



STATUTORY INSTRUMENTS.

S.I. No. 500 of 2015



EUROPEAN UNION (ONLINE DISPUTE RESOLUTION FOR
CONSUMER DISPUTES) REGULATIONS 2015

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CONSUMER DISPUTES) REGULATIONS 2015

I, RICHARD BRUTON, Minister for Jobs, Enterprise and Innovation, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving full effect to Regulation (EU) No. 524/2013 of the European Parliament and of the Council of 21 May 2013¹, hereby make the following regulations:

Citation and Commencement

1. (1) These Regulations may be cited as the European Union (Online Dispute Resolution for Consumer Disputes) Regulations 2015.

(2) These Regulations, other than Regulation 3, come into operation on 9 January 2016.

Interpretation

2. (1) In these Regulations—

“Act of 2007” means the Consumer Protection Act 2007 (No. 19 of 2007);

“Act of 2014” means the Competition and Consumer Protection Act 2014 (No. 29 of 2014);

“Council Regulation” means Regulation (EU) No. 524/2013 of the European Parliament and of the Council of 21 May 2013¹ on online dispute resolution for consumer disputes and amending Regulation (EC) No. 2006/2004 and Directive 2009/22/EC (Regulation on consumer ODR);

“Regulations of 2015” means the European Union (Alternative Dispute Resolution for Consumer Disputes) Regulations 2015 (S.I. No. 343 of 2015).

(2) A word or expression that is used in these Regulations and which is also used in the Council Regulation has, unless the context otherwise requires, the same meaning in these Regulations as it has in the Council Regulation.

ODR Contact Point

3. The European Consumer Centre Ireland is designated as the ODR contact point in the State for the purposes of Article 7 of the Council Regulation and shall carry out the functions of an ODR contact point under that Council Regulation.

¹OJ No. L165, 18.06.2013, p.1.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 13th November, 2015.*

Offences

4. (1) A trader who contravenes Articles 9(7), 9(8), 14(1) or 14(2) of the Council Regulation commits an offence.

(2) A trader who commits an offence under paragraph (1) shall be liable on summary conviction to a class A fine or to imprisonment for a term not exceeding 12 months, or to both.

(3) Sections 77, 78, 80 and 84 of the Act of 2007 shall apply to an offence under these Regulations as they apply to an offence under that Act and, accordingly, references in those sections to an offence under that Act shall be construed as including references to an offence under these Regulations.

Amendment of Act of 2007

5. The Act of 2007 is amended—

(a) in section 67, by the insertion of the following paragraph after paragraph (h) (inserted by Regulation 19(a) of the Regulations of 2015):

“(i) any contravention of the European Union (Online Dispute Resolution for Consumer Disputes) Regulations 2015 (S.I. No. 500 of 2015),”;

(b) in section 90(1)—

(i) in paragraph (f), (inserted by Regulation 19(b) of the Regulations of 2015) by the substitution of “2015);” for “2015).”, and

(ii) by the insertion of the following paragraphs after paragraph (f):

“(g) the provisions of the European Union (Online Dispute Resolution for Consumer Disputes) Regulations 2015 (S.I. No. 500 of 2015).”, and

(c) in Schedule 5, by the insertion—

(i) in Column (1), of the following: “S.I. No. 500 of 2015”, and

(ii) in Column (2), of the following: “the European Union (Online Dispute Resolution for Consumer Disputes) Regulations 2015”.

Amendment of European Communities (Cooperation between National Authorities Responsible for the Enforcement of Consumer Protection Laws) Regulations 2006

6. The European Communities (Cooperation between National Authorities Responsible for the Enforcement of Consumer Protection Laws) Regulations 2006 (S.I. No. 290 of 2006) are amended in the Schedule by the insertion of the following entry after the entry at Reference Number 21 (inserted by Regulation 20 of the Regulations of 2015):

“

22.	Regulation (EU) No. 524/2013 of the European Parliament and of the Council of 21 May 2013 ¹ on online dispute resolution for consumer disputes and amending Regulation (EC) No. 2006/2004 and Directive 2009/22/EC	European Union (Online Dispute Resolution for Consumer Disputes) Regulations 2015 (S.I. No. 500 of 2015)	Competition and Consumer Protection Commission
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Amendment of European Communities (Court Orders for the Protection of Consumer Interests) Regulations 2010

7. The European Communities (Court Orders for the Protection of Consumer Interests) Regulations 2010 (S.I. No. 555 of 2010) are amended in the Schedule by the insertion of the following paragraph after paragraph 15 (inserted by Regulation 21 of the Regulations of 2015):

“16. Regulation (EU) No. 524/2013 of the European Parliament and of the Council of 21 May 2013¹ on online dispute resolution for consumer disputes and amending Regulation (EC) No. 2006/2004 and Directive 2009/22/EC.”.

Construction of References

8. (1) Section 75 of the Act of 2007 shall apply for the purposes of these Regulations subject to the modification that references to a prohibited act or practice shall be construed as a reference to a contravention of these Regulations.

(2) Section 87 of the Act of 2007 shall apply for the purposes of these Regulations subject to the modification that references to the relevant statutory provisions shall be construed as a reference to these Regulations.

(3) Sections 10(1), 24, 35 and 36 of the Act of 2014 shall apply for the purposes of these Regulations subject to the modification that references to the relevant statutory provisions shall be construed as a reference to these Regulations.



GIVEN under my Official Seal,
9 November 2015.

RICHARD BRUTON,
Minister for Jobs, Enterprise and Innovation.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

The Regulations give effect to Regulation (EU) No. 524/2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No. 2006/2004 and 2009/22/EC (Regulation on consumer ODR).

The Regulations designate the European Consumer Centre Ireland as the ODR contact point in the State for the purposes of Article 7 of the Council Regulation and shall carry out the functions of an ODR contact point under that Council Regulation.

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nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€2.54



Wt. (B31610). 285. 11/15. Essentra. Gr 30-15.