

Consumer protection within Europe

The role of the national judge when applying consumer rights and law

TRIER, 28-29 NOVEMBER 2018
ERA Conference Centre
Metzer Allee 4, Trier, Germany

This conference will

- raise awareness of the application of the EU principles of effectiveness, proportionality and dissuasiveness in the area of consumer protection;
- explain the role of the Court of Justice of the European Union in the interpretation and application of consumer law;
- present and analyse the tasks and *ex officio* powers of national courts;
- promote contacts between national judges from different Member States.

The conference is designed to be practice-oriented and focused on peer and expert training. Each conference day will offer presentations and a workshop in which active participation is encouraged.

Wednesday, 28 November 2018

08:30 Arrival and registration of participants

09:00 Opening of the seminar, welcome words & presentation of the European Judicial Training Network (EJTN)

09:15 Pre-Training Knowledge Assessment (Turning Technologies)

Moderator: *Speaker 4*

I. Setting the scene

09:40 **Effective judicial protection as a fundamental right in the context of EU consumer law**

- Role of CJEU in the interpretation and application of consumer law
- Role of the national courts
- The Study of the Max Planck Institute on national procedural laws and practices in terms of their impact on the free circulation of judgments and on the equivalence & effectiveness of the procedural protection of consumers under EU consumer law

Speaker 1

10:15 Q & A



European Judicial Training Network
Réseau Européen de Formation Judiciaire



10:30 Introduction to the existing EU consumer acquis

- The concept of consumer
- Plurality of instruments: an introduction
- Material scope of each instrument

Speaker 2

11:00 Q & A

11:15 Coffee break

11:45 Review of EU consumer law – New Deal for Consumers

- Main findings of the REFIT report
- Proposal for a Directive on better enforcement and modernisation of EU consumer protection rules

Speaker 1

12:10 Q & A

II. The Consumer Rights Directive

12:20 Key concepts and evaluation of the Consumer Rights Directive

- Main provisions of the Directive
- Key results of the evaluation and the way forward

Speaker 2

12:50 Q & A

13:00 Lunch

Moderator: *Speaker 1 or 2*

III. Cross-border consumer contracts

14:00 A classical cross-border case: the usual situation in the first instance

Speaker 3

14:45 Q & A

WORKSHOP: Cross-border consumer contracts in legal practice

Speaker 3

15:00 Introduction to the workshop and division into groups

15:10 Group work on the case study (Coffee & tea is served during the workshop)

16:15 **Plenary session: discussion / solution of the case study**

17:15 End of the first conference day

Thursday, 29 November 2018

08:45 Arrival and registration of participants

Moderator: *Speaker 6*

IV. The Unfair Contract Terms Directive

09:00 **The *ex officio* application of the Unfair Contract Terms Directive**

- Analysis of the Unfair Contract Terms Directive
- The role of the CJEU in interpreting the Directive

Speaker 4

09:45 Q & A

10:00 **Recent CJEU case law on consumer matters**

Speaker 5

10:30 Q & A

10:45 Coffee & tea

WORKSHOP: The application of the Unfair Contract Terms Directive

Speaker 4

11:15 **Group work on the case study**

12:15 **Discussion / solution of the case study in plenary**

13:15 Lunch

Moderator: *Speaker 5*

V. Effective consumer redress in the EU

14:15 **Alternative dispute resolution (ADR) and online dispute resolution (ODR)**

- Legal background
- Solving consumer disputes on the Internet

Speaker 6

14:45 Q & A

15:00 Collective redress mechanisms

- Proposal for a Directive on representative actions for the protection of the collective interests of consumers
- National models: good & bad practices, concerns and safeguards

Speaker 6

15:30 Q & A

15:45 Assessment of Knowledge Acquired (Turning Technologies)

16:00 End of the conference



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