

Have you ever felt bullied by a retailer into buying something you weren't sure about? Have you ever believed the claim made about a product in an advertisement only to discover it was false? Well those days are over as from the 1st May new consumer legislation prohibits such actions. Find out more here.

Our consumer query comes from a woman who wants to know if an airline can refuse to compensate her for her lap top and jewellery lost in her checked in luggage.

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Acting Editor

1. What's bothering you? – New protection against unfair commercial practices

2. Consumer query of the month – Can the airline refuse to compensation for a lap-top that was lost in checked in luggage?

www.eccdublin.ie: European consumer rights online

1. What's bothering you? – Protection against unfair commercial practices

On May 1st new European legislation came into force which protects consumers against unfair commercial practices. This good news means that misleading trade descriptions or advertising and aggressive practices such as harassment, coercion or undue influence are now prohibited.

The legislation also prohibits certain practices outright such as:

- Prize promotions where there is no prize
- Prize promotions where the consumer has to make a payment in order to claim a prize
- Claims that products can cure illnesses when they cannot
- Persistent unwanted cold calling
- Pyramid schemes

Let us hope that this new legislation will mean less aggravation for consumers!

For the full text of the legislation (part 3 of the Consumer Protection Bill 2007) follow this link:

<http://www.entemp.ie/publications/commerce/2007/cpbill2007finalversion.pdf>

2. Consumer question of the month – Can the airline refuse to compensate for a lap-top and jewellery that was lost in checked in luggage?

A consumer contacted ECC Dublin who had packed a digital camera and jewellery in her checked in luggage. The airline then lost the luggage but although they have offered some compensation they say they will not compensate her for these expensive items.

While she is entitled to compensation of up to approximately €1,200 for lost luggage under the Montreal Convention, airlines' terms and conditions generally exclude valuable items from their liability, and so they can refuse to compensate as they did. This means that the best advice is not to put valuable items in your checked in luggage at all. If you must do so, then you should make a 'declaration of interest' at the airline's desk when checking in so that your luggage will be adequately covered. Please note that you may incur an extra charge for this.

If you wish to email your consumer queries to us please do so to info@eccdublin.ie

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