



This month's eBulletin deals with collective redress, a procedure that would allow a number of people who have been harmed by the same or similar behaviour of a trader to seek compensation collectively instead of taking action individually. Our Consumer Query of the Month discusses what happens if the security of your data is compromised and our Success Story concerns a failed booking on an airline website. This month we introduce a new feature which is our consumer survey available on our website at www.eccireland.ie. This will allow you to make your voice heard in relation to topical consumer matters.

If you have had a problem with a purchase from another European country, please contact us on 01 8797620 or click [here](#). For information on your consumer rights in Europe, see www.eccireland.ie

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Manager**

Strength in numbers

Collective redress is not a new concept in the EU but the situation varies from Member State to Member State, with some countries allowing group actions for damages while others do not. For this reason the European Commission recently launched a public consultation on the topic to gather the views of all interested parties from citizens to public authorities. The purpose of this consultation was to identify common legal principles, whether a future European Commission initiative should be presented on collective redress, and how these principles could fit into the EU legal system and into the legal system of all 27 EU Member States.

In Ireland a campaign to raise awareness of collective redress is being led by the Consumers' Association of Ireland. The CAI has launched a poll on the subject which is available from their [website](#). The poll gives you the chance to make your voice heard on this important topic. The responses will be analysed and sent to BEUC, the European consumer association umbrella organisation, of which the CAI are the Irish Member, as part of its Europe-wide campaign to lobby for the introduction of group action to allow consumers to obtain redress in situations where many people have suffered harm or loss. For more information see www.consumerassociation.ie

ECC Ireland's own research on the topic shows that of consumers polled 82% were in favour of the possibility of EU-wide collective redress, while 12% preferred the option of collective redress at a national level and a mere 6% did not support the idea. This is in line with the recent Flash Eurobarometer 299, published last March, where an EU average of 79% of those questioned, rising to 90% in Ireland, would be more willing to defend their rights in court if they could join with other consumers. For more information see http://ec.europa.eu/public_opinion/flash/fl_299_en.pdf

Consumer Query of the Month

I was very concerned to learn that a company I subscribe to has reported a breach in its data security management system and warned consumers that the security of their data may be compromised. What can I do to protect myself?

Article 8 of the Charter of Fundamental Rights of the European Union expressly recognises the fundamental right to the protection of personal data. Traders and other organisations that keep data about you have to comply with data protection principles. These stipulate that when you give your personal details to an organisation or individual, they have a duty to keep these details private and safe. In Ireland the Data Protection Commissioner is responsible for upholding the rights of individuals as set out in [EU Directive 95/46](#), and enforcing these obligations upon data controllers.

It might be advisable to change any user name or password details which you may have been using. Also if you use the same password for other services, it may be wise to change those details too. If any payment card details were provided in the past, be vigilant and review your account statements regularly. In the event of unauthorised transactions, the matter should be notified to the bank or payment card issuer immediately in order to cancel the card and refund the amount fraudulently deducted. For further orientation or advice, please see: www.dataprotection.ie.

Success story of the Month

Three months ago, a consumer experienced difficulties when trying to book a flight as an “Error” message appeared at the end of the booking process. Subsequently, the consumer booked the flight with another airline. However, shortly afterwards he received an e-mail confirmation for the attempted booking and his credit card was charged for the flight.

The consumer felt strongly about the issue because the initial flight was non-refundable and in his opinion the airline should have advised him properly instead of deferring payment, issuing the booking confirmation hours later. We agreed that the consumer should not be penalised in this instance and contacted the airline on his behalf. Following this approach, the consumer was refunded in full by the airline.

This month’s survey

Here in ECC Ireland we are always interested to hear what you think. This month, with summer approaching, we are asking you if you know that you have different rights depending on the way you book your holiday. To take part in the survey just go to our home page www.eccireland.ie and click yes or no.

If you want more information about this or any other cross-border consumer issue you can contact us on 01 8797620 or at www.eccireland.ie.

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