completed.</p>
4. Joining the ECC-Network	<p>The Euroguichet is intended to be established once Lithuania has acceded to EU. Likewise in the case of the Clearing House, the assistance of foreign counterparts in preparation of legal basis for the establishment of the ECC is foreseen under the PHARE project. The staff of the Council participates in different trainings and seminars in order to gain the necessary knowledge, which will be used in the preparation of establishment of the said Centre.</p>	<p>It is planned that the European Consumer Centre will be established in the year 2005, after all the necessary procedures for application for financial support (both national and of European Commission) have been completed.</p>
5. Contributing to CLAB database	<p>As the National Consumer Rights Protection Council is entrusted with the task to examine consumer complaints on unfair contract terms, it will be able to contribute to the CLAB database and will also be delighted to use it in applying the provisions of the national law governing the consumer protection in the area of unfair contract terms.</p>	<p>After the accession to EU.</p>

OBJECTIVE 3: PROPER INVOLVEMENT OF CONSUMER ORGANISATIONS IN NATIONAL AND EU POLICIES

<i>Action</i>	<i>Description</i>	<i>Time frame / State of play</i>
1. Participation in the Consumer Protection Commission	<p>National non-governmental consumer organizations are represented in the Consumer Protection Commission, which is a consulting body of the National Consumer Rights Protection Council. The other members of the Consumer Protection Commission are representatives of the Ministry of Health, Ministry of Economy, Ministry of Agriculture, Ministry of Communications, Competition Council, State Food and Veterinary Service, State Non Food Products Inspectorate under the Ministry of Economy and other interested State bodies, as well as business organisations.</p> <p>The Commission submits comments and proposals on the enforcement and amendments of legal acts related to consumer protection and product safety to the National Consumer Rights Protection Council, presents proposals on the enforcement of the national consumer rights protection policy and preparation of Action Plans, on the prevention of infringements of rights stipulated in law, on the education and information of consumers, producers, distributors and service providers etc.</p>	-
2. Observership in the EU Consumer Committee	One representative and one substitute were selected to represent Lithuanian non-governmental consumer organisations in the Consumer Committee.	Designated representatives already take part in the meetings of the Committee.
3. Participation in the work of the ECOSOC	Lithuanian National Consumer Federation has its representative in the Economic and Social Committee of the EU.	-

4. Participation in the standardization work	<p>Under the Standardization Department Consumer Commission is functioning. The Commission is composed of the representatives of state institutions concerned and of the representatives of non-governmental consumer organisations. Both last year and this year the Commission is chaired by the representative of consumer organisation.</p> <p>The tasks of this Commission include observing the activity of the Technical Committees, making proposals on the issues related to the improvement of the standardization activity seeking to take into consideration the interests of the consumers and to identify their priorities, analysing the drafts of Lithuanian standards programme developed twice a year and submitting proposals to include items important for consumers.</p> <p>Consumer Commission is also tasked to participate at the development of the Lithuanian draft standards important for consumers, involving to this end high skill experts, to analyze the drafts of the Lithuanian, European and international standards which are important for consumers and to submit proposals to Lithuanian Standards Board to improve the drafts in order to satisfy the needs of consumers.</p>	-
5. Participation in other bodies and groups.	<p>The representatives of the non-governmental consumer organisations take part in various bodies, groups and committees, where they represent the interests of Lithuanian consumers, including participation in preparation of national legislation, affecting consumer rights.</p>	-
6. Consumer information and education.	<p>- Non-governmental consumer organisations, as well as relevant state institutions, pay substantial attention to the information of the consumers on their rights, new legislative initiatives, detected dangerous products etc. This is done mostly through</p>	- On a permanent basis.

	<p>mass media means, but also through publishing activities, various educational programmes.</p> <p>- Educational issues are addressed in the National Consumer Education Programme, described under Objective 1 of this report.</p>	<p>- The Government is expected to approve the Programme in the nearest future.</p>

ACTIONS TO IMPROVE THE QUALITY OF CONSUMER POLICIES

<i>Action</i>	<i>Description</i>	<i>Time frame / State of play</i>
The development of a knowledge – based policy.	On the order of the National Consumer Rights Protection Council, the consumer survey on the quality and the accessibility of services, adequacy of prices of services, the efficiency of out-of-court investigation of consumer complaints, the accessibility of information on services and dispute resolution means was carried out. The survey will serve for better assessment of the current consumer policies and their improvement.	The survey is being prepared to publication.