



CONSULTATION ON THE E-COMMERCE PROPOSALS

Thank you for giving LoTSA the opportunity to comment on the above proposals. We would like to make the following comments.

We support the principle that the host-state regime take precedence over UK legislation (in all but the most urgent circumstances). It is more practicable that businesses are required to comply only with their own state's legislation rather than that of each potential consumer. However, we feel that more should be done centrally to ensure that the implementing legislation of the member states is more closely aligned.

In view of current differences across Europe, we would support a requirement to include a 'statutory warning' that points out that the transaction is subject to French/German/Italian etc consumer protection legislation. Without such a provision, we consider that the consumer is unable to make an informed choice.

On a related note, we would also support greater implementation and marketing of reciprocal arrangements for dealing with disputes. We feel that that the NACAB EEJ-Net system has received little publicity and consumers, trade and advice agencies are therefore unaware of it's existence. Similarly, the OFT Voluntary Dispute Resolution System covers miscellaneous countries including the USA and the Dti and OFT have International Liaison Departments. Both offer valuable services for consumers but are under-publicised and therefore under-utilised. We are concerned that that there does not appear to be more global progress on E-Commerce, particularly with the USA.

In relation to UK consumer credit legislation, it is uncertain whether the E-Commerce Regulations will have any specific impact, particularly as the current credit regime is under a fundamental review. We would support clarification of the remit of the Consumer Credit Act 1974 s 75 for the global market place, should that provision remain.

We consider that the provisions relating to offences under the Regulations need greater clarity and that the provisions relating to the enforcement of the Regulations should be clarified and strengthened as a matter of urgency. Recent local authority surveys indicate large scale non-compliance with the Distance Selling Regulations and other consumer protection legislation on transactions conducted over the internet and a more robust system of enforcement should be provided.

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London Trading Standards Authorities

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