[CZ] Consumer Protection in Intra-Community Cross-Border Situations

IRIS 2007-9:1/9

Jan Fučík
Česká televize

In July 2007, the Parliament of the Czech Republic approved law No. 160/2007 Coll. implementing the EC Regulation No. 2006/2004. Part of this law involves an amendment of the broadcasting law No. 231/2001 Sb.

The aim of the Regulation 2006/2004 on co-operation between national authorities responsible for the enforcement of consumer protection laws is to protect the collective interest of consumers against dishonest traders in intra-Community, cross-border situations. The Regulation sets out two objectives: (1) to facilitate co-operation among public authorities responsible for the enforcement of consumer protection laws in cross-border cases (intra-community infringements), and (2) to contribute to the smooth functioning of the internal market; the quality and consistency of enforcement of consumer protection laws and the monitoring of the protection of consumers' economic interests. More generally, the aim is to enable national authorities to exchange information and co-operate with counterparts in other Member States as easily as with other authorities in their own country, removing the barriers to effective co-operation that exist between national enforcement authorities when dealing with traders targeting consumers across internal EU borders. The provisions on mutual assistance apply only to cross-border breaches of EU consumer protection laws (intra-Community infringements) and not to domestic problems. The scope is defined by the 15 legal instruments in the Annex. The new EU Directive on unfair commercial practices will also fall within the scope of the above-mentioned Regulation. The Regulation establishes a network of public authorities responsible for the enforcement of consumer protection law and provides for mutual assistance arrangements between them. Article 6 of the Regulation provides for an exchange of information in order to establish whether an intra-community infringement has taken place. Article 7 is designed to provide a type of rapid alert warning of intra-Community infringements. When a competent authority becomes aware of an intra-Community infringement or has a reasonable suspicion that such an infringement may occur, it shall notify the competent authority of other Member States. Where an intra-Community infringement has occurred, the requested authority is obliged, on request from an applicant authority to act to bring about the cessation or prohibition of the infringement without delay. Article 9 sets out a general requirement for co-ordination at all stages, even possibly involving the Commission. Competent authorities (CA) are the key actors in relation to the Regulation. They are to be designated by the Member States

© European Audiovisual Observatory (Council of Europe) 2026

among public authorities with specific responsibilities to enforce EU consumer protection laws. Only CAs can request information and request enforcement action. Each CA shall have the investigation and enforcement powers necessary for the application of the Regulation. The Broadcasting Council of the Czech Republic is one of these authorities. It obtained new competencies in the area of consumer protection: it is empowered to ban the broadcasting of programme items that infringe the laws that protect consumer interest.

Zákon č. 160/2007 Sb. o změně některých zákonů v oblasti ochrany spotřebitele

Law Nr. 160/2007 Coll. amending some laws in the area of the consumer protection

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026