



European Consumer Protection

Theory and Practice

Edited by James Devenney and Mel Kenny

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European Consumer Protection Theory And Practice

Iris Benöhr



European Consumer Protection Theory And Practice:

European Consumer Protection James Devenney, Mel Kenny, 2012-04-05 This topical volume provides detailed analyses of European consumer protection law in both its theoretical and practical dimensions Part I casts a critical light over consumer protection strategies and mechanisms in the EU Part II critically explores responses to vulnerability and Part III contextualises aspects of European consumer protection law *European Consumer Protection* James Devenney, Mel

Kenny, 2012 This topical volume provides detailed analyses of European consumer protection law in both its theoretical and practical dimensions **Rethinking EU Consumer Law** Geraint Howells, Christian Twigg-Flesner, Thomas

Wilhelmsson, 2017-07-28 In *Rethinking EU Consumer Law* the authors analyse the development of EU consumer law on the basis of a number of clear themes which are then traced through specific areas Recurring themes include the artificiality of the EU's consumer image the problems created by the drive towards maximum harmonisation and the unexpected effects EU Consumer Law has had on national law The book argues that EU Consumer Law has the potential of enhancing the protecting of consumers throughout the EU and could offer a model for consumer law elsewhere in the world but in order to unlock this potential there needs to be a rethink with regard to the EU's approach to consumer law and policy **EU**

Consumer Law and Policy Stephen Weatherill, 2013-01-01 Acclaim for the first edition As a whole Stephen Weatherill crafts a detailed and wonderfully rich consideration of this dynamic issue and is a resource which practitioners in this area could ill do without Weatherill's thorough and thoughtful insights with regard to these issues provide an important basis for understanding the complexities and vagaries of market integration in the EU Community Peter G Fitzgerald Canadian Law Library Review Steve Weatherill provides an excellent thought provoking account of EU consumer law and policy It will be required reading for all those interested in this important subject Paul Craig St Johns College Oxford UK This is a characteristically excellent book by Steve Weatherill combining incisive legal analysis of an important policy field with an authoritative and up to date account of the underlying legal and constitutional framework Grainne de Burca European University Institute Italy This new edition of Stephen Weatherill's acclaimed book provides a comprehensive introduction to all facets of the EU's involvement in consumer law and policy Consumers are expected to benefit from the EU's project of economic integration enjoying wider choice and improved quality and yet they need protection from the dangers that flow from malfunctioning and unfair markets The EU's consumer law and policy is an attempt to have the best of both worlds a liberalised yet properly regulated trading space for Europe This highly esteemed book now in a brand new edition provides a comprehensive and up to date introduction to the subject explaining the evolution of consumer law and policy in the EU in terms of both legislative and judicial activity The book also situates EU consumer law and policy within its broader social political and economic context providing a window to a range of wider issues and tensions relating to Union regulatory strategies and their effect on the member states It concludes with a newly written examination of the relationship between

EU and national initiatives of market regulation symbiosis or disruption A readable yet critically sound textbook this fully updated edition will be indispensable for both postgraduate and undergraduate students of EU law It will also appeal strongly to all academics regulators and practising lawyers with an interest in EU trade law or indeed European law more generally

Algorithmic Marketing and EU Law on Unfair Commercial Practices Federico Galli, 2022-08-30 Artificial Intelligence AI systems are increasingly being deployed by marketing entities in connection with consumers interactions Thanks to machine learning ML and cognitive computing technologies businesses can now analyse vast amounts of data on consumers generate new knowledge use it to optimize certain processes and undertake tasks that were previously impossible Against this background this book analyses new algorithmic commercial practices discusses their challenges for consumers and measures such developments against the current EU legislative framework on consumer protection The book adopts an interdisciplinary approach building on empirical findings from AI applications in marketing and theoretical insights from marketing studies and combining them with normative analysis of privacy and consumer protection in the EU The content is divided into three parts The first part analyses the phenomenon of algorithmic marketing practices and reviews the main AI and AI related technologies used in marketing e g Big data ML and NLP The second part describes new commercial practices including the massive monitoring and profiling of consumers the personalization of advertising and offers the exploitation of psychological and emotional insights and the use of human like interfaces to trigger emotional responses The third part provides a comprehensive analysis of current EU consumer protection laws and policies in the field of commercial practices It focuses on two main legal concepts their shortcomings and potential refinements vulnerability understood as the conceptual benchmark for protecting consumers from unfair algorithmic practices manipulation the substantive legal measure for drawing the line between fair and unfair practices

Consumer Protection and Online Travel Platforms Agnieszka Jabłonowska, 2025-04-26 Online platforms have transformed the travel sector by enhancing the availability of travel services and lowering transaction costs however they have also posed new challenges for consumer protection The book studies this transformation assesses the relevant EU acquis and explores how the legal framework could be improved to better protect consumer interests in a platform driven market The book examines the private governance mechanisms employed by leading platform operators and identifies their strengths and weaknesses Building upon these insights it then delves into the EU legal framework including the Digital Services Act and the Package Travel Directive It identifies gaps in the protection of consumers concluding contracts through online travel platforms and proposes strategies for addressing these gaps through horizontal and sectoral rules In this context the book reflects on key notions of consumer law such as information safety and performance as well as the associated role of platform providers Focusing on stand alone contracts for individual travel services this study offers new perspectives on consumer protection the digital economy and EU law It will appeal to both legal researchers and practitioners seeking to navigate digital markets and the complexities of their

regulation By showing how EU law can better protect consumers in connection with online travel platforms the book offers a valuable resource for legal interpretation and future policy evolution **European Consumer Access to Justice Revisited** Stefan Wrba, 2015 This book asks what is European consumer access to justice and how we can improve it by means of procedural and substantive laws *Consumer Protection and Online Auction Platforms* Christine Riefa, 2016-03-03 Online auctions have undergone many transformations and continue to attract millions of customers worldwide However these popular platforms remain understudied by legal scholars and misunderstood by legislators This book explores the legal classification of online auction sites across a range of countries in Europe Including empirical studies conducted on 28 online auction websites in the UK the research focusses on the protection of consumers economic rights and highlights the shortcomings that the law struggles to control With examinations into important developments including the Consumer Rights Directive and the latest case law from the CJEU on the liability of intermediaries Riefa anticipates changes in the law and points out further changes that are needed to create a safe legal environment for consumers whilst preserving the varied business model adopted by online auction sites The study provides insights into how technical measures as well as a tighter legislative framework or enforcement pattern could provide consumers with better protection in turn reinforcing trust and ultimately benefiting the online auction platforms themselves **The Constitutional Foundations of European Contract Law** Kathleen Gutman, 2014-03 Examining the constitutional foundations of European contract law this book provides a thorough assessment of the extent of the European Union's competence to regulate contracts and offers a comprehensive comparative study of the contract law framework in the United States EU Consumer Law and Policy Stephen Weatherill, 2005-01-01 Providing a comprehensive and up to date introduction to the subject this title explains the evolution of consumer law and policy in the EC both in terms of legislative and judicial activity Consumer Theories of Harm Paolo Siciliani, Christine Riefa, Harriet Gamper, 2019-09-19 It has long been thought that fairness in European Consumer Law would be achieved by relying on information as a remedy and expecting the average consumer to keep businesses in check by voting with their feet This monograph argues that the way consumer law operates today promises a lot but does not deliver enough It struggles to avoid harm being caused to consumers and it struggles to repair the harm after the event To achieve fairness solutions need to be found elsewhere Consumer Theories of Harm offers an alternative model to assess where and how consumer detriment may occur and solutions to prevent it It shows that a more confident use of economic theory will allow practitioners to demonstrate how a poor standard of professional diligence lies at the heart of consumer harm The book provides both theoretical and practical examples of how to combine existing law with economic theory to improve case outcomes The book shows how public enforcers can move beyond the dominant transparency paradigm to an approach where firms have a positive duty to treat consumers fairly and shape their commercial offers in a way that prevents consumers from making mistakes Over time this fairness by design approach will emerge as the only acceptable way to compete

European Company and Financial Law Klaus J. Hopt, E. Wymeersch, 1991 **EU Consumer Law and Human Rights**

Iris Benöhr, 2013-12-19 Traditionally consumer law has played an instrumental role in the EU as a tool for market integration. There are now signs in the new EU legal framework and jurisprudence that this may be changing. The Lisbon Treaty contains provisions affecting consumer law and at the same time it grants binding legal force to the EU Charter which in turn adds a fundamental rights dimension to consumer protection. This evolution however is still at an early stage and may be thwarted by conflicting trends. Moreover it may generate tensions between social objectives and economic goals. This book provides the first comprehensive analysis of these developments and examines new avenues that may be opening for consumer law focusing on three key areas: financial services, electronic communication and access to justice. Through a systematic analysis of relevant cases, the book traces the development of a human rights dimension in consumer law and details the ramifications that the post-Lisbon legal framework may have on consumer protection and policy. This book concludes by proposing new directions in consumer law, striking a compromise between social and economic demands.

The Images of the Consumer in EU Law Dorota Leczykiewicz, Stephen Weatherill, 2016-01-28 This book consists of contributions exploring from different perspectives the images of the consumer in EU law. The images of the consumer form the foundation for various EU policies more or less directly oriented towards the goal of consumer protection. The purpose of the volume is to establish what visions of the consumer there are in different contexts of EU law, whether they are consistent and whether EU law's engagement with consumer-related considerations is sincere or merely instrumental to the achievement of other goals. The chapters discuss how consumers should be protected in EU contract, competition, free movement and trade mark law. They reflect on the limits of the consumer empowerment rationale as the basis for EU consumer policy. The chapters look also at the variety of concerns consumers might have, including the cost of goods and services, access to credit, ethical questions of consumption, the challenges of excessive choice and the possibility to influence the content of regulatory measures, and explore the significance of these issues for the EU's legislative and judicial process.

Research Handbook on EU Consumer and Contract Law Christian Twigg-Flesner, 2016-09-30 The Research Handbook on EU Consumer and Contract Law takes stock of the evolution of this fascinating area of private law to date and identifies key themes for the future development of the law and research agendas. This major Handbook brings together contributions by leading academics from across the EU on the latest developments and controversies in these important areas of law. The Handbook is divided into three distinct and thematic parts. Firstly, authors examine a range of cross-cutting issues relevant to both consumer and contract law. The second part discusses specific topics on EU consumer law, including the consumer image within EU law, information duties and unfair contract terms. The final part focuses on a number of important subjects which remain current in the development of EU contract law and presents a number of innovative solutions to the challenges presented in parts one and two. This timely and insightful Handbook will provide both a comprehensive survey of this area of law for the novice researcher and fresh food for

thought for scholars who have been researching this area of law for many years Contributors include E A Amayuelas H Beale J M Bech Serrat C Busch R Canavan P Cartwright O O Cherednychenko G Comparato G Cordero Moss A Cygan L Gillies M Graziadei M W Hesselink G Howells C Mak V Mak H W Micklitz B Pozzo P Rott J Rutgers J M Smits Y Svetiev E T T Tai C Twigg Flesner W H van Boom J Watson F Zoll Competition Law and Consumer Protection Katalin Judit Cseres, 2005-01-01

The assumption that competition law and consumer protection are mutually reinforcing is rarely challenged The theory seems uncontroversial However because a positive interaction between the two is presumed to be self evident the frequent conflicts that do in fact arise are often dealt with on an ad hoc basis with no overarching legal authority There is a clear need for a detailed and coherent understanding of exactly where the complements and tensions between the two policy areas exist Dr Cseres in depth analysis provides that understanding Proceeding from the dual perspective of law and economics that is of justice fairness and reasonableness on the one hand and of efficiency of the other she fully considers such underlying issues as the following the role of competition law and consumer law in a free market economy the notion of consumer welfare the effect of the modernisation of EC competition law for consumers economics theories of information bounded rationality and transaction costs the special significance of vertical agreements and merger control and how consumers are affected by information asymmetries The ultimate focus of the book is on current and emerging EC law in which a rapprochement between the two areas seems to be under way Dr Cseres provides a knowledgeable guide to the various strands of theory policy and jurisprudence that she shows ought to be taken into account in the process including schools of thought and law and policy experience in both Europe and the United States A special chapter on Hungary where post 1989 law and practice reveal a fresh and distinctly forward looking understanding of the matter is one of the book s most extraordinary features Competition Law and Consumer Protection stands alone as a committed contribution to bridging a gap in legal knowledge the significance of which grows daily It will be of immeasurable value to a wide range of professionals from academics and researchers to officials policymakers and practitioners in competition law consumer protection advocacy economic theory and planning business administration and various pertinent government authorities *Bowker's Law Books and Serials in Print* , 1998 Perspectives for European Consumer Law Hans Schulte-Nölke, Lubos Tichy, 2010-12-23

The forthcoming Directive on Consumer Rights is part of a far reaching European development in the field of consumer law and general contract law The European Commission has initiated the long expected broad shift to full harmonisation This puts the national laws and all lawyers applying it under new challenges In future the Member States will be prohibited from deviations not only downwards but also upwards In particular the relation between EC and national consumer law and general contract law is under question The Czech EU Presidency in the first half of 2009 gave the occasion for a conference organised by the Charles University the Acquis Group and the Czech European Consumer Center at Prague Leading contract law scholars policy makers and stakeholders from across Europe put the Proposal under close scrutiny from political legal

and practical angles This volume contains the results of the conference and thus responds to the question of the extent to which the Proposal offers indeed perspectives for European consumer law It also contains a position paper elaborated by the Acquis Group in the aftermath of the conference which highlights strengths and weaknesses and suggests improvements of the Proposal *Swedish Studies in European Law* ,2006 The Yearbook of Consumer Law 2007 Geraint Howells,2007
The Yearbook of Consumer Law provides a valuable outlet for high quality scholarly work which tracks developments in the consumer law field with a domestic regional and international dimension

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