

# helpandadvice

Autumn 2012 | No.78 **The Institute of Consumer Affairs Newsletter**

In this issue the focus is on consumer empowerment with our lead article highlighting the work of 38 Degrees. Then on page 4 you can read Linda Cartwright's experience of 'collective switching' with 38 Degrees. Staying with the same theme, our **Annual Seminar** will be looking at the balance between consumer empowerment and enforcement. You can find out more and book your place on pages 6-7

## People Power in Action

38 Degrees is the angle at which an avalanche happens and in case you haven't heard, it is also the name of the biggest online campaigning community in the UK with over 1 million members who are committed to being part of an avalanche for change.

Members share the desire to defend fairness, protect rights, promote peace, preserve the planet and deepen democracy.

Anyone can join 38 Degrees by going to the website, Facebook or twitter or by signing a petition or even suggesting a topic for a campaign. It's free, although because they don't take money from political parties, government or big business, they welcome donations from members.

### How does it work?

38 Degrees members link up, through the power of the internet, to influence the decision makers. Institutions, like government or big business, are held to account and a range of different tactics are employed to bring about change. Tactics like signing petitions, emailing or phoning MPs and chipping in to fund newspaper ads about current campaigns. This collective action has contributed to victories like:

- stopping the government from selling off national forests
- preventing Donald Trump from evicting families in Scotland to build a golf course
- convincing the government to sign up to the EU Directive on human trafficking
- stopping a mega-dairy in Lincolnshire
- Persuading Asda to pay farmers a fair price for milk
- forcing (McDonald's, Samsung, Coca-Cola, Adidas, VISA... and many others) not to use the tax break available to Olympic sponsors



The success story you are most likely to have heard about is the 'Big Switch'. This campaign saw 38 Degrees join forces with Which? to get consumers a better deal for their electricity and gas (see page 4).

Anyone can help decide what 38 Degrees should work on next. The initial idea for a campaign may come from a suggestion on the website, Facebook, blog or twitter.

There is also a small staff team on the lookout for ideas, as well as an advisory network of academics, campaigners and professionals who provide information about the latest developments on issues of concern to members.

The most popular ideas are voted on by polling members. Staff and volunteers in the 38 Degrees office then find the best ways to make a big impact on the high priority issues.

For example, the 'Save the Forests' campaign started with a member post on Facebook highlighting a newspaper article about the public forest sell off. The same day, hundreds of people responded on twitter and by email. The next day, 38 Degrees polled members and got expert advice to check the facts.

> *continued on page 2*



> continued from page 1



A petition was then launched and within a week, tens of thousands had signed it. Eventually the petition was signed by over half a million people. Working together, these people sent hundreds of emails to MPs, published adverts in national newspapers and put up posters all over the country. In just a few weeks government dropped its plans for the sell-off.

There is a list of the current issues 38 Degrees are polling members about on their Website. The list includes:

- defend the NHS from coming changes
- crack down on tax-dodging by wealthy individuals and big corporations
- campaign for tough measures to sort out the banks

- protect Internet privacy from government snooping plans
- get the government on track to tackle climate change
- help dairy farmers get fair prices for milk to keep them in business
- stop the planned mass shoot of badgers
- stop plans to privatise key bits of the police to companies like G4S
- protect the BBC from political interference and make sure the media isn't dominated by moguls like Murdoch
- try to ban the use of snares for trapping animals in England

For more information or to join 38 Degrees, go to: [www.38degrees.org.uk](http://www.38degrees.org.uk)

# From the Chair



**Alan Miles**  
Chair of the Institute of Consumer Affairs  
[chair@icanet.org.uk](mailto:chair@icanet.org.uk)



Summer, such as it was, is all but over but what a summer it's been. OK, the weather's been poor but that's ideal when you're an armchair sports enthusiast like me. What with the football Euro Cup, Wimbledon, the Tour de France and the Olympics it's been a wonderful summer.

Whilst watching the Olympics I frequently recalled the 'Olympics' seminar that we held in December 2010. At that time we were looking at some of the trading rules and restrictions that were to be put in place, the possible scams that could be perpetrated in the run up to, and during, the Olympic and Paralympic Games and the measures planned to safeguard the visiting public.

At the time of writing this message it's too early to say how well the forewarning and planning succeeded in thwarting those that may have attempted to spoil the party. What we do know, if some reports are to be believed, is that some ticket touts and agencies were successful in ripping people off. I'm sure that details of other scams will emerge in time but I'm also confident that the forward planning operation will have succeeded in keeping these to a minimum.

What has disturbed me to some extent is the way that big businesses, those that have major sponsorship interests in the Games, have been protected by the involvement of Trading Standards Officers. You may have seen, as I did, news items of TSOs enforcing, albeit with a light touch, the rules that forbade advertising of non-official Olympic-themed merchandise and of the advertising of 'rival' products within a short distance of any Olympic event venue. There is no consumer benefit to this particular aspect of enforcement and it is disadvantageous to smaller, less involved firms.

I'm constantly hearing how hard pressed TSOs are, budgets and staff are cut whilst the workload increases and resources are spread too thinly. There is a huge danger in spreading resources so thinly that nothing gets done effectively. There is, in my view, only one way to deal with an inadequacy of resources and that is to cut the workload accordingly, a prime example of which is to allow, in the context of the Olympic Games, adequately resourced big businesses to look after themselves and keep scarce resources for assisting small businesses and protecting consumers.

## Olympics – Did you know.....?

Following the successful Games, here's a little quiz to celebrate.

- |   |  |  |   |
|---|--|--|---|
| 1. Why are the Olympic rings yellow, green, red, black, and blue? | 3. Which event stopped being an Olympic sport in 1920? | 5. How old was the oldest competitor at the London Olympics? | 7. The 2012 Games lasted for two weeks. How long did the 1908 London Olympics last? |
| 2. When did Olympic gold medals stop being made of solid gold?    | 4. Which were the first Olympic Games to be televised? | 6. When was the first Olympic athlete suspended for drugs?   |   |

The answers are on page 11

# Pastures New



**Carole Bell**

*Executive Member  
for Europe*

europa@icanet.org.uk

It's been off with the old and on with the new this summer. The project I have been working on in Croatia came to a close in July. We had the usual closing conference at the EU Delegation Office in Zagreb, plus several social events before tearful farewells and promises of return with our colleagues in the Prime Ministry office. This had been my second long-term project in Croatia and I'm sad to leave this beautiful country. I was fortunate in this project and the last one to travel to every region and can highly recommend a visit. This small country has it all – lakes, mountains, a fabulous coastline and over a thousand islands. Next year Croatia will become the 28th country to join the European Union.

I went from Croatia to a very different country – one outside Europe - to begin my next project. Armenia is located on the crossroads of western Asia and eastern Europe in the south Caucasus. A former republic of the Soviet Union, it gained independence in 1991 and is considered a European country by the EU.

This is a consumer protection Twinning Project based in the State Inspectorate of Protection of Markets, working alongside colleagues from UK trading standards and the Lithuanian Non Food Inspectorate. I will be going out on a short-term basis over the next few months to write a communication strategy for the Inspectorate and develop awareness-raising materials – something I seem to have done in several countries now.

The project office is in Yerevan, the capital of the Republic of Armenia, formed only in 2003. Before my first visit I tried to buy a guidebook, without success. It is also impossible to buy currency here, so I arrived with Euros only, and no idea at all what to expect of this country or its people. First impressions were not good as I spent over an hour in queues for currency (Armenian Dram) and a visa. At almost midnight, the taxi from the airport drove through a mini Las Vegas 'strip' before depositing me at a very Soviet style hotel. Not at all what I had expected!

Flying out on Saturday (flights being cheaper than Sunday) I had the next day to familiarise myself with Yerevan and was pleasantly surprised



## Armenia

to find a cosmopolitan city, full of green parks and open-air cafes next to an impressive Opera House and swan lake. Wide avenues fan out from Republic Square, encircled with government buildings and fountains that are lit in rainbow colours at night, attracting large crowds. At the other end of the city is a sculpture park and a series of museums in the 'Cascades', an Art Deco version of the Hanging Gardens of Babylon that are said to almost reach the height of the Empire State Building. There is a white stairway up the hillside, decorated with parks, fountains and waterfalls. If you don't feel up to using the stairs you can take the escalators inside to get up and down. At the top there are good views across to the biblical mountains of Ararat upon which Noah's Ark is said to have come to rest after the flood.

My first working day included the kick-off meeting, which every project must have. It was a large affair attended by the UK Ambassador to Armenia and high-ranking officials from the government, EU Delegation Office, other ministries and NGOs. These events provide a good opportunity to meet the stakeholders who will be important to the success of the project.

At a time when UK trading standards are facing uncertainty and cutbacks, it is humbling to witness how an emerging democracy is striving to modernise and adapt its market surveillance and inspection regime with enthusiasm and scant resources. We take much for granted in our council-based offices, such as up-to-date computers, colour printers with unlimited supplies of copying paper, stationery and working telephones. The Armenian Trade Inspectorate would envy such resources, as would many of the eastern european offices I have worked in over the years. Friendliness and generosity were in abundance though and after a tour of their offices and meeting the staff, our Armenian colleagues presented us with a welcome gift. I have been impressed by the enthusiasm and welcome we have received on our first visit and look forward to returning.





# Collective Switching

Collective purchasing initiatives are such a contrast to the consumer landscape when I started my career in Trading Standards. However, the concept is far more appealing from a Consumer Protection point of view than doorstep selling or stands in shopping centres and supermarkets. Fortunately, due to investigations and fines by OFGEM and a prosecution by Surrey Trading Standards, doorstep selling of gas and electricity is on the decrease.

It appears to have been a successful campaign, with 290,000 people signed up. The Co-op offered an average of £1,048 per year for direct debit customers and £1,144 per year for cash/cheque customers. EDF came a close second, offering £1,054 for direct debit customers.

The number of consumers who have changed supplier through The Big Switch campaign has not been announced yet. Only time will tell if this type of initiative is the consumer power of the future.

**Linda Cartwright**

When I received an email from 38 Degrees about The Big Switch I have to confess my first thought was to press the delete button but for some reason I decided to read it.

38 Degrees and Which? had joined forces to launch The Big Switch and were attempting to sign up as many customers who would consider switching energy supplier if a good enough deal could be obtained. There was no commitment to switch, so I went ahead and signed up and filled in a questionnaire concerning my energy consumption.

The Big Switch came about as Which? and 38 Degrees knew of successful campaigns in the Netherlands, Belgium and Germany where similar collective consumer schemes had worked for gas, electricity and oil customers.

On 11 May The Big Switch announced Co-operative Energy had put in the best bid and the first 30,000 customers to accept the switch would go to the Co-operative and subsequent switchers would go to EDF Energy who put in the second best bid.

After the announcement the Energy Secretary Edward Davey issued a press release saying, "I want to help make collective purchasing become a permanent feature of the UK energy market. This can be a really useful tool for consumers by making it easier to move to a better deal and to get real savings on gas and electricity bills, as well as helping boost competition. Now I want to see more providers coming up with schemes with the scale and reach to help the most vulnerable consumers. Local authorities and housing associations could have a real role to play here, helping their tenants cope with living costs."

Richard Bates, Director of Empowered Consumers at Consumer Focus said "Many people have been turned-off from switching in the energy sector and other markets, and can be stuck with a bad deal as a result. Collective switching offers an opportunity to put power back into consumers' hands and makes getting a better deal much more straightforward."

Soon after the announcement I received an email from 38 Degrees confirming the Co-operative Energy tariff which I could accept or decline. My details were not transferred until I accepted the offer. I then received a welcome letter from Co-operative Energy confirming my cancellation rights under the Distance Selling Regulations.

In their press release, 38 Degrees said

"...on average people who have signed up could save £119 if they pay by Direct Debit, or £182 for those who pay by cash or cheque.

200,000 households will be offered an average saving of £123 a year. An estimated 35,000 households, currently on the worst value tariffs, could reduce their bills by over £200.

This proves our plan to use our shared buying power to drive a harder bargain can work. But it's also great news that Co-operative Energy – a newer, smaller and more ethical supplier – managed to offer the cheapest deal.

The Co-op offered us a better price than giants like British Gas. Maybe that's got something to do with their different business model – they don't pay their bosses whopping bonuses, and they're keener on green energy. When thousands of us switch over, we'll send a signal to the huge, profit-hungry companies: gas and electricity customers are taking their power back!

So next time someone tries to tell us there is nothing we can do about gas and electricity prices, we've got a very convincing answer! We know that by working together in the last few months we've saved UK energy customers up to £25 million. And we know that if we keep working together, we can do much more in the future."



# Cookies – are the Regulations working?

Over 92% of websites use cookies – small files installed on computers or mobile phones used for remembering things about visitors to web pages. They are commonly used for login, remembering preferences, tracking visitors and so on. Most websites track visitors and may also use social media plug-ins such as Facebook 'like' buttons to gather information about users.

In May 2011 Brussels introduced amendments to the 2003 EU e-privacy directive requiring websites to obtain user consent for the use of tracking technologies, of which cookies are the most common. The Information Commissioner's Office (ICO), which enforces the law, gave companies a year to implement changes, which ended on 26 May 2012. Site owners can now be fined up to £500,000 for non-compliance.

The legislation is intended to help protect people's privacy. For example, if you Google 'travel insurance', cookies will remember who you are and Google may target travel insurance ads at you when you are on another website. If you think about the number of searches you do, you can imagine how much information about you is stored as a result.

The law says that cookies or similar devices must not be used unless the subscriber or user of the relevant equipment:

(a) is provided with clear and comprehensive information about the purposes of the storage of, or access to, that information; and

(b) has given their consent.

Where the use of cookies involves the processing of personal data, service providers must also comply with the additional requirements of the Data Protection Act 1998. This includes the requirement not to process personal data that is excessive. The data controller should also consider whether data can be processed anonymously, for example, counting visitors to a website.

Many sites now ask for permission by interrupting visitors with a popup saying something like 'This website wants to use cookies' and allowing the user to accept or refuse.

The law allows an exception for "strictly necessary" cookies, such as those used to remember when something has been added to a shopping basket or login details. These cookies would be expected by the user implicitly for the action they requested to be carried out.

But there are concerns that instead of giving users an explicit choice to opt in or out when they first visit the site, too many organisations are relying on "implied consent" - assuming visitors are happy with the site's cookie policy and if not, they could simply change their web browser settings to opt out.

This seems to be supported by the ICO who many consider aren't taking a firm enough position on the legislation. Their guidance states: "Implied consent has always been a reasonable proposition in the context of data protection law and privacy regulation and it remains so in the context of storage of information or access to information using cookies and similar devices."

The ICO has also said its preference is to send out enforcement notices rather than issue fines as long as site owners are "making progress towards compliance". This, despite their saying they had received dozens of complaints from members of the public about sites using cookies without permission.

We have to remember that the legislation was also aimed at alleviating concern about the use of online covert surveillance, known as spyware, which often has a criminal purpose and can gain access to information, store information or trace the activities of the user without their knowledge.

But according to recent research by KPMG, more than three out of four British businesses are ignoring the regulations and none of the companies they studied had made changes to their mobile sites.



# ICA – where do we go from here?



The small band of members who form your Executive Committee are making plans for the Annual Seminar and AGM, when a new year begins for the Institute.

ICA's strength lies in you, the members and for the past year or so we have had to limit our activities either through lack of demand or lack of sufficient funds. What remains strong though, is the support that comes from each other's expertise and experience via our newsgroup. Your Committee has been seeking ways to maintain this valuable newsgroup link, keep members up-to-date with changes through *Help and Advice* – and attract new members.

Without being downhearted, it is a difficult time for our profession so we are wondering where we go from here?

#### What can you do?

- **Take an active part**
- **Decide where ICA fits in the consumer world**
- **Suggest improvements**
- **Rethink the ethos**

We need your input so please email me your thoughts - [secretary@icanet.org.uk](mailto:secretary@icanet.org.uk)

Or better still come along to the AGM and take part in the debate.  
**Sue Payne** – Secretary

## FORMAL NOTICE

**The Annual General Meeting of the Institute of Consumer Affairs** will be held at 3.30pm on **Tuesday, 20 November 2012** at **Office of Fair Trading**  
Fleetbank House  
2-6 Salisbury Square  
London  
EC4Y 8JX

Motions for the AGM, nominations for Honorary Members and nominations for the officers of the National Executive must be received by the Secretary of the Institute by **Friday 2 November 2012.**

If you would like to stand for election, and require a proposer or seconder, then please contact any of the Executive Officers, whose details are on page 12. The Membership Secretary can send you details of what each post involves.

If you wish to appoint a proxy, the notice of proxy must be received by the Secretary of the Institute one clear day before the AGM.

All the papers will be posted on the newsgroup.

If you have any queries, please contact Sue Payne  
Phone: 01285 643707  
Email: [secretary@icanet.org.uk](mailto:secretary@icanet.org.uk)

The AGM is your chance to shape the future of ICA, as well as meeting up with colleagues to hear what's going on around the country.



# ICA Seminar – Tuesday 20 November 2012

## Can Consumers do better?

Consumers are changing – increasingly they are taking things into their own hands when they want change and the power of the Internet has made it much easier to do that, while at the other end of the scale consumers experiencing real hardship remain unable to enforce their rights without our help – and in times of recession there is always a rise in scams and rip-offs as dodgy dealers try to take advantage of people’s vulnerability.

This year’s seminar will take a close look at some of the changes taking place.

**David Fisher**, from the Office of Fair Trading will open the Seminar and he will be followed by Consumer Affairs Minister, Norman Lamb (this may change after the Cabinet reshuffle - so updates will follow on the newsgroup).



Our next speaker, **David Babbs**, will give you some background information on ‘38 Degrees’ and explain how it works. He will also tell you more about the serious impact consumers themselves can have by working together on important issues.

We will then hear from **David Collinson**, Chairman of the newly formed National Trading Standards Board.



Created in April, the NTSB is tasked with prioritising, funding and coordinating national and regional enforcement cases. It will be responsible for gathering intelligence on rogue traders, internet scams, illegal money lending and other

enforcement issues that go beyond local authority boundaries.



Finally, **David Martin**, who leads the Social Policy Campaigns Team at Citizens Advice will be talking about this year’s campaigns and how Citizens Advice is working with local Trading Standards departments. He will also describe how his team supports bureaux with their social policy and how campaigns work locally.

As usual, ICA Chairman **Alan Miles** will make sure you have ample opportunity to ask questions.

The seminar, which will be held at the Office of Fair Trading, will begin at 12.30 and will be followed at 3.30 by afternoon tea and our AGM (members only).

Members can attend both the seminar and the AGM at **no charge**. Non-members are welcome to attend the seminar so please pass details to your colleagues. The cost for non-members is £50.

Booking forms will be posted on the newsgroup in November, but places will be limited so if you want to give us advance notice of your wish to attend, please e-mail or phone Sue Payne.

Phone: 01285 643707  
Email: [secretary@icanet.org.uk](mailto:secretary@icanet.org.uk)



# UK Green Investment Bank (or not?)

The Enterprise and Regulatory Reform Bill aims to create “the right conditions for economic recovery” by reducing bureaucracy. It is also the bill that will scrap the Office of Fair Trading and the Competition Commission and replace them with the Competition and Markets Authority; make provision about employment law; amend the Competition Act 1998 and the Enterprise Act 2002; make provision for the reduction of legislative burdens; make provision about copyright and rights in performances; make provision about payments to company directors; and as if all that isn't enough, it will also establish the UK Green Investment Bank.

Already, there is much criticism about the UK Green Investment Bank - most of it centring on the fact that it cannot function as a bank. So let's have a look at the background.

The UK is legally committed to significantly reducing carbon emissions by 2050 and generating a higher percentage of energy from renewable sources by 2020. The Commons committee on climate change estimated that over the next 20 years an investment of between £200 billion and £1 trillion would be required to meet these obligations and that traditional sources of capital for investment in green infrastructure could not even provide half of the necessary funding.

The government first proposed a 'green investment bank' in 2010. Essentially, an environmental funding scheme, its task is to attract private funding to finance environmental preservation and improvement. The then Chancellor, Alistair Darling, said that the Labour government was committed to “support offshore wind energy and other forms of alternative energy” and £2 billion was earmarked.

After the 2010 general election, the Coalition government stated its priority was to reduce Britain's debt and yearly deficits and announced a raft of austerity measures but they also wanted to pursue the creation of a scheme to finance environmental investment that would be funded mainly by the private sector, including the banks.

In May 2011, Jonathon Porritt, a former government adviser and head of the Sustainable Development Commission criticised the Coalition's failure to promote a “green investment bank” with immediate borrowing powers. The government argued that it remained “committed to the environment”, but that the economic recession had affected environmental policies.

Deputy Prime Minister, Nick Clegg, then promised that the Green Investment Bank, would begin operating in April 2012, with early targets being “offshore wind, waste and non-domestic energy efficiency”. And Business Secretary Vince Cable stated that the GIB



would have an initial capitalisation of £3 billion, which “the Government believes will leverage a further £15 billion of private investment”. But on the same day, a press release from BIS outlined a three phase plan for the activation of the bank, which stated that it would not obtain full borrowing powers until 2015/16 and then only “subject to public sector's net-debt falling as a percentage of GDP”.

So when is a bank not a bank? Environmentalists have criticised the scheme as lacking ambition and the World Development Movement has recommended that, instead of creating a new 'bank', the government should “transform the [already] publicly-owned Royal Bank of Scotland into a powerful green investment bank”.

Caroline Lucas, former leader of the UK Green party has said. “It's a bit rich to call it a green investment bank if it can neither borrow nor lend”. Without these powers, she said, it would be “a pot of money that, once used up, is gone forever.”

The government's latest economic forecasts have set the target back even further so that the bank would not now be able to borrow until 2016/17 at the earliest. Although they plan to launch the Green Investment Bank later this year, the Treasury's insistence that it can't borrow until deficit targets are met, has prompted economists to warn that the bank could be denied the ability to borrow indefinitely.

Now five of the UK's leading environmental groups have written to the Prime Minister and Deputy Prime Minister, calling for borrowing restrictions to be relaxed

The letter, signed by E3G, Friends of the Earth, Green Alliance, Greenpeace UK and WWF UK, argues that these restrictions on borrowing mean it fails to properly qualify as a bank and that unless the rules forbidding the bank from borrowing until the deficit is reduced are scrapped, the bank will fail to have the “transformational” impact the government has previously intended.

The letter says: “The link between national debt levels and Green Investment Bank borrowing powers was made when the government had very different economic forecasts. It should now be discarded.”

It goes on to say “The institution will only flourish if it can be demonstrated clearly that it is both 'green' and a 'bank'. Unfortunately, the legislation now in parliament to set up the GIB fails on both counts.

The Government is however standing firmly against giving the bank borrowing powers, with ministers repeatedly arguing that deficit reduction takes priority.



# Consultation on the Consumer Rights Directive

This consultation seeks views on the UK's implementation of the Consumer Rights Directive (CRD). The provisions in the CRD will apply, subject to some limited exceptions, to all contracts for sales of goods and services by traders to consumers, whether the transactions are within the UK or effected across EU borders. The closing date for the consultation is 1 November and if you wish to respond, there are links to the consultation document, and response form below.

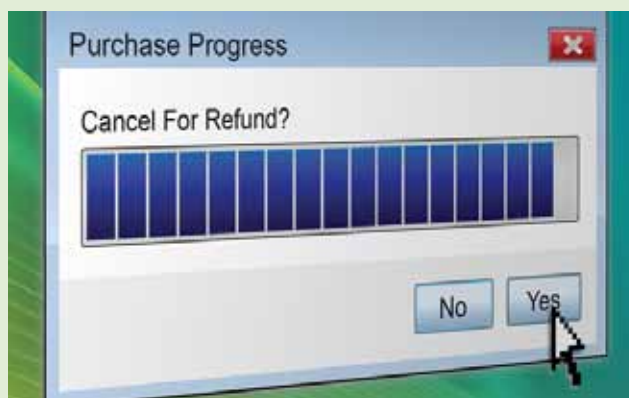
Article 19 of the CRD, on payment surcharges, is not covered in this consultation and will be the subject of a separate consultation.

The Consumer Rights Directive (CRD) was agreed by all Member States in October 2011. Despite its name, the aim is not to be all encompassing – it is to simplify and harmonise consumer rights in a limited number of key areas:

- ensuring transparency of information, in particular with regard to pre-contractual information for distance and off-premises contracts (but also for other goods and services contracts)
- ensuring there is express consent from the consumer for any additional payments
- cancellation rights for distance and off-premises contracts
- prohibiting excessive fees for paying the trader – the subject of a separate consultation to effect early implementation of this provision.
- prohibiting excessive phone charges for consumers contacting traders about existing contracts

It also updates legislation to clarify the cancellation rights and obligations of buyers and sellers of digital products.

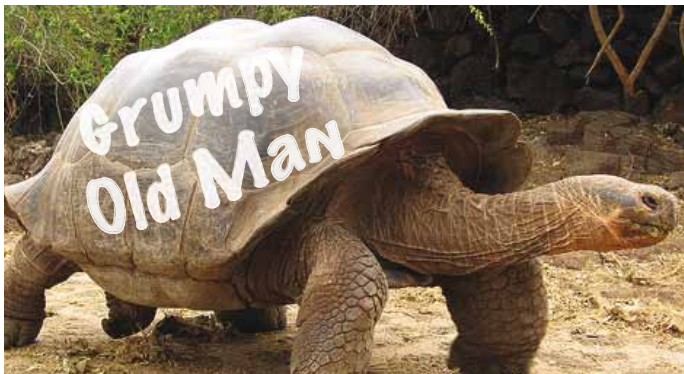
The harmonisation aims of this Directive mean that the majority of provisions must be implemented as described, and Member States do not have flexibility with regard to their application to sectors within the scope of the Directive. The proposals in



this consultation highlight those areas where we do have flexibility, and where your views are important. The consultation also seeks views on whether provisions within the CRD may be ambiguous and where business and consumers would benefit from additional clarity.

Download the consultation

- Enhancing consumer confidence by modernising consumer law: consultation on the implementation of the Consumer Rights Directive 2011/83/EU (PDF, 519 Kb)
- Consultation on the implementation of the Consumer Rights Directive 2011/83/EU. Response form (DOC, 128 Kb)
- EU Consumer Rights Directive: pre-contractual information requirements for contracts other than distance or off-premises. Impact assessment (PDF, 369 Kb)
- EU Consumer Rights Directive: information requirements and extension of the right to withdraw for off-premises contracts. Impact assessment (PDF, 265 Kb)
- EU Consumer Rights Directive: information requirements and right to withdraw for distance contracts. Impact assessment (PDF, 275 Kb)
- EU Consumer Rights Directive: provisions on delivery, passing of risk, communication by telephone and consent for additional payments. Impact assessment (PDF, 287 Kb)



An independent view

# REGULATORS ARE RUBBISH?

The Circus has left town, now the real world can slink back beyond distraction into focus. The hypocrisy of continuing school playing field sales can be crisply contrasted with politicians' earnest declarations of commitment to a brave new sporting world, beyond the next election. Shameless.

A new, deeper level of disgust is difficult to declare in an age of systemic elder abuse, merciless marketing of obesity encouraging junk food, offensively expensive and inefficient mass-transit, licence-lite gambling dens promoting poverty in every town, printing-press paper masquerading as more money, and adulterated state education qualifications; the latter incidentally endorsed through academia's silence as 'rising progress'. Such servility is intolerable, when resultant functional illiteracy and innumeracy is the life-start of half state schooling's victims. Shameful.

UK plc's urban rioting of recent memory reveals deep-seated disaffection with both putative authority, and the prerequisite to opportunity, advancement and development, in short – 'normality'.

Evidently the call of chaos has many followers, not least amongst the myriad ranks of those whose pecuniary advantage is dependent upon free rein to exploit others. Currently the 'Financial Services Industry' provides ample illustration of rapine unregulated commercialism, at the expense of an intentionally enticed, ensnared and indebted citizenry.

*'Such former state sanction is now replaced by statutory, yes statutory licensing.'*

The same greed-driven 'service industry' has now spawned a New Age plague of predatory pecuniary prostitution. No loan-shark ever turns a profit without victim support, albeit desperately driven, for which public protection has hitherto required regulation. Yet such former state sanction is now replaced by statutory, yes *statutory* licensing. These publicly prostituted 'pay-day' predators now enjoy their harsh and unconscionable cut of desperate citizenry's resource with State regulatory approval. Shameless.

**How has this rotten state come about?**

Consider the one unifying deeply held policy, long-subscribed to by profit-mongers and their pawns amongst the political elite of all stripes and persuasions - their 4 Rs.

**Rubbishing Regulators Really Rewards**

The last Rotten Parliament took citizens great strides towards nemesis, economic and social, by introducing an illusion of

protection, in the formation of State regulatory bodies. Taking pains to hobble regulators with inadequate powers and insufficient resources, our elected defenders of democratic deficit thereafter cunningly abandoned all regulators politically; thus alone they bear the brunt of their immensely wealthy, powerful and active enemies' sabotage through a puerile advert-dependant media.



And the elite did worse, much worse. The leadership of The Rotten Parliament actively promoted our predators' preference for so-called 'light touch regulation'. This must have been music to the ears of their paymasters, whose green light for greed gave us the corpsed economy now endured.

Not content with crippling and criticising the very bodies established for public protection, the denigration of regulators by those elected to protect the public interest continues to this day, 'burdens on business' being their mantra. Shameless.

**Burdens on Business?**

Given recent events (and consequences) this would be a merely risible, ridiculously unfitting piece of prejudiced political posturing, were it not symptomatic of propaganda as process, air-brushing crimes against communities. It is we citizens who must who pay the price of predatory capitalism at checkouts, in their monopolist private-profit metered utilities, with lost pensions purloined as preferred revenue stream, the highest rail fares in Europe feeding a fragmented mass-transit mess, and all the while facing escalating taxes of cunning contrivance.

Whilst national level regulators have floundered to align practice and policy, down at the coal face of civic society, the remnants of a deliberately balkanised, ineffectually resourced, ill-trained, inadequately equipped, and fading Trading Standards Service is increasingly resigned to a lingering fate. This key service now lies at the mercy (and cynical acquiescence) of an uncaring, indifferent and totally distracted Local Government, whose principal priority is not governance, but getting by the next election. Shameful.

# News in Brief

## Age Restricted Products and Services

BIS has published a consultation paper *Age Restricted Products and Services: a Code of Practice for Regulatory Delivery*, this month. The draft code is based on a principles framework published in November 2011 which set out an agreed set of shared responsibilities and reasonable expectations for young people, parents, businesses, employees and regulators. The code sets out ways regulators can reduce harm to young people by tackling rogue traders and working with responsible businesses through new approaches to targeting and follow-up for enforcers.

Currently in the UK some video games carry mandatory BBFC (British Board of Film Classification) 15 or 18 age classifications whilst all games are also voluntarily classified 3,7,12, 16 or 18 by the industry under the Europe-wide PEGI (Pan European Game Information) system.

A new single and extended statutory classification system for video games is being introduced following the Byron Review and subsequent public consultation. From 30 July 2012, under the Video Recordings Act, video games featuring content

unsuitable for the under-12s will be required to be submitted for age classification under the PEGI system which will be administered by the Video Standards Council operating as the Games Rating Authority. It will be an offence to sell products classified and labelled PEGI 12, 16 and 18 to anyone not meeting the age requirements. PEGI 3 and 7 classifications will be for guidance only.



Classifications awarded to video games before 30 July will retain their status thus there should be no need, for example, to remove BBFC rated video games from the shelves. Products carrying primarily video (film) or R18 content will continue to be classified by the BBFC.

The closing date for consultation is: 28 September 2012

[www.bis.gov.uk/brdo/publications/current-consultations/](http://www.bis.gov.uk/brdo/publications/current-consultations/)

## Changes in financial advice

The Financial Services Authority has published a new RDR consumer guide: *Financial advice changes: 1-2-3* to help consumers understand key improvements to the way they receive financial advice.

From 2013 onwards, savers and investors will know how much financial advice costs, will understand the type of service they are paying for, and will benefit from a higher level of professional standards from their advisers.

Martin Coppack, FSA Technical Specialist, said "We want to ensure customers know how much financial advice costs and that the service provided does 'what it says on the tin'. These improvements will allow consumers to have confidence in the financial advice they receive.

"We have also launched a new section of our website: [www.fsa.gov.uk/advicechanges](http://www.fsa.gov.uk/advicechanges) for consumers to find out more about what the upcoming changes will mean for them."

### Answers to the quiz on page 2

**1. The Olympic rings are yellow, green, red, black, and blue** because at least one of those five colours appears in every flag in the world.

**2. The 1912 Olympics was the last time that gold medals were solid gold. They are now silver with gold plating.**

**3. Tug of War** was an Olympic sport until 1920.

**4. The 1936 Berlin Games** were the first to be televised. The 2012 opening ceremony was estimated to have been viewed by over 1 billion people worldwide.

**5. Hiroshi Hoketsu, aged 71, was the oldest competitor. He also appeared in the 1964 Tokyo Games at the age of 23.**

**6. At the 1968 Mexico City Olympics** a Swedish pentathlete tested positive for alcohol, having drunk a few beers before the pentathlon.

**7. The 1908 London Olympics began in April and finished in October – 187 days!**



# Contact us at the Institute of Consumer Affairs

## Executive Members

Chair	<b>Alan Miles</b>	<a href="mailto:chair@icanet.org.uk">chair@icanet.org.uk</a>	01443 203326
Vice-Chair	<b>Chris Benson</b>	<a href="mailto:vicechair@icanet.org.uk">vicechair@icanet.org.uk</a>	0121 569 6584
Secretary	<b>Sue Payne</b>	<a href="mailto:secretary@icanet.org.uk">secretary@icanet.org.uk</a>	01285 643707
Treasurer	<b>Bob Imrie</b>	<a href="mailto:finance@icanet.org.uk">finance@icanet.org.uk</a>	01636 893799
Membership Secretary	<b>Jacqui King</b>	<a href="mailto:membership@icanet.org.uk">membership@icanet.org.uk</a>	01403 754718
Public Relations Officer	<b>Ann Kaye</b>	<a href="mailto:publicity@icanet.org.uk">publicity@icanet.org.uk</a>	020 8989 1756
Training Officer	<b>Graham Lambert</b>	<a href="mailto:training@icanet.org.uk">training@icanet.org.uk</a>	01623 452172
Training Officer	<b>Gill Mitchell</b>	<a href="mailto:training@icanet.org.uk">training@icanet.org.uk</a>	0115 941 8364
Executive Member for Europe	<b>Carole Bell</b>	<a href="mailto:europe@icanet.org.uk">europe@icanet.org.uk</a>	
Executive Member for CD	<b>Michele Shambrook</b>	<a href="mailto:consumerdirect@icanet.org.uk">consumerdirect@icanet.org.uk</a>	01622 626580
Officer without Portfolio	<b>Linda Cartwright</b>	<a href="mailto:portfolio1@icanet.org.uk">portfolio1@icanet.org.uk</a>	01604 707928

## Co-opted members

**Samantha Park**

**Gerry Hearne**

## Non Executive Members

East of England Area Representative	<b>Judy Maher</b>	<a href="mailto:east@icanet.org.uk">east@icanet.org.uk</a>	01909 500558
East Midlands Area Representative	<b>Judy Maher</b>	<a href="mailto:eastmidlands@icanet.org.uk">eastmidlands@icanet.org.uk</a>	01909 500558
North East Area Representative	<b>Alison Jones</b>	<a href="mailto:northeast@icanet.org.uk">northeast@icanet.org.uk</a>	0776 460 0646
South East Area Representative	<b>David Bullen</b>	<a href="mailto:southeast@icanet.org.uk">southeast@icanet.org.uk</a>	01372 371743
West Midlands Area Representative	<b>Sue Payne</b>	<a href="mailto:westmidlands@icanet.org.uk">westmidlands@icanet.org.uk</a>	01285 643707
Wales Area Representative	<b>Alan Miles</b>	<a href="mailto:wales@icanet.org.uk">wales@icanet.org.uk</a>	01443 203326
Scotland Area Representative	<b>Carol Brennan</b>	<a href="mailto:scotland@icanet.org.uk">scotland@icanet.org.uk</a>	0131 317 3466
Publications Officer	<b>Jacqui King</b>	<a href="mailto:publications@icanet.org.uk">publications@icanet.org.uk</a>	01403 754718
Webmaster	<b>Bob Imrie</b>	<a href="mailto:webster@icanet.org.uk">webster@icanet.org.uk</a>	01636 893799
Newsgroup queries	<b>Marie-Helene Kutek</b>	<a href="mailto:marie-helene@phonecoop.coop">marie-helene@phonecoop.coop</a>	
<i>Help and Advice</i> Production	<b>Kathy Lewis</b>	<a href="mailto:editor@icanet.org.uk">editor@icanet.org.uk</a>	020 8777 8262

Please note that while all reasonable care has been taken to ensure the accuracy of the material contained in this publication, the Institute of Consumer Affairs and its officers cannot accept liability for any errors or omissions. We reserve the right to make stylistic alterations and edit to fit.