

L-Għażla

THE CONSUMERS' MAGAZINE

2020/21

Issue No. 12



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Protecting the
Planet: World
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Study on
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MCCAA | 10
YEARS

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MESSAGE FROM DR DEO DEBATTISTA

When you get a good idea, you feel it. You just know that something will work out. This is how I felt when I was first assigned in consumer portfolio.

When we had the first COVID-19 cases, most of us were apprehensive and alarmed. But today there is definitely light at the end of the tunnel.

During the past year, the Authority has been instrumental in ensuring safety and efficacy of protective equipment, sanitizers and products required to deal with the pandemic.

The MCCA is cognisant of the ever-changing consumer buying behaviour towards online buying and embraced the digital transformation. The Authority pioneered initiatives to help consumers feel safer and empowered. A new Unit focusing on electronic enforcement and digital investigations is being established. New consumer rights for digital content and digital services purchased are in the process of being transposed in National law.

Over 11,000 cases of enquiries and complaints have been dealt with by the Office for Consumer Affairs in 2020 alone. Alternative dispute resolution, which enables consumers to settle disputes without the need to go to court, is being strengthened.

The initiatives taken by the MCCA ensures that the Authority continues to be there for you. Today I can say, beyond just a feeling, that MCCA works and is creating tangible impact on consumers and stakeholders.



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MESSAGE FROM ING. HELGA PIZZUTO

This year, the Authority is celebrating its 10th year anniversary. Ten years of work focused on the attainment of well-functioning markets that create a positive impact in consumers' everyday lives.

Today, our work is inspired by the New EU Consumer Agenda and our strategy for the coming years. We aim to continue addressing consumers concerns within an evolving market environment and changing consumer behaviour.

In these unprecedented, extraordinary times, the digital world, especially online shopping, has proved to be an indispensable communication and commercial tool. The MCCA worked with its European counterparts to review the rules and reinforce consumer protection in the digital world.

The Authority is adopting a proactive approach as we believe in our role of building trust among consumers, economic operators, and all stakeholders. As an organisation with a large remit of over 100 regulations covering diverse sectors requiring totally unique skill sets, the MCCA has a single focus - the consumer.

I wish to take this opportunity to recognise the valuable work of all the employees, past and present, who are committed to your wellbeing in a supportive regulatory environment.

We would like to invite you to read this magazine as it provides informative insights on the Authority's work and achievements, all aimed at providing you with the best possible service.



NEW CONSUMER RIGHTS FOR DIGITAL CONTENT AND DIGITAL SERVICES PURCHASES



Millions of digital content and services are purchased by European consumers every day. Digital content products include computer programmes, eBooks and applications as well as entertainment goods such as music, movies and games in digital form. Regarding digital services, these include services that allow the consumer to create, process, store or access data in digital form, such as cloud services. Digital services are also services that

allow the sharing of data through social media platforms. Before the Digital Content Directive was adopted, the existing EU legislation was limited to safeguarding consumers' right for clear information and of providing protection from unfair contract terms. The new Directive lays down a common set of rules with regards to the conformity of the digital content or digital service with the contract of sale.

In other words, the content or service purchased must be provided to consumers as agreed in the sales contract. In case of non-conformity which exists at the time of supply or which becomes apparent within a period of not less than 2 years from supply, the trader is liable to provide a free remedy. If the trader is unable to do so within a reasonable time, consumers may claim a price reduction or cancel the contract and request a full refund. However, the right to a full refund does not apply when the non-conformity or defect does not impair the functionality, interoperability or 'other main performance' features of the digital content.



Furthermore, the Directive states that while it is the consumer's responsibility to provide evidence that the digital content or service does not conform to the sales contract, during the first year from date of purchase the burden of proof that the defect did not exist at the

time of sale is on the trader. Regarding sales contracts that provide for continuous supply of digital content or services, in case of a defect the burden of proof remains with the seller throughout the duration of the contract.

In situations of non-delivery of digital content or services, consumers have the right to terminate the sales contract and be reimbursed 'without undue delay' and not later than 14 days from receipt of termination notice. The right to terminate the sales contract equally applies to consumers who provide personal data in exchange for the supply of the digital content or service. When this is the case, traders have the legal responsibility to provide consumers with the technical means to retrieve at no cost the data provided or generated if that data has been retained by the trader.

The new Directive also protects consumers who purchase subscriptions to digital content, such as for instance subscriptions to see films or live sport events. The terms and conditions of these subscriptions may only be modified if such modification is allowed in the original contract. Consumers must be informed about the change in content in advance of such change and must be allowed to terminate the contract within at least 30 days of notice.

The provisions of this new legislation exclude goods with digital elements, such as smart goods, or the digital aspects embedded in such goods if they are provided with the goods under a sales contract. These goods are however covered by the new Sale of Goods Directive.

The new rules will be applicable as from January 2022.



CONSUMER RIGHTS

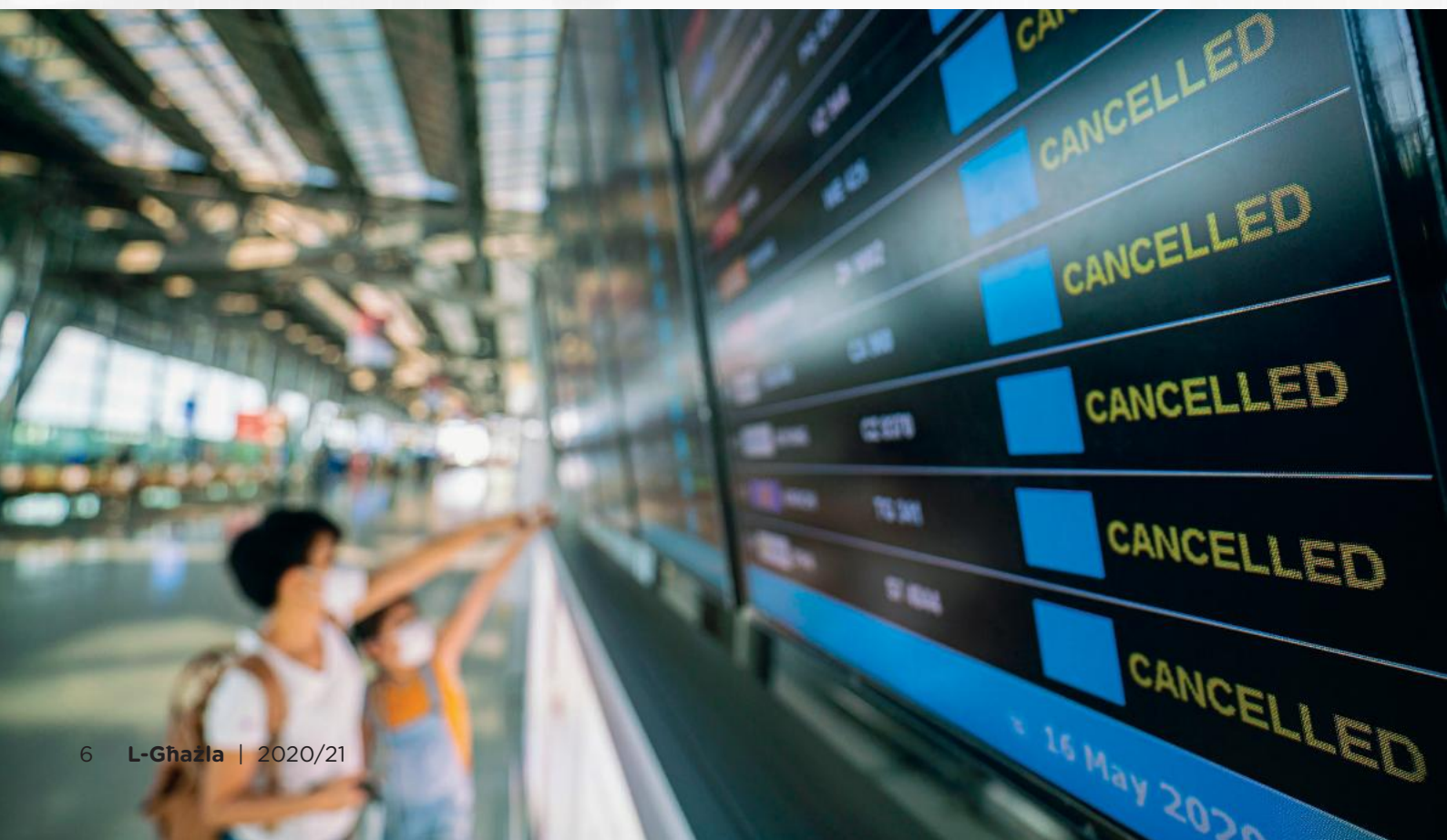
DURING COVID-19

- The Covid-19 pandemic has brought to the fore unprecedented consumer issues. As mandatory quarantine put the global economy at a standstill, disputes arose among consumers and traders concerning payment for services that could not be provided as agreed or when agreed.

An industry heavily disrupted was undoubtedly that of travel, where airlines had to cancel thousands of flights and travel agencies had to inform their clients that their booked holidays were postponed or cancelled. Organised events such as weddings, concerts, private parties and football matches also had to be rescheduled. As consumers would have paid deposits or even made full payments for these services, numerous questions arose regarding refunds and compensation rights.

With regards to cancellation of flights and package holidays, European consumers are very well protected by EU legislation as it clearly stipulates and guarantees the right for refund even in extraordinary circumstances.

While consumers could be offered the option to postpone their flight or holiday, or a voucher to be used within a reasonable time, the consumers' right to instead opt for a refund could not be denied. Local consumers who experienced problems with recovering their money for the unused services from travel agencies or airlines were assisted by the MCAA through advice on their rights and also in dealing with the respective traders. In most situations, traders just required a more reasonable timeframe than that stipulated by law to organise themselves and start issuing the refunds. Today, the majority of the affected consumers received the refunds they were entitled to without the need to proceed legally against defaulting traders.

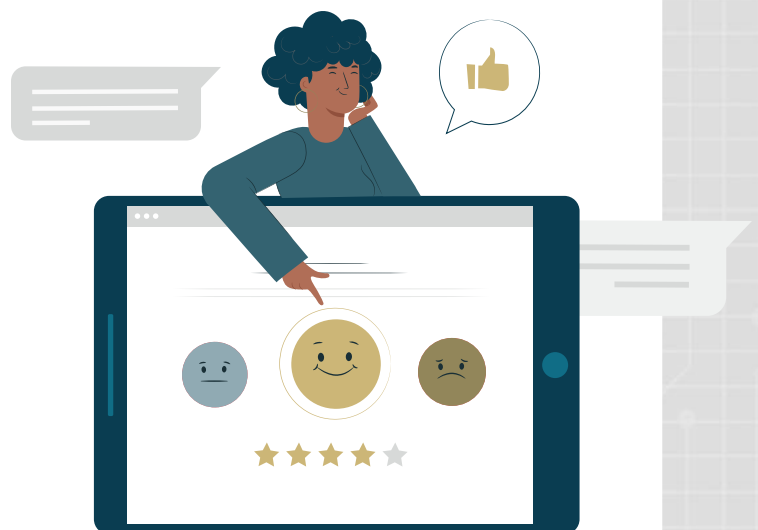




Concerning events, such as weddings or private parties, that due to public health authorities restrictions could not be held on the booked date, consumers were advised by the authority to speak with their suppliers and try to find an agreement on alternative arrangements. When this proved to be impossible and consumers were left with no other option but to cancel the booked services, consumers were informed about their legal consumer rights which entitled them to request a refund as the service could neither be availed of nor provided as per sales agreement. However, if consumers had already received some of the service they paid for, then they would only be entitled to a refund of the services not provided. These rights apply even when consumers have paid what is called a non-refundable deposit.

Regarding events such as for instance concerts or football matches, when these were postponed consumers were advised to whenever possible accept to attend the event on the new date. In situations where the events were cancelled, while organisers could offer a voucher, consumers who preferred a refund could insist in making such a claim.

While the Authority provided advice and assistance to both consumers and the business community, it was pleased to note that in the absolute majority of cases the two parties managed to come to an agreement without the need for the MCCA to intervene. The Authority encourages such collaboration as it is important that in these extraordinary circumstances consumers and traders empathise with each other and work together towards a reasonable and fair solution.



CONSUMER CLAIMS TRIBUNAL

- Learning Support Assistant Course - Misleading Course Information



Facts of the case

A consumer applied for a Learning Support Assistant (LSA) course and paid the sum of €600. As per the information provided by the institute at application stage, the course was to be held in the evening between 6:00 p.m. and 8:00 p.m. Furthermore, the entry requirement to attend the course was an 'O' level in English at any grade. This was communicated to the consumer through email. When the course started the students were informed that they had to do 360 hours work placement in a school. The consumer informed the institute that due to work she could not do this placement and that she was never informed about such placement at application stage. The institute told her that there was no need to do the placement at a stretch. However, when the consumer checked with the Education Department she was informed that the placement needed to be done at a stretch. In addition, the consumer was also informed that to work as an LSA, besides the English 'O' level she also needed 'O' levels in Maltese, Maths and another subject at grade 5 or better. She was also informed that if she does not have these certificates, even if she successfully completes the LSA course she wouldn't be able to work as an LSA.

In light of this information the consumer realised that since she did not have the required qualifications, there was no purpose for her to continue with the course. The consumer complained about the misinformation with the Institute and requested a refund of the money paid for the course. As the consumer's claim was rejected, a complaint was lodged with the Office for Consumer Affairs where the procedures for conciliation were initiated. Since no amicable agreement was reached, the case was then submitted to the Consumer Claims Tribunal.



The Consumer Claims Tribunal's considerations

To arrive to a decision the Tribunal needed to consider whether the consumer was provided with adequate information with regards to:

- how the course lessons will be carried out; and
- entry requirements to work as LSA.

From the information submitted and presented to the Tribunal, the email sent to the consumer when she enquired about the course clearly



stated that the course was divided in lectures and work placement. It stated: *“You will be required to complete 360 hours of work placement in a child care centre/ kindergarden or as an LSA.”* In the same correspondence there was written that *“Upon starting the course your lecturer will explain everything to you as regards to work placement.”*

Hence, with regards to the first claim, the Tribunal considered that the consumer’s claim that she was not given adequate information about the course structure was not justified.

Concerning the entry requirements, there was enough evidence that the consumer was not properly informed about these requirements and that the Institute’s acceptance letter misled the consumer into thinking that after successfully completing the course she would be able to work as an LSA. This was especially the case since the consumer had clearly communicated with the institute that she wanted to do the course to work as an LSA.

The Tribunal’s decision

For the above reasons, the Tribunal’s arbiter decided in favour of the consumer and ordered the defendant to refund her €600 representing the total amount paid for the course.



Public Warning Statements issued by the MCAA

In the past year, the MCAA published the following public warning statements to inform the general public that these companies did not honour the Consumer Claims Tribunal decisions.

(2nd July 2020)

V.G. Tiles & Marble Centre

was ordered to pay the consumer €1,164 and to remove the marble that was used at the company’s expense. The Tribunal dismissed the company’s counterclaim where they demanded that the consumer pays the outstanding balance of €1,400.

(24th July 2020)

Digital Eye

who did not honour 4 Tribunal decisions where he had to pay the consumers €1,200, €600, €1,300 and €400 respectively because he did not provide the wedding photography services agreed on.

(24th August 2020)

Mr Frans Camilleri

who was ordered to pay the consumer €2,650. This sum represented the deposit paid for works carried out which were not up to the required standard.

EUROPEAN CONSUMER PROTECTION AUTHORITIES TAKE ACTION TO STOP ONLINE ILLICIT PRACTICES

The Covid-19 pandemic has transformed consumers' shopping experiences. To minimise health risks, consumers are spending more time at home which has consequently resulted in a significant increase in online shopping. The virtual shopping experience provides consumers with numerous benefits which include access to a wide range of products offered for sale at attractive prices that can be purchased from the comfort and safety of one's home. However, online shopping may also be risky, and consumers may fall victims to online fraud.

Following the Covid-19 pandemic outbreak, a significant number of products were offered for sale on various online platforms with false claims about the benefits or the results to be expected from the use of these products. These misleading practices exploit consumers' fears in order to sell certain products, such as protective masks and hand sanitizers, by falsely claiming that these products can prevent or cure an infection.

How to identify potential scams when shopping online?



Look out for the seller's contact details. EU law requires online traders to provide their name and contact information. If this information is missing, consumers should consider shopping elsewhere.



Beware of spelling errors such as "C?V?D?19" or "cor/na?vir?s". Such errors are purposely made to avoid detection by website operators' algorithms.



Consumers should also beware pressure selling techniques that urge immediate purchase decision with claims such as 'unique opportunity', 'only product offering effective protection', 'only available today' and similar claims.

Common Position

To halt these illegal practices, the EU Consumer Protection authorities, with the support of the Commission, issued a common position to join forces to guarantee a safe online environment where consumers feel well protected against any illegal practices that potentially put their health at risk.

The common action's objective was to seek a firm engagement from online platform operators to identify and remove illegal marketing campaigns from their websites. This, in line with the E-Commerce Directive, and the professional diligence requirements of the Unfair Commercial Practices Directive which require platform operators that are active in the EU to disable and remove any illegal activity or information upon becoming aware of such malpractices.

Screening of online platforms and advertisements

To further enhance consumers' protection online, a screening exercise was co-ordinated by the Consumer Protection Cooperation (CPC) Network, under the co-ordination of the Commission. The Office for Consumer Affairs within the MCCA, Malta's single liaison office and competent authority for the CPC Network, actively participated in this common action.

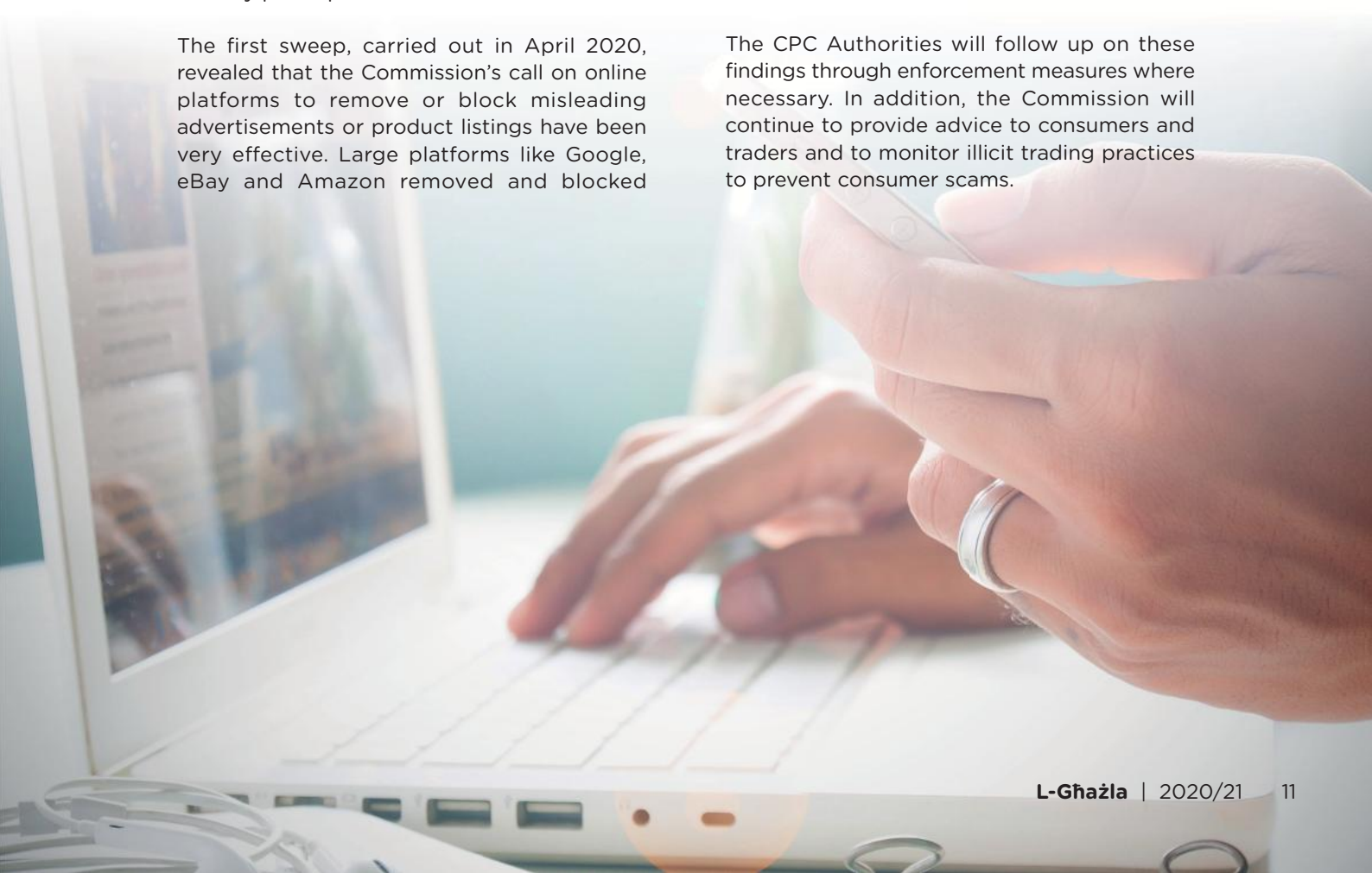
The first sweep, carried out in April 2020, revealed that the Commission's call on online platforms to remove or block misleading advertisements or product listings have been very effective. Large platforms like Google, eBay and Amazon removed and blocked

millions of coronavirus related adverts and also saw a significant decrease in the number of new product listings with coronavirus-related claims. The sweep exercise also involved an in-depth analysis of advertisements and offers. Out of the 268 websites screened, 206 were flagged for further investigation for potential breaches of EU consumer law. These infringements included alleged health claims against Covid-19, inaccurate claims on the scarcity of products and unfair practices to obtain excessive prices.

A second high-level screening was carried out in June 2020 where 73 checks were conducted on major platforms. One third of the platforms checked had a significant number of dubious offers. Following these screening exercises, Google reported blocking or removing over 200 million coronavirus-related ads globally and eBay reported blocking or removing more than 31 million listings that violated their coronavirus policies.

- Facebook said they removed at least 2.3 million pieces of content related to coronavirus, and Amazon reported a 95% decrease in the weekly number of new product listings attempting to make coronavirus-related claims when compared to the March average.

The CPC Authorities will follow up on these findings through enforcement measures where necessary. In addition, the Commission will continue to provide advice to consumers and traders and to monitor illicit trading practices to prevent consumer scams.



“PROTECTING THE PLANET WITH STANDARDS” DIGITAL CONFERENCE FOR WORLD STANDARDS DAY

- Standards create goals, setting the bar to enable transformational processes. They touch every citizen, young and old, working or on a pension, sick or healthy. On 14th October the global standards movement celebrated World Standard Day and the Malta Competition and Consumer Affairs Authority (MCCAA) remarked this achievement through a National digital conference. The conference theme was “Protecting the Planet with Standards” and focused on how standards help reduce the environmental impact of production and processes, facilitate the reuse of limited resources and improve energy efficiency.

The conference included a keynote message from the Secretary General of the International Standards Organisation (ISO) and a panel discussion from experts on sustainability in Malta and the industry’s role to lessen the impact on the environment. The benefits of having an ISO-certified organisation and the experience in developing standards were also highlighted.

Ms Francesca Fabri, Ms Faye Galea and Ms Krista Mercieca, three Young Sustainable Ambassadors gave their views on their aspirations and how standards create an impact in their everyday lives. The Ambassadors were selected following a competition between children attending primary and secondary education to be the voice of the future generation.

In her speech, Minister for Tourism and Consumer Protection Julia Farrugia Portelli underlined the importance of how standards promote the adoption of best practices that are agreed and maintained through a consensus of stakeholders, including industry, associations, consumers and regulators. She remarked that standards promote a better quality of life in a more sustainable way, while having a minimal impact on the environment. “I am pleased to see how even in the tourism sector there have been a number of hotels that have complied with the relevant standards, with one of the government’s goals being that of achieving sustainable tourism”, concluded Julia Farrugia Portelli.

Parliamentary Secretary for Consumer Protection and Public Cleansing, Deo Debattista, highlighted that standards create tangible impact, protect and promote the necessary information that beacon to make informed choices and educated conclusions. He noted that standards help to make products and services safer, easier to use and lead to a better quality of life.

The MCCAA Chairperson, Ing. Helga Pizzuto, reflected on the role of the Standardisation Directorate within the Standards and Metrology Institute of the MCCAA. This Directorate has developed a number of standards that are of national importance on a wide range of subjects – from installation of PV panels to green roofs. During the drafting of standards, sustainability issues are taken into consideration. These include economic development, social inclusion and environment protection, which are key to the achievement of the United Nations Sustainable Development Goals.

The MCCAA is dedicated to promoting best practices underpinned by national, European and international standards to support more sustainable consumption, production and development. It is the Authority’s commitment to work with organisations of all sizes to help improve their performance, reduce risk and increase resilience.



THE MCCA CELEBRATES ITS TENTH ANNIVERSARY

'10 Years of Building Trust and Well-Functioning Markets'



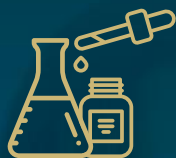
200,000

LABORATORY TESTS
AND CALIBRATIONS



159

EMPLOYEES



60

CONTROL OF
CONCENTRATIONS
APPLICATIONS ASSESSED



125,000

INSPECTIONS ON PRICE
INDICATIONS AND
PRODUCT SAFETY



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THE NEW ENERGY LABELS

Are you buying an appliance, television or lights?

A number of products, such as domestic appliances, televisions and bulbs, are required to have Energy Labels. These labels inform the consumers about the energy efficiency and other information of the product that they are going to buy. Hence, the consumers can choose products that use less energy and get more value for their money.

Since **1st March 2021**, the new Energy Labels are visible in stores and online, on:



Fridges and Freezers, including Wine Storage Fridges



Dishwashers



Washing machines and washer-dryers



Electronic displays including **Televisions**

and from **1st September 2021**, on



Light sources

Other products will have their Energy Labels rescaled in the coming years.

ENERGY EFFICIENCY SCALE

The *old* Energy Labels have an energy efficiency scale from class A+++ (green), the most energy efficient, to class G (red), the least efficient.

Due to technology advancement, most of the products have an Energy Label with classes A+++, A++ or A+. This was confusing to choose amongst the most energy efficient products. Hence, *new* Energy Labels were created, with a fixed scale, from class A (green) to class G (red); and removing classes A+++, A++ and A+, on these 5 types of products.

Products with the old Energy Labels, had their energy efficiency class shifted to a lower class with the new Energy Labels, due to the rescaling. This change does not mean that the products were downgraded in quality or they consume more, but that their scale has been adjusted.

There is not a direct link between the energy efficiency classes of the old Energy Labels and those in the new Energy Labels. For example, class A+++ products may fall into several classes under the new label.

The intention is to have class A of the new Energy Labels, initially empty, so manufacturers continue to develop products that are more energy efficient than those currently on the market.

OTHER DIFFERENCES

Another difference between the two labels, is the introduction of a QR code. When scanned by a smartphone, it will lead you to the European product database (EPREL), where there is additional information on the product.

The rate of energy consumption in the new Energy Labels is calculated per year, per 100 cycles or per 1000 hours, depending on the product. This rate was adjusted for dishwashers, washing machines and televisions,

so consumers can relate better the energy consumption to their own product usage.

The pictograms in the new Energy Labels, some of which are new or adjusted for better understanding, give additional information, such as the water consumption, spin efficiency and noise emissions.

SAVING MONEY

The new Energy Labels help consumers to save money by choosing a less energy consuming equipment, after comparing the labels of different product models. Also, they motivate manufacturers to improve their products using advanced and energy saving technologies. This is beneficial to us, our health and the environment.

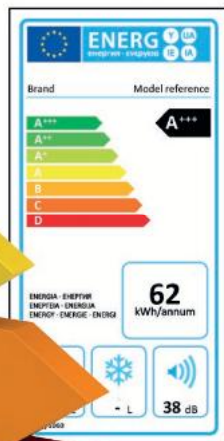
MORE INFORMATION

MCCAA: <https://mccaa.org.mt/Section/Content?contentId=3612>

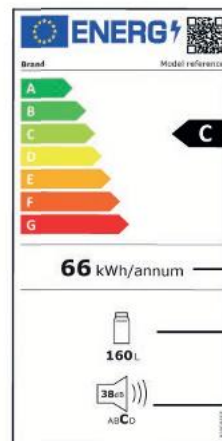


New Energy Labels

Current energy label



New energy label



— The **QR code** gives access to more information on the model

— The **rescaled energy efficiency class** for this fridge, an A+++ in the previous label

— The **annual energy consumption** of this fridge is calculated with refined methods

— The **volume** of the fridge expressed in liters (L)

— The **noise level** measured in decibels (dB) and using a four classes scale

The energy labels for a fridge without freezer



SHOPPING SAFELY

ONLINE FROM

NON-EU COUNTRIES

The number of persons opting for online shopping is increasing. The type of products purchased online has also become more varied with people buying all sorts of items, including power tools, electrical and electronic items, toys and childcare articles.

As these types of products have specific safety requirements, the MCCA urges consumers to be cautious and only purchase products that comply with the applicable European legislation. This for safety reasons and to avoid problems at border control where products may be withheld.

But one may ask, how would I know if a product is compliant with safety regulations?

Unfortunately, there isn't a straightforward answer to this question. When you buy from the EU, there is a presumption that the product is compliant. Consumers may nevertheless opt to buy from a seller who operates from outside the EU, in which case it is important that they take some additional precautions.

Notwithstanding the legislative safety nets in place, consumers must remain vigilant when shopping online. Before purchasing a product, consumers should get to know who they are buying from, what their redress rights are and where they can return the product should it result defective or not in conformity with the sales agreement. The more information consumers have on the manufacturer, importer or the seller, the better their position would be should they have any problem with the purchase.

Consumers must also be aware of the sellers' reliability. A simple way of doing so is to check the product reviews and seller reviews provided by previous online shoppers. These are generally a good indicator on the conditions of the purchase to be made.

Online consumer ratings and reviews can also give an indication of possible issues experienced by other consumers. However, one must keep in mind that such reviews might not all be authentic and, where possible, one should seek independent and unbiased reviews.

Prior to making the purchase, consumers should read any safety instructions, age restrictions or other warnings available online to help them decide whether the product is suitable for their intended use. If they feel unsure about safety related aspects, consumers may do some online research about the product, or communicate with the seller for more information. Consumers may also cross check whether the product has been recalled in the past by looking into the EU rapid alert system for non-food products, also known as Safety Gate . This database contains a list of recalled products from across the European member states.

Before using the purchased product, consumers should check that product received is what they ordered by comparing the product's description at the point of purchase with the product packaging information, and that there is no visible damage. Consumers are also encouraged to take up any offers by manufacturers to register products as this provides manufacturers with the possibility to communicate any recalls due to safety issues or to provide software updates.

Despite all precautions taken, consumers may still face problems linked to product safety or their consumer rights. Consumers are encouraged to report such problems to the seller and the online platform, and also where necessary seek the assistance of the MCCA. Consumers are also encouraged to write a review on the product and seller to alert other potential consumers.

Unsafe products recalled from the European market in 2020



This electric scooter was recalled because its steering column tube can break. As a result, the user might lose control and fall off the scooter and suffer injuries. The product does not comply with the requirements of the Machinery Directive.



The migration of boron from the toy slime is too high (measured value up to 1980mg/kg). Ingestion or contact with an excessive quantity of boron may harm the health of children by damaging their reproductive system. The product does not comply with the requirements of the Toy Safety Directive and the relevant European standard EN 71-3.



The plastic material of this toy's eyes contains an excessive amount of dibutyl phthalate (DBP) (measured value: 0.32% by weight). This phthalate may harm the health of children, causing possible damage to the reproductive system. The product does not comply with the REACH Regulation.



The battery compartments of this toy are easily accessible. A child may put the batteries in the mouth, which could cause damage to the child's gastrointestinal tract. The product does not comply with the REACH Regulation and the requirements of the Toy Safety Directive and the relevant European standards EN 71-1 and EN 62115.



The plastic sheeting on the product's paws can be easily broken and detached, generating small parts. A small child may put these in the mouth and choke on them. The product does not comply with the requirements of the Toy Safety Directive and the relevant European standard EN 71-1.



The rims and bridge of the product release an excessive amount of nickel (measured value up to: 13.6 $\mu\text{g}/\text{cm}^2/\text{week}$). Nickel is a strong sensitizer and causes allergic reactions if present in articles that come into direct and prolonged contact with the skin. The product does not comply with the REACH Regulation and the relevant European standard EN 16128.

STUDY ON CONSUMER

SHOPPING BEHAVIOUR IN

RELATION TO FOOD PRODUCTS

- Over the past years, the grocery retail sector's role in the Maltese economy has evolved significantly. Heightened competition has led to increased choice, better quality, lower prices and more transparency pricing, sourcing and labelling. Factors such as market share, number of retail outlets and location have contributed to efficiency, while developments in experiential shopping, targeted advertising, loyalty programmes, e-commerce, credit provision and delivery have contributed to the growth of the sector.

The grocery retail sector is a critical industry both because of its size, and also due to its role as provider of essential items to Maltese households. According to data published by the National Statistics Office, in 2019 around €915 million were spent on food and non-alcoholic beverages which figure would increase to nearly €1.2 billion if alcoholic beverages and tobacco are included. The latter translates into circa 16% of total private consumption expenditure in Malta and is equivalent to approximately €120 per household per week. However, for some households, such as one- and two-person households with at least one adult being 65 years or older, this share of expenditure is much higher. Thus, any changes in the degree of competition in the Maltese grocery sector is due to have a significant impact on Maltese households, particularly those with older members.

Over the past 15 years or so, the Maltese grocery sector experienced several significant developments. In 2008, the first hard discounter, Lidl, entered the industry and in 2006 and 2015, the grocery sector saw the opening of PAVI and PAMA supermarkets, introducing hypermarkets to the island. These successes in the grocery sector have strengthened the consumer position in the market demanding supply chain improvements to address the dynamicity of the grocery retail sector.

For these reasons, mergers, acquisitions and joint ventures are increasingly becoming a popular means for improving the competitiveness of undertakings through attaining higher market shares, broadening the portfolio to reduce business risk, entering new markets and geographies, and capitalising on economies of scale. Before carrying out a concentration, the undertakings concerned are required to seek clearance from the Office for Competition. This Office allows or rejects a concentration depending on whether the concentration leads to a substantial lessening of competition in the Maltese market or parts thereof. Recently, the Office for Competition has appraised the proposed joint venture between Trolees Supermarket (Qawra), Tower Supermarket (Sliema), Park Towers Supermarkets (Santa Venera and St. Julian's) and Valyou Supermarkets (Mellieħa, Naxxar and St. Julian's).

To properly assess this proposed concentration, the Office for Competition carried out a population based survey to elicit consumer behaviour and perceptions in the Maltese grocery retail market. The survey yielded a number of insights which were pivotal for the assessment of the Office for Competition:

- Nearly 85% of the respondents do their main grocery-shopping in the vicinity of their residence.
- 67% of respondents shop from different grocery stores of which 38.4% prefer to buy meat from butcher and/or frozen specialist, 43.1% prefer to buy vegetables from farmer's market and/or local hawker, 19% prefer to buy fish from the fish market and/or fish specialist stores while 9.9% prefer to buy detergents from a detergent shop.
- 56.4% state that there are price differences between hard discounters and supermarkets.
- 'Customer Service', 'Quality and Variety of Delicatessen', 'Freshness and Variety of Fruit and Vegetables', 'Location' and 'Parking Area' have been identified as the most important attributes for grocery store selection.
- 42.1% view large-sized stores as alternatives for small- and medium-sized stores for daily necessities.
- 65.3% do not view small- and medium-sized stores as alternatives to large-sized stores.
- Only 5.9% do their main grocery shopping online.
- 80% noted that their preferred grocery outlet for main grocery shopping and daily necessities opens on Sunday.
- Nearly 13 minutes is the weighted average driving time which respondents are willing to drive to reach a grocery store for their main grocery shopping.
- Half of the respondents stated that they would be willing to change their main grocery outlet if a cheaper outlet, which requires a maximum of 15-minute drive from their home/office opens.

After completing its assessment in July 2020, the Office for Competition approved the proposed concentration.

GROCERY SHOPPING BEHAVIOUR SURVEY

85%

DO THEIR MAIN GROCERY SHOPPING IN THE VICINITY OF THEIR PLACE OF RESIDENCE

6%

DO THEIR MAIN GROCERY SHOPPING ONLINE



13 MINUTES

WEIGHTED AVERAGE TIME WILLING TO SPEND DRIVING FOR MAIN GROCERY SHOPPING

67%

SHOP FROM DIFFERENT GROCERY STORES



FACTORS FOR STORE GROCERY SHOPPING



89%

CUSTOMER SERVICE

84%

LOCATION & PARKING AREA

88%

QUALITY AND VARIETY OF DELICATESSEN

86%

FRESHNESS AND VARIETY OF FRUIT & VEGETABLES

65%

DO NOT CONSIDER SMALL- AND MEDIUM-SIZED STORES AS ALTERNATIVES TO LARGE STORES

46%

STATED THAT CHEAPER PRICES ARE NOT EVERYTHING

L-Għażla | 2020/21 19



THE EUROPEAN CONSUMER CENTRES NETWORK CELEBRATES ITS 15TH ANNIVERSARY

- The year 2020 marked the 15th anniversary of the European Consumer Centres Network (ECC-Net). This Network consists of consumer centres in every EU Member State, as well as in Norway, Iceland and the United Kingdom. The centres are co-financed from European funds and national governments.

The ECC-Net main prerogatives are:

- Provide free information and advice to consumers who purchase products and services within the European Union, so that they are fully aware of their rights.
- Assist with out-of-court settlement of disputes arising between traders and consumers from different EU member States.

Within this Network, more than one hundred and fifty legal experts provide free of charge assistance to consumers in twenty-four different languages. The ECC-Net helps consumers defend their rights, increase their

trust in the internal market and maintain a high level of consumer protection in Europe. It also continues to increase its influence on European policy and decision-makers. The network offers a unique overview and reliable information about consumer affairs in the Internal Market which can be used for policy making in collaboration with European and national stakeholders.

While it fulfils an indispensable role in protecting consumer rights successfully, the ECC-Net faces new challenges all the time. Over time, complaints have become more complex and the number of consumers needing these Centres help is increasing.

Celebrating 15 years: A different consumer information campaign every month.

Over 2020, the 30 ECCs have chosen the 12 most important topics in consumer rights. The chosen topics shed light on the network's work and also provide an overview on the most serious issues encountered by consumers in the last 15 years. In November a new website, www.eccnet.eu, was launched containing a wealth of information to help consumers to exercise their rights and also aimed at traders to understand their obligations. This website includes reports, videos, consumer surveys, press releases and interesting infographics.



A look at the future - Being proactive

The future is never easy to predict. The coronavirus pandemic is proof of this. It proved that fast communication; goal-oriented case handling and strong international cooperation are needed to react to rapidly changing and unpredictable situations.

The impact of COVID-19 on the Gross Domestic Product of some Member States has been severe. Furthermore, unstable supply markets, bankruptcies and the changing travelling habits and consumption patterns of European consumers are among the likely medium-term outcomes of the pandemic. During the pandemic we have also seen an increase in scams and misleading practices taking advantage of consumers' fears and vulnerability. The ECC-Net is ready to face these challenges and to adjust its information campaigns, services and activities quickly and flexibly.

During these challenging times, the ECC-Net had to face a significant increase in consumer complaints, while at the same time having to switch to remote work overnight due to national confinement measures. Quickly and without disruption to the service, the ECCs adopted the necessary technical measures to continue serving European consumers. This was possible as over the last few years, the European Commission and the ECC-Net have developed a robust data management and case-handling IT infrastructure. A reliable information sharing platform enabled ECC Centres to provide a successful and efficient service in these exceptional times.

Stronger enforcement tools

The revised Consumer Protection Cooperation Regulation, applicable since January 2020, has given the European Consumer Centres the power to send external alerts to the enforcement authorities and the European Commission. This mechanism allows to quickly identify consumer threats and to tackle them. The ECC-Net is ready to use this possibility in the upcoming months and years for a better protection of European consumers.

Being there for European Consumers

The consumers' interest always comes first. Every decision taken is aimed at strengthening existing policies and advocating for new pro-consumer EU legislation. The ECC Network is honoured to help contribute to the enhancement of consumer law protection for all EU citizens. As a Network we are committed to highlight the real needs of consumers at policymaking, implementation and enforcement level.

Since 2005, the ECC-Net has offered advice and support to more than 1 million European consumers and we look forward to continuing serving consumers throughout the next fifteen years and beyond.



**European
Consumer
Centre
Malta**

THE TRUST YOU SCHEME

The MCCA set up the Trust You scheme to help build good relationships between consumers and traders based on trust. This scheme also encourages and promotes business practices which are beneficial for consumers.

The Trust You scheme is voluntary and open to large and small businesses, to service providers, and also to non-government organisations that sell products or provide a service to consumers.

Businesses may join this scheme by filling in an application found in the Trust You section within the MCCA website:

<https://forms.mcaa.org.mt/trustyouth>

Businesses who opt to join the Trust You scheme commit themselves to comply with the Scheme's Code of Conduct. This code represents the whole service/product acquisition cycle.

Once the application is accepted, the seller or company will be given a certificate and stickers with the logo of the Trust You scheme. These should be exhibited in a prominent place in the establishment where consumers can see them. Every year, the confirmed members of the scheme are given new stickers with the current year.



ATTARD

Art at Home
Conimex

BIRKIRKARA

Artech
Bata
Big Ben
C. Fino & Sons Ltd.
Eurosport
Eurosport Medical
Centre
Gardenia Home
Centre
Landau
Orsay
Smart Supermarket

BIRŻEBBUĠA

Rainbow Stationery
The Right Spot

COSPICUA

Micallef Stationery

FGURA

Vision Opticians

FLORIANA

Hamilton Travel
MSV Life

GHARGHUR

Lime Interior
Architecture

HAMRUN

Bedding and
Upholstery
Gauda
Marchese
The Sevens
Wanna Party

IKLIN

Scan

IMRIEHEL

Forestals
Homemate
The Atrium

LUQA

Dimples Pet Shop
Mario Cauchi
Hardware Store

MARSA

Intercomp

MARSASCALA

Atlantic Shop
The Ironmonger

MELLIEHA

Classic Designs
Dainty Clothing &
Footwear

MĠARR

Snow White Poultry
Ltd.

MOSTA

Centro Moda
Crosscraft
Mosta Electronic

Centre
PC Wise
VCT

PAOLA

Crosscraft
Debenhams
Eurosport
Lux It Co Ltd.
M Vintage
Top Spot

PIETA'

Tescoma

QORMI

Crosscraft
Electro Fix Energy
Ltd.
Elektra
Joinwell
Pavi
Vision Opticians



SAINT JULIANS

Adidas
Arkadia Foodstore
Calliope
Sketchers
Terranova
Trioligy
Vera Sant Fournier

SAN ĠWANN

Avantech
Erboristeria
Mediterranea
Menrad EyeWear
Phonebox
Refill Planet
Telecom
Vee Gee Bee

SANTA VENERA

Chateau d'Ax
Francis Busuttil &
Sons Ltd.

SIGĠIEWI

Die Ecke

SLIEMA

Adidas
Bata
Debenhams
Gant Lacoste
M Vintage
Matrix
Next
Next Home
Sketchers
Terranova
Trioligy
Vision Opticians

TA' QALI

Nectar Group

VALLETTA

Alsons
Anthony Preca
Jewellers
Bata
Bayleys
City Jewellers
Forestals Tech
Gio Battia Delia
J. Azzopardi Jewellers

King Shoe Shop
Next
Orsay
Parfois
Peacocks
Vigos
Zsa Zsa

VICTORIA, GOZO

Arkadia Foodstore
Bargate Bookshop
Bata
Bondi's
Boulevard
Dominic
Department Store
Fashion Dept
Gozo Art Furnishings
King Shoe Shop
Orienta
Parfois
Pearl
Piazza Italia
Sketchers
Spiteri Catering Ltd

Springfield
Temprina
Tutto Casa
Urban Jungle
Vassallo Jewellers

ŻABBAR

Starlet

ŻEBBUĠ

Vision Tech

ŻEJTUN

Debbie's Baby Centre
Ventura
Vision Opticians
Welcome Bargain
Shop

ŻURRIEQ

Fairhair Salon

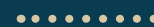
USEFUL TELEPHONE NUMBERS FOR CONSUMERS



2395 2000	Malta Competition and Consumer Affairs Authority
8007 4400	MCCAA Freephone
2124 2420	Metrology Directorate - MCCA
2149 6016	Laboratory Services Directorate - MCCA
2122 1901	European Consumer Centre Malta
2123 9091	Consumers' Association
2124 6982	Consumer Rights' Association
2122 7070	Consumer Claims Tribunal
2395 2000	Information about Medicine Prices
2395 2000	Information about Product Safety
2343 9000	Medicines Authority
2124 7677	Occupational Health and Safety Authority (OHSA)
8007 4924	Malta Financial Services Authority
2122 2203	Malta Transport Authority
2290 0000	Malta Planning Authority
2292 3500	Malta Environment and Resources Authority
2133 6840	Malta Communications Authority
2122 0720	Malta Resources Authority
2546 9000	Malta Lotteries and Gaming Authority
2291 5000	Malta Tourism Authority
2122 1281	Broadcasting Authority
8007 2232	Housing Authority
8007 2222	ARMS Ltd
2122 2000	Malta Public Transport
2133 7333	Directorate for Environmental Health
2296 2296	Inland Revenue Department
2122 6688	Commerce Division
2210 9000	Gozo Channel Co Ltd
2132 0202	Traffic Accident (Local Wardens)
2295 5000	Regulator for Energy and Water Services
8007 2224	Enemalta Plc
2229 2558	Energy and Water Agency
153	Government Information Service
8007 2200	Wasteserv Malta
2249 4202	Armed Forces of Malta
2545 0000	Mater Dei Hospital
2156 1600	Gozo General Hospital



WHERE CAN YOU LODGE YOUR COMPLAINT



Malta Competition and Consumer Affairs Authority

MALTA BRANCH

Mizzi House
National Road,
Blata I-Bajda - HMR 9010

GOZO BRANCH

St Elizabeth Street
Xewkija

8007 4400 / 2395 2000

www.mccaa.org.mt/home/complaint

General Public Opening Hours:

Summer (16th June - 30th September):

Monday to Friday 08:00 - 12:30

Winter (1st October - 15th June):

Monday, Tuesday,
Thursday and Friday 08:30 - 12:30

Wednesday 08:30 - 16:00

Designed by: Keen Ltd.

