



The internet has transformed shopping, offering consumers more products and more choice and allowing them to compare suppliers, products and prices on an unprecedented scale. But there are still problems to be overcome, in particular relating to the delivery of goods and fraud. This month's e-bulletin offers advice on how to shop safely online.

Our consumer query concerns paying bills by credit card and whether it is legal for a trader to charge additional fees for processing credit card transactions.

If you have had a problem with a purchase from another EU country, please contact us on 01 8090600 or at info@eccdublin.ie. For information on your consumer rights in Europe, see www.eccireland.ie.

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Editor

1. Online shopping – click here for good value.....

Shopping online offers consumers the possibility of significant savings, choice and value for money, all from the comfort of your own home, but how many of us know our rights when purchasing something over the internet?

Well, to begin with, you enjoy the same rights for an online purchase as you do when buying something from a shop on the high street – in other words, if the goods are faulty or defective, you may be entitled to seek a repair, replacement or refund.

However, you also have the added protection under EU law of a 'cooling-off' period, which allows you 7 working days to cancel the contract in writing and return the goods without having to give any reason. The only cost you should have to incur for cancelling is the cost of sending the goods back to the seller. This differs from shopping on the high street, where you are not entitled to bring goods back simply because you don't like them or have changed your mind, although shops might have their own policy in this regard.

There are, however, certain types of goods which are excluded from this right of cancellation, such as flights, accommodation and tickets, which are all booked for a specified date, and other goods which cannot be returned due to their nature, such as personalised goods, magazines, CDs, DVDs, etc.

Unless otherwise agreed, all online orders should be completed within 30 days. If the seller fails to deliver the goods and this time period has passed, you would be entitled to

a refund of any monies paid. If you have paid by credit card, you should contact your credit card company, as they may be able to refund you where you have not received the goods and the company is ignoring your correspondence.

Remember that your rights when shopping online only apply to business to consumer transactions. Therefore, if you are purchasing goods from a private individual rather than a company, you will not be protected under consumer legislation – it will simply be a case of '*buyer beware*'. It is also worth noting that internet auctions are not covered by consumer legislation, although all good internet auction sites will offer their own purchase protection programs.

The best way to avoid encountering any problems when shopping online is to know your rights and to follow the simple advice below:

- Read the terms and conditions of the website carefully to find out your rights and obligations under the contract.
- Ensure that you have full contact details for the seller in case there are any problems.
- Familiarise yourself with the website's cancellation policy and returns procedure.
- Always keep the confirmation of your order and print a copy for your records.
- Never pay for an online transaction using a money transfer agency, as such payments cannot be traced once sent and are very often the method of payment insisted upon by fraudsters.
- Check your credit card statement carefully to ensure that you have been billed correctly, and inform your credit card company immediately if there are any discrepancies.

Further information on your rights when shopping online can be found on the website of the European Consumer Centre: <http://www.eccireland.ie/topics/shoppingonline.html>

2. I have a subscription to satellite television and have just received a letter from my supplier informing me that I am now being charged extra for paying each monthly bill by credit card rather than by direct debit. Is this illegal?

Sections 48 and 49 of the Consumer Protection Bill (enacted on 1st May 2007) were introduced in order to ban traders from levying extra charges on consumers who chose one method of payment in preference to another, when those methods of payment are accepted by the trader. These measures were introduced as a result of controversy over the decision by NTL to impose a €2 per bill charge on customers who do not pay by direct debit. However, when the Act entered into force, Sections 48 and 49 were not commenced and, as a result, this practice is still possible.

The reason given not to ban such a practice is that it is understandable that business charges less to those consumers using cost-efficient means of payment:

- The use of cash implies bank, administration and security costs.
- Cheque processing is also time-consuming.
- Credit card payments entail additional costs imposed by credit card companies.
- Direct debit is cheaper, requires less staff and the risk of bad debts is lower.

In a cost-efficient and knowledge-based economy, the price of goods and services has to reflect the cost of providing them, including how they are paid for. In any case, we are of the opinion that these practices should be monitored to close off the ability of certain traders to levy surcharges on consumers.

So charging extra for payment by credit card, even if controversial, is not illegal.

If you want more information about this or any other cross-border consumer issue you can contact us on 01 8090600 or at www.eccireland.ie.

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