

L-Għażla

THE CONSUMERS' MAGAZINE



MCCAA

MALTA COMPETITION AND
CONSUMER AFFAIRS AUTHORITY

December 2018 | Issue No. 10

Premju Servizz Bi Tbissima 2018

6

New Logo - New
Website - New Services

14

Your rights when you
purchase a package travel

18

L-Għażla

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- 03 Message from Dr Deo Debattista
Message from Ing. Helga Pizzuto
- 04 Consumer Claims Tribunal Case – Wedding Dress
- 05 Public Warning Statements issued by MCCA
- 06 Premju Servizz bi Tbissima 2018
- 08 Warnings about dangerous products
- 09 Until when can we let the market operate on its own?
- 10 The importance of Standards
- 12 Online Shopping – what are your consumer rights and how do you shop securely?
- 14 New Logo – New Website – New Services
- 15 Air Passenger Rights
- 16 A series of Online Shopping Awareness Sessions
- 17 Mobile App 'Konsumatur'
- 18 Your rights when you purchase a package travel
- 20 Purchase of Gifts
- 22 Trust You Scheme
- 24 Useful Telephone Numbers for Consumers

December 2018

Issue No. 10

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Message from Dr Deo Debattista

Consumers are the essence of the economy, therefore their safeguarding is essential because when you listen to consumers you will have positive results. We are all consumers. As a government we are working hard to continue protecting and strengthening consumers' rights. Information, as well as access to information, play an important role in this regard.

In the last months the MCCAА launched a new corporate identity with a new logo which reflects the communication between the Authority and the Maltese and Gozitan citizens. Today, this communication is becoming more effective thanks to modern tools like the 'Konsumatur' App, the MCCAА Facebook page and the new website which all have the primary aim of educating and informing consumers.

We believe that consumers can contribute to the strengthening of their rights by collaborating with the MCCAА so that deceptive practices and sellers who do not follow consumer laws may be identified. Consumers can do this by means of the new online form, Flag a Concern, which is found on the MCCAА website. This same form may be found on the 'Konsumatur' App.

We do not only ask for consumers' help to report shortcomings in the market, but also to help us reward those sellers who are providing them with the best service possible. This year the Authority organised the fourth edition of 'Premju Servizz bi Tbissima', an initiative which reflects the importance that we give to the business sector because through this award we help sellers strengthen their relationships with consumers.

If quality is supplied, then the consumer will want the product, will buy the product and therefore will pay for the product. Therefore, at the end of the day, it is advantageous for the seller to provide the necessary quality. Our commitment is to continue working so that consumers may benefit from a strong protection and at the same time genuine businesses can continue to flourish from a fair market and the service they offer will be appreciated.



Message from Ing. Helga Pizzuto

2018 was a year of change for MCCAА through the strengthening of its resources and the launch of a number of online services.

The MCCAА's new website, www.mccaa.org.mt, is offering easier access to information and is providing the Authority with the facility to launch an array of online services. One example is the new system launched recently related to the handling of enquiries and complaints. Such system is improving the process for tracking the progress of enquiries or complaints. As a consumer you no longer need to visit MCCAА offices to register a complaint or to provide the necessary documentation. You can now do all this from the comfort of your home by using the CHS link that can be found on our website through the various online forms.

Like every year, we held the Premju Servizz bi Tbissima and I would like to take this opportunity to congratulate all the winners of this year's edition and also thank all of you consumers for participating actively by submitting your recommendations.

We carry out a lot of work to ensure that you benefit from a safe and customer centric market. Work with us by using the form called 'Flag a Concern' found on our website and on the Authority's mobile app 'Konsumatur', should you come across suspicious products that look unsafe or do not display the required CE mark. You may also flag misleading adverts or promotions, products that have no price indication in shops, or whose price indication is different from the price charged at the cash point.

We invite you to browse through our website for more details about MCCAА.

Helga.

Wedding Dress

Facts of the Case

A consumer bought a wedding dress for the price of €839. When the bride was dancing the dress' stitching gave way from the zip fastenings. The mother of the bride put a few pins on the dress to keep it in place during the wedding. After the wedding, the bride wanted to take post wedding photos, so her mother fixed the dress as best she could.

What steps did the bride follow to obtain a remedy?

A month after the wedding the bride came back from the honeymoon and went to the seller with the dress to lodge a complaint.

At first the seller was going to accept to pay compensation, however he then had a change of heart and preferred that the consumer present her complaint in front of the Consumer Claims Tribunal. The consumer then turned to the Office for Consumer Affairs for help where the procedures for reconciliation were initiated. Unfortunately, the seller held his position to not pay compensation and the case was submitted to the Tribunal.

What did the Tribunal consider?

The Tribunal considered that:

- several trials were carried out to see that the dress fit the bride well. Some small alterations were also carried out before the wedding since the bride lost weight. The seller argued that the stitching gave way because the bride put on weight and the dress was too tight. In the notes taken by the seller about the alterations there was nothing that indicated that these were carried out because the bride put on weight and no proof was presented to prove this. Therefore, the consumer's version was more credible;
- the consumer took a month to inform the seller about the defect in the dress. She should have informed the seller immediately after the wedding and not a month later. This could have been done through



electronic correspondence or by sending someone else with her dress;

- the defect in the dress was temporarily repaired and because of this the seller could not properly check the defect in the dress;
- a wedding dress is purchased to be worn once or at most twice and if this proves to be faulty on the day it loses its purpose. The price of €839 which was paid for the dress was also considered by the Tribunal.

Tribunal's Decision

The Tribunal was ready to consider that the consumer be given a full refund of €839, which was the value of the dress. However, this compensation was not given in full because the consumer took a month to report the defect to the seller and he could not check the damage sustained by the dress because the mother of the bride tried to fix it.

For this reason the Tribunal ordered that the seller pay the consumer the sum of €500 instead of €839. The expenses of the case have to be paid by the seller.

Lesson Learnt

As soon as we realise that a product is defective we should, without wasting time, inform the seller about the problem and not try to fix it ourselves.



Public Warning Statements issued by MCCA

This year the MCCA published a number of public warning statements so as to inform the public that these companies did not honour the sentences of the Consumer Claims Tribunal.

These companies were:

- **Alucare Mosta** (23rd June 2017) which had to pay the sum of €300 to the consumer for work which was defective because of rain water.
- **Mr. Raymond Desira** (6th July 2017) who was ordered to pay the sum of €300 after he took the consumer's cooker hob to repair it. After the repair the cooker hob stopped working.
- **Solar Engineering Ltd.** (18th September 2017) which was ordered to pay the sum of €200 to the consumer and to continue the works which it was engaged to carry out.
- **Mr. Dario Azzopardi - 3 Group** (10th January 2018) who had to pay €60 which the consumer was made to pay for the installation of Microsoft 10 which according to the advert which the consumer heard, the installation was supposed to be carried out without payment. Apart from this, the consumer was never given the key which was needed to make the programme work.
- **Aqualux** (24th April 2018) which was ordered to pay the sum of €1,583 to the consumer after plumbing works were never completed. The consumer had to engage another plumber who found several problems in the work which had been carried out.
- **3 Repairs/3 Group** (31st May 2018) which had to pay €49 to the consumer. This company was engaged to install an anti-pornography software. This installation never worked.
- **Mr. Peter Farrugia** (6th August 2018) was ordered to pay the sum of €3,000 because he never delivered the furniture which was ordered by the consumer.
- **A.P.C Travel Bureau Limited** (21st August 2018) because it did not honour several bookings carried out by consumers, although it promised that it would rectify the situation.
- **Mr. Charles Agius** (23rd August 2018) who had to pay the amount of €1,400 in view of the bad work carried out when laying tiles.
- **Mr. Wayne Cassar** (1st October 2018) who was ordered to pay the sum of €677.08 which represents the value of the cargo which was never delivered to the consumer.

PREMJU SERVIZZ BI TBISSIMA 2018

On the 16th November 2018, the Malta Competition and Consumer Affairs Authority (MCCAA) announced the winners of the fourth edition of Premju Servizz bi Tbissima during a prize-giving ceremony.

This award was established so as to improve and strengthen the relationship between consumers and sellers. Apart from that, this award encourages and promotes business practices which are beneficial for consumers.

In his address during the award-giving ceremony, the Parliamentary Secretary for Consumer Protection and Valletta 2018, Deo Debattista emphasised the importance of customer care and after-sales service for growth in the number of customers. He encouraged the winners to continue providing a good service while motivating other sellers to adopt commercial practices which are beneficial for consumers as this strengthens the rights consumers have at law.

MCCAA's Chairperson, Helga Pizzuto, noted satisfactorily the participation of the public in this competition. This not only reflects the importance which consumers give to quality services, but also reflects the consumers' recognition of the sellers' dedication in this regard.





Mr Francis Frendo (Britannia Tours), Mr Gordon Scerri (SCAN), Ing. Helga Pizzuto (MCCA A Chairperson), Hon. Deo Debattista (Parliamentary Secretary for Consumer Protection and Valletta 2018), Ms Joyce Borg (Director General Consumer Affairs), Ms. Marthese Micallef (Sparkleimage.com.mt), Mr Matthew Grech (Smart Supermarket), and Ms Charmaine Pace (Centro Moda).

The competition included five categories and the public voting was carried out between 23rd May and 4th July, 2018.

The winners of the five different categories were as follows:

The **Electronic Products and Household Goods** category was won by SCAN, while Homemate and Forestals classified second and third respectively.

The **Online Local Sellers** category was won by sparkleimage.com.mt, while xusmalta.com classified in second place. The third place was awarded to scanmalta.com.

Centro Moda won the **Fashion and Beauty** category. In this category, Beauty Plus classified in second place, while Trichomania Hair Studio classified in third place.

The winner of the **Supermarkets and Mini Markets** category was Smart Supermarket, followed by Lidl in second place. The third place was given to Scotts Supermarket and to Park Towers Supermarket who had an equal amount of points.

The **Travel** category was won by Britannia Tours, while SMS Mondial and Hamilton Travel classified in second and third place respectively.

The companies which received the majority of the votes in the five different categories were scrutinised by MCCA A, so as to ensure that the sellers conform with the Code of Conduct linked to the Award. The MCCA A confirmed that the nominated companies observed the relevant regulations; that the prices in the shops were indicated according to the Price Indication Regulations; that consumers' complaints were treated and solved within a reasonable amount of time; and that where possible referral of complaints to the Consumers' Claims Tribunal was avoided when a suitable solution was found through conciliation. The winners of each category were given a trophy, a certificate and the use of the Premju Servizz bi Tbissima logo.

During the prize-giving ceremony, six consumers chosen at random from those who participated in the voting were given a cheque of €100 each. These cheques were presented by the Chairperson of the Authority and the Director General for Consumer Affairs, Joyce Borg.



Warnings about dangerous products

Slime dangerous for children

The Market Surveillance Directorate within the MCCA has withdrawn from the market slime for children as shown in the photo below after a large amount of Boron was found in it. The ingestion or direct contact with an excessive quantity of Boron can cause damage to the children's reproductive system. The product does not conform with the codes required by the Toy Safety Directive and the relevant European standard EN 71-3.

In view of this, consumers should avoid the use of this slime and they are encouraged to return it to shops from where it was purchased. Economic operators were ordered to stop selling or placing this product on the market. Apart from this, MCCA will be taking action, as foreseen by the law, against those economic operators who continue placing this product on the market.



Laser pointers

The MCCA reminds importers and sellers that pointer laser products which are sold as toys are forbidden from the market as they pose a serious risk to consumers. These lasers are available in several forms and sizes. Several types and makes of laser were identified during the inspections carried out by the Authority in shops.

These laser pointers are dangerous to consumers as they can cause partial or even permanent blindness if they are aimed at the eyes. Therefore their importation and placement on the market is prohibited.

Sellers who have these products on their shelves are asked to remove them with immediate effect and to send them back to their supplier. Importers should make arrangements for these laser pointers to be withdrawn from the market with immediate effect. Legal action will be taken against each seller or importer found to be placing these products on the market.

Consumers are also advised not to use laser pointers and to return them from where they purchased them. Parents should also make sure that their children do not use these laser pointers.

For questions and other information about dangerous products, which are not food products, found on the Maltese market, one can contact the MCCA on **23952000**; info@mccaa.org.mt or by visiting the website www.mccaa.org.mt



Until when can we let the market operate on its own?

The free market has several advantages which both consumers and the companies who operate in the market benefit from. The benefits which the free market provides can be exploited only until there is effective and strong competitiveness. A strong competition leads operators to offer more advantageous prices, diversity and improvement in the quality of the product offered on the market as well as a better service to the consumer, such as, for example, a better after sales service. In a fair and healthy competition environment, companies work hard to be more efficient, innovative, as well as introducing new products on the market by means of investment in research for the advantage of the consumer. In this way, companies can grow and expand by increasing their sales and strengthening their position in the market.

The price should not be the only factor that consumers should evaluate when trying to decide which product or service to choose. In

free competition, prices are not controlled or fixed by the government or its authority as this leads to a negative result - that of hindering competition and investment.

The Office for Competition ensures that there is no agreement between operators in the market that hinders free competition and which can lead, among other things to higher prices for the consumer. Companies which benefit from a dominant position in the market, which means that they are in a position to act irrespective of what their competitors are doing, also fall under the lense of this Office. The Competition Office initiates an investigation out of its own free will after receiving a complaint against these types of companies which with their behaviour can smother competition. This happens to the detriment not only of their competitors but also of the consumer who amongst other things may be faced with excessive prices, that is prices which do not reflect the real economic value of the product.



The Importance of Standards

The importance of standards is an enormous one as these influence the lives of many in every country and at all times. Telephone apparatus, washing machines, our cars as well as our children's toys, all are made according to specific standards which help to make sure that the product is safe and easy to use, that it works as it should and without causing any damage to our health.

Standards are not only related to products we use but also to services such as healthcare, tourism, provision of energy, banking services as well as insurance services. These kinds of services deal with issues such as personnel training, provision of information, consumer services, complaint management and bills. There are also standards which address main points such as social responsibility, management of sustainable meetings as well as the accessibility of public buildings.

Therefore standards are very important for everyone as they protect us and give us the information we need so as to be able to make informed choices. Standards help to make the products and services we buy safer by decreasing accidents and saving lives, for example by establishing minimum standards for products such as toys and electronic equipment.

Standards improve the quality of the products as well as services for the consumer, such as, for example, by giving a guide to companies regarding how to produce clearer bills or how to handle complaints in a more effective manner.

Standards ensure that products and services are accessible to all consumers including persons with some disability or the elderly.

What is a Standard?

A Standard is a document which establishes the guideline and good practice for various organisations. The organisations are not obliged to use a specific standard, although a standard which supports legislation may encourage a manufacturer or supplier to show conformity to the requirements of the law by making use of the same standard. Because standards are voluntary, consumers can feel confident that organisations which use them take issues such as safety, accessibility and consumer services seriously. The Organisations involved can provide proof of conformity to specific standards by advertising the name and the number of the standard or by showing the certification mark.





How are standards developed?

Standards are written by a committee of people who are knowledgeable about the subject and who after a number of discussions come to an agreement about the content of standards. Therefore, the work carried out is based on the principle of consensus and the committees which participate in the creation of the standard may include industry experts, academics, manufacturers, merchants as well as consumers.

The Standards and Metrology Institute (SMI) within the MCAA is the national standards body in Malta and it publishes documents which carry the status of Maltese Standard. Some of the standards are only developed for use by organisations in Malta but the SMI contributes to the development of several European standards as well as international ones which were launched to support traders and consumers globally. The SMI is a founding member of Cen and Cenelec which publish European Standards as well as ISO and IEC, which publish International Standards.

The involvement of Consumers

For standards to have a real and positive impact it is vital that the persons who use the products and

services, the consumers, get involved in the creation of standards. Accordingly, the SMI speaks to consumers during the formulation of standards. This network does its best so as to ensure that the new standards address primary consumer issues and address the problems which people encounter.

Services

The standards which deal with services are becoming evermore important for consumers. This is because on a daily basis, consumers are making use of a wide range of organisations which offer services in important sectors such as finance, energy and health. Consumers also have a primary role in the development of standards which deal with services when they request a higher level of quality, safety and a more adequate provision of information.

Standards can help in the improvement of the quality of services by offering guidance to organisations regarding processes such as personnel training, bills, complaints management and consumer services. All these are important for consumers as they help them to make more informed decisions regarding which organisations they should use.



from physical retail outlets, when shopping online they must also be provided with clear information about the product as well as the seller. This information should include a detailed description of the main characteristics of the product, the name of the company, where one can send his or her complaint in case of a problem and the final price including taxes as well as other expenses.

Consumers should also be informed about the right of cancellation. When shopping online consumers have 14 days from the date they receive the product to cancel the purchase without the need to give a reason why. In situations where consumers are not informed on the right to cancel the sale, the 14 days are extended up to a year or the cooling-off period starts from the day when the seller informs them about this right. However, one needs to keep in mind, that there are some exceptions to this right. For instance, consumers do not have the right to cancel a purchase when personalised products are ordered or in cases when the product cannot be returned for health or hygiene reasons.

When consumers choose to make use of the right of withdrawal, the seller is obliged to refund consumers the money paid as soon as possible and not later than 14 days from the day the sale is cancelled. Consumers may be asked to provide proof that the unwanted product has been sent back to the seller. If consumers are requested to pay for the return postage, the seller is obliged to inform them about this before the sale is concluded. If this information is not provided, the seller will have to pay these expenses.

ONLINE SHOPPING:

what are your consumer rights and how do you shop securely?

Shopping online for products and services is convenient and offers several advantages, including a wider choice of products, prices and offers. In this article, we will look at what consumers' rights are when they shop online and we will also see what precautions one should take to fully benefit from the advantages of online shopping. Online sellers have the same obligations and duties as sellers in shops. Furthermore, online sellers must abide with the Consumer Rights Regulations, which are the same regulations that protect consumers when they buy online. Similar to when consumers buy products

Very often online sellers inform consumers about the delivery date. When the date of delivery is not provided, the law stipulates that the product ordered should arrive at the consumer's house within 30 days from when the order is placed. Consumers have the right to cancel the purchase if the product ordered does not arrive within 30 days or by the agreed date.

What precautions one should take to avoid problems with online purchases?

One should keep in mind that although many online selling websites offer the products and services advertised, there are others which are a scam, which means that they are not genuine. Before concluding an online purchase, you should remember the following:

- Make sure the website is secure: Check that the website starts with `https://` instead of `http://`. Also check for how long it has been operating. Nowadays there are several websites through which you can check if the website you are buying from is genuine or not.
- Also check that there are the details of the seller and the registration number of

the company. Be careful if there is only an email address.

- The seller should offer information regarding how consumers can lodge a complaint when they encounter a problem.
- Avoid websites that only allow you to pay by money order. Secure websites should always offer a choice regarding the method of payment. It is always a good idea that until the product is received, you continue to check your bank account so as to ensure that the correct amount has been withdrawn. Credit card details should never be sent via email.
- Before concluding a purchase always read the terms and conditions of sale. These should be available from the website from which you are buying. Very often these conditions include important information.
- It is also a good idea that when purchasing a product online it is purchased from a company and not an individual. Purchases from individuals are not covered by regulations that safeguard consumer rights.





MCCAA

MALTA COMPETITION AND CONSUMER AFFAIRS AUTHORITY



- ✓ NEW LOGO
- ✓ NEW WEBSITE
- ✓ NEW SERVICES

2018 was an important year for MCCAA as it launched its new corporate identity. The new corporate logo gives a fresh dimension to the Authority and reflects the communication between the Authority and the Maltese and Gozitan citizens. The new logo represents the Authority as a single body which is there for the service of consumers, merchants, importers and all interested parties.

Nonetheless, the change was not simply a cosmetic one since, among other things, we also worked on improving the MCCAA website.

We improved the website www.mccaa.org.mt and made it more user-friendly so that it can offer a wide range of online services for citizens. This website offers an easier and more convenient access to information, together with an optimised search engine.

One of the new services that the Authority's website is now offering is the possibility for consumers to report market failures. By means of a new online form, consumers can now report businesses with illegal practices or practices which decrease their consumer rights.

When filling this form, consumers are asked to include the name, locality and address of the business together with the details of the market failure encountered.

The report may be submitted anonymously. If however, consumers would like to be informed about the developments regarding their report, they can leave their contact details where they may be contacted. Every report received by the Authority is investigated and, where failures are confirmed, traders are requested to regulate themselves.

Through this same form, consumers can report sellers who sell products which lack proper labelling, products which do not appear to be safe and also products that do not have the CE mark.

This form may also be used when shops make misleading claims, and also when sellers fail to price products for sale or else mark products with one price and then ask consumers to pay a different amount.

Travellers with problems related to flights and package holidays may also make use of this form. The MCCAA also accepts reports concerning problems related to guarantees, faulty products or unsatisfactory services.

This form may be accessed through the MCCAA website or by means of the Authority's mobile app, named 'Konsumatur'.

The public is encouraged to make use of this form so as to help the Authority work for a fairer market which is more beneficial for consumers.



Air Passenger Rights

When we travel from one country to another within the European Union; or we depart from a European Union airport; or from a country outside of Europe and arrive at a European Union airport

AND

our flight is cancelled **or** we are denied boarding **or** our flight is delayed by more than three hours, as air passengers we have a right to:

- Two free telephone calls
- Food and drinks while we wait
- Accommodation and transport to the hotel in cases where we need to spend some nights at the airport until an alternative flight is found

We also have these rights:

- A refund of the air ticket if we decide not to travel or re-routing to our final destination at the earliest opportunity or at a later date which is convenient to us and also subject to availability of seats

Financial compensation

- For a flight of 1,500km or less compensation of €250
- Flights which are within the European Union from 1,500km up to 3,500km compensation up to €400

- For all other flights which do not fall within the categories mentioned above compensation of €600

This compensation is reduced by half when the airline offers re-routing to our final destination within a certain time frame after the original flight.

Extraordinary circumstances where flights are cancelled or delayed and passengers are not entitled to financial compensation, such as for example:

- Closure of the airport for security reasons
- Aeroplane damages caused by extreme weather conditions and which can affect the safety of the aeroplane
- Passengers or crew members who are severely sick or the death of a passenger on the aeroplane
- War or political instability
- Terrorism or acts of sabotage
- Air traffic control strikes or restrictions of the airport operators.

If you have any queries call

Freephone 80074400

or send an email

airpassengerrights.mccaa@mccaa.org.mt



A Series of Online Shopping Awareness Sessions

The MCCA together with Malta Communications Authority and the European Consumer Centre in Malta, organised a series of free information sessions for the general public about online shopping. The aim of these sessions was to remind consumers that they should inform themselves well about their rights and responsibilities when buying online, how to avoid problems related to this type of shopping and how consumers can recognise if a website from which they are going to buy is reliable or not.

At the launch of these sessions, the Parliamentary Secretary for Consumer Protection and Valletta 2018, Deo Debattista, reminded how consumers need to be best informed about the digital market and how they can benefit from it. “This is why more emphasis should be made on educating the consumers on their rights and obligations so as to ensure that consumers are taking with them the best possible experience whilst shopping online. The information sessions launched today are aimed at giving all this information to Maltese Consumers, so they can enjoy all the benefits of online shopping without being put at risk”, Debattista said.

The Parliamentary Secretary for Financial Services, Digital Economy and Innovation Silvio Schembri emphasised the importance for consumers to be more aware of their rights and responsibilities when buying online. Schembri referred to a study that

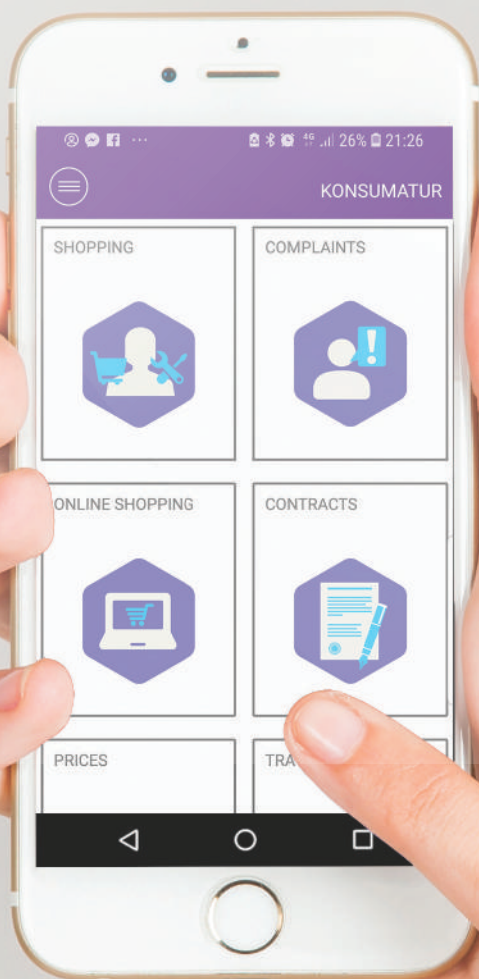
was carried out two years ago by the Malta Communications Authority which showed that 78% of the online users are digital buyers. In this study some customers expressed their concerns on buying online due to the fact that one cannot see and try the object or due to the lack of information on how one should buy online. “Therefore, the initiative between the Malta Communications Authority and the Malta Competition and Consumer Affairs Authority is ideal in order to inform consumers about their rights and obligations when purchasing online” Schembri said.

The information sessions were spread over a number of weeks and were organised in several locations around Malta and Gozo.



Mobile App 'Konsumatur'

A GUIDELINE FOR CONSUMERS



In March 2017, the MCCA launched the new mobile app called 'Konsumatur'. The purpose of this app is so that the public can have access to information about the rights and responsibilities of consumers 24 hours a day. This app can be used as a guideline by consumers when they encounter difficulties during their purchases. The mobile app has a total of six categories, three of which were added this year.

The 'Shopping' category provides information about the protection consumers are entitled to when buying a product or service and it also explains the remedies sellers are obliged to offer by law. In the 'Online Shopping' category, the app provides information about the difficulties which consumers may encounter when shopping online and it also guides consumers on what they should do when they encounter a problem. In this category one can also find useful information about the right to cancel an online purchase.

One of the recently added categories is that about 'Prices'. In this category consumers find information about: the obligations which sellers have related to the indication of prices, the consequences which sellers face when they do not conform with the regulations and it also includes information about the situations where it is not obligatory to indicate prices.

Another category is the one named 'Contracts' which explains the definition of a contract and the responsibilities and rights that consumers have when they sign a contract. Contracts with unfair clauses may be reported to the Authority through the Flag a Concern Form which can also be found in the same app.

Another category which was added this year is the one called 'Travel'. In this category, consumers will find information about the rights they have as air passengers when they are denied boarding and when a flight is delayed or cancelled. This category also provides information related to the purchase of travel packages.

Another important category included in this app is the one that explains the process that consumers should follow when they have a problem with the product or service purchased. Consumers may choose to register their complaints with the Office for Consumer Affairs within the MCCA by filling in the complaint form. This form is very simple to fill in and may be sent electronically by means of the same app. Consumers may also attach documents and photos to the complaint form before sending it.

The 'Konsumatur' mobile app can be downloaded for free from the Apple App Store or from Google Play for Android devices.



Your rights when you purchase a package travel



When, as a consumer, you decide to purchase a package travel organised by a travel agency or a trader, you have specific rights.

A package travel is a combination of at least two different types of travel services for the purpose of the same trip or holiday. These services normally include transport by air or sea, accommodation in a hotel, car rental or excursions.

When these services are purchased from a travel agency or a trader, under one purchase contract or separate contracts, you are protected by specific Regulations. This protection also applies when linked travel arrangements are made. These should include a combination of at least two different types of travel services purchased for the same trip. Apart from this, these services may have been purchased from different traders. For example, you book a flight on a website and on the same website you are invited to book another service related to the same trip from a different website. The second booking has to be concluded within 24 hours of the first booking.

Information which should be given to you before the sales contract is concluded

- The trip destination, the itinerary and the number of nights included;
- The mode of transport provided, including the time of departure and return;
- Details about the accommodation and meals included;
- Visits, excursions and other services included in the price paid by the consumer;
- When you travel as part of a group, the approximate size of the group;
- The contact details of the organiser;
- Total price of the package and method of payment;
- The minimum number of persons required for the execution of the package and the time limit by when the organiser has to inform you that the package holiday will not take place;
- Passport and visa requirements as well as information about health formalities;
- Special requirements about which you have agreed upon with the organiser.



In the case that some information provided is not correct or is misleading, the organiser is legally responsible to provide you with compensation for the shortcomings sustained during the trip.

When a deposit is paid for the purchase of a package travel, make sure that you are given a certificate which shows that the package organiser is a member of the insolvency fund as this entitles you to claim a refund of the money paid should the organiser go out of business.



Right to cancel the purchase of the package travel

You have the right to cancel the purchase of the package travel at any time before the beginning of the trip. However, you may be asked to pay a reasonable cancellation fee to the organiser. The holiday may be cancelled for free in the case that the destination booked is being considered as a dangerous place.

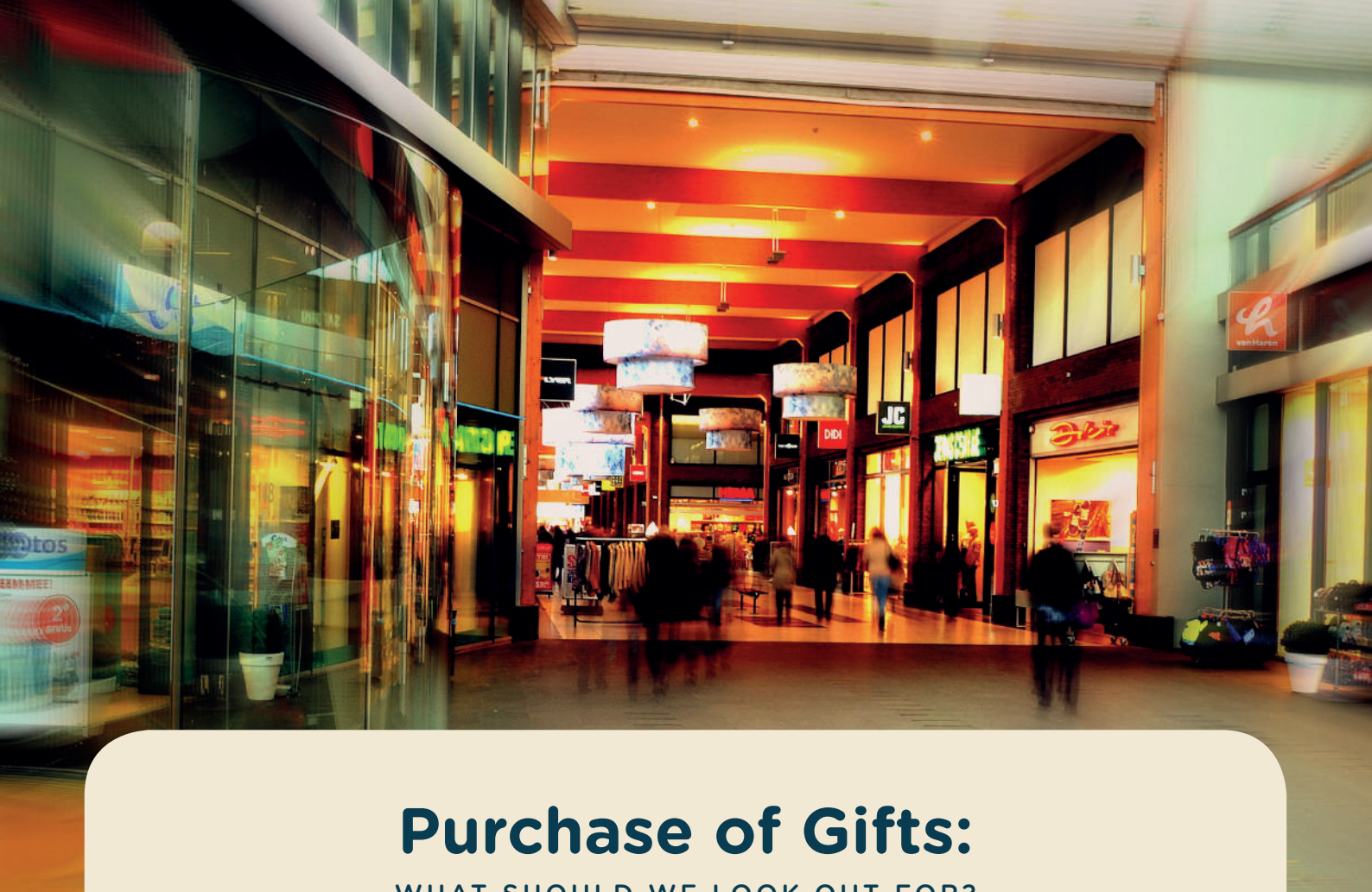
You can also cancel the package travel and ask for monetary refund if the price of the package increases by 8% or more.

Problems during the trip

When problems arise during the trip and certain services cannot be provided, the organiser has to provide alternative arrangements without additional payment. As a consumer you also have the right to request compensation for the services which were not provided.

Complain immediately

When a problem crops up during a trip you have the responsibility to complain to the organiser immediately. If the problem is not solved during the trip, complain in writing and request compensation.



Purchase of Gifts:

WHAT SHOULD WE LOOK OUT FOR?

When we buy a gift we are often not sure whether the person receiving it will like it or not. So as to avoid buying inadequate gifts, it is important that we know what our rights as consumers are and to also take a number of precautions.

Can gifts be exchanged?

When we purchase gifts, we should remember that, if we make the wrong buying decision, the law does not give us the right to go back to the seller and ask for a remedy. So as to avoid a situation where the gifts purchased are put aside and not used, before concluding a purchase we must ask the seller whether the gifts we are purchasing may be exchanged. If the seller confirms that gifts may be returned and exchanged, it is important to ask about the return policy's terms and conditions, such as for instance, asking until when goods may be returned and if the original receipt

needs to be presented. Other important conditions are whether the product's labels may be removed as well as whether the original packaging must be kept. Once we collect this information we should pass it on to the receiver of the gift. Ideally the seller's return policy and its conditions are provided to us in writing. Very often these are written on the fiscal receipt or the gift receipt.

We should also ask about what will happen to the value of the gift if this is returned during the Sales period. There are certain shops that allow us to use the full value of the gift as long as we present the original receipt, and there are other shops which give the Sales value. In these situations we should remember that the law does not regulate these return policies as long as the product being returned is not defective. If however the gift is faulty and it cannot be repaired or replaced, by law we are entitled to request a full refund of the money paid.

Types of gifts which cannot be exchanged

While we are choosing gifts we should remember that certain types of gifts cannot be exchanged. These normally include personalised products and products which come into physical contact with the consumer, like for instance, underwear, earrings and make-up. The latter cannot be exchanged for hygiene reasons.

When these type of products are purchased it is wise that the seller draws the attention of the consumer that the product cannot be exchanged and should therefore be sure of the purchase about to be made. In this way the seller can avoid complaints and unnecessary problems.

Purchasing gifts online

In case that we decide to buy some gifts online, it is good to remember that this type of purchase carries additional protection. When we buy online we have 14 days from when we receive the product purchased to think about it and, if we want, to cancel the purchase. While we do not have any obligation to give a reason as to why we are returning the product we may be asked to pay for the postage required to return the product to the seller. We should be informed about these expenses before we conclude the purchase. If not, the return postage costs will have to be paid by the seller.

Faulty gifts

We should always remember that if the gift we purchase results faulty, or if it is not in conformity with the sales agreement, consumer law gives us the right to request a free of charge remedy. The three legal remedies are: repair, replacement or refund. It is important not to accept a credit note when the faulty product cannot be repaired or replaced. When this happens we should insist on money refund.

How should we complain?

If we encounter a problem while we are shopping and we do not manage to reach an agreement with the seller, we can contact the Office for Consumer Affairs for information regarding our rights and for assistance to solve the problem we are facing.



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 following link:

forms.mccaa.org.mt/trusty

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
Europharma Medical Centre
Eurosport
Gardenia Home Centre
Landau
Mamas and Papas
Orsay
Piazza Italia
Smart Supermarket
Vision Opticians

Birżebbuġa

Rainbow Stationery
The Right Spot

Bormla

Micallef Stationery

Fgura

Vision Opticians

Furjana

MSV Life

Hamrun

Bedding and Upholstery
Gauda
Marchese
Matthew's Toy Shop

The Sevens
Vision Opticians
Wanna Party

Hal Luqa

Dimples Pet Shop
Mario Cauchi Hardware Store
Matrix

Hal Qormi

Electro Fix Energy Ltd.
Elektra
Pavi
Vision Opticians

Haż-Żebbuġ

Vision Tech

Marsa

Intercomp

Mellieħa

Classic Designs

Mosta

Centro Moda
C Moda
La Poupee Ladies Fashion
Mosta Electronic Centre
Paul Stationery
PC Wise
Sands
VCP

Mrieħel

Forestals
Homemate
Malta International Training
The Atrium

Pieta'

Tescoma

Rabat, Ġhawdex

Arkadia Food Store
Bargate Bookshop
Bata
Boulevard
Dominic Department Store
Fashion Dept.
Gauda
Gozo Art Furnishings
ICS Ltd.
King Shoe Shop
Orienta
Parfois
Pearl
Piazza Italia
Sketchers
Temprina
Tutto Casa
Urban Jungle
Vassallo Jewellers

Raħal Ġdid

Debenhams
Eurosport
Lux It Co Ltd.
M Vintage Fashion Jewels
Matrix
Top Spot

San Ġiljan

Adidas
Arkadia Food Store
Calliope
M Vintage Fashion Jewels
Matrix
Next Home
Oasis
Sketchers
Terranova
Trilogy

San Ġwann

Avantech
Vee Gee Bee

San Pawl il-Baħar

Flock Images Co. Ltd.

Santa Venera

Chateau d'Ax
Francis Busuttill & Sons Ltd
Terranova

Siġġiewi

Die Ecke

Sliema

Adidas
Bata
Calliope
Debenhams
Gant Lacoste
M Vintage Fashion Jewels
Next
Next Home
Oasis
Sketchers
Terranova
Trioligy

Ta' Qali

Nectar Group

Valletta

Alsons
Anthony Preca Jewellers
Ave Maria Jewellers
Bata
Bayleys
City Jewellers
Forestals
Gio Batta Delia
J. Azzopardi Jewellers
King Shoe Shop
Matrix
Next
Orsay
Parfois
Peacocks
Vigos
Zsa Zsa

Żejtun

Debbie's Baby Centre
Ventura
Vision Opticians
Welcome Bargain Shop



Useful telephone numbers for Consumers



112

Emergency

(Ambulance, Police,
Fire Department)

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	Consumer's 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
2124 2270	Commerce Division
2156 1622	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

Mizzi House
National Road
Blata I-Bajda
HMR 9010

8007 4400
2395 2000

[www.mccaa.org.mt/
home/complaint](http://www.mccaa.org.mt/home/complaint)

General Public Opening Hours:

Summer (16th June -
30th September): Monday
to Friday between
08:00 and 12:30

Winter (1st October -
15th June): Monday, Tuesday,
Thursday and Friday
between 08:30 and 12:30.
Wednesday between
08:30 and 16:00.