

**UN Trade and Development Webinar:
Advancing consumer dispute resolution in the digital age**

9 September 2024

Advancing Consumer Dispute Resolution in the Digital Age

Presentation

Ms. Sónia Passos

Head

Consumer Communication Department

Directorate-General for Consumer Affairs - DGC

Portugal

This material has been reproduced in the language and form as it was provided. The views expressed are those of the author and do not necessarily reflect the views of UN Trade and Development.



Advancing Consumer Dispute Resolution in the Digital Age

Portugal



Procedures in complaint handling in Portugal

Are you a consumer? Do you have a conflict?

Have you tried to solve the problem with the trader?

No results?

Get information and help

And decide what you want

Make a formal complaint?

LIVRO DE RECLAMAÇÕES

Complaints book

At the store
(shopping facilities)

Online
Home
livroreclamacoes.pt

The trader
must answer
in 15 working
days

Enforcement and
regulatory entities

Solve the
problem?

ADR Entities



Easy, fast and
affordable

The Complaints Book

September, 2005

Decree-Law 156/2005, establishes the requirement for the existence and availability of the Complaints Book in all sectors (in shopping facilities).

The complaints must follow a uniform procedure.

A single model of the Complaints Book is now available in the main shopping facilities.



GENERAL PROCEDURES

- The consumer makes the complaint in the Complaints Book.
- The professional, cuts out the original (the red page), that must be sent to the regulatory or enforcer authority within a maximum of 15 working days, giving an explanation about the complaint;
- The duplicate copy (the blue page) is given to the consumer;
- The last page (the yellow page) remains in the book.



**Your consumer rights have not been respected?
Do you have a consumer conflict?**

Try to resolve it directly with the trader.

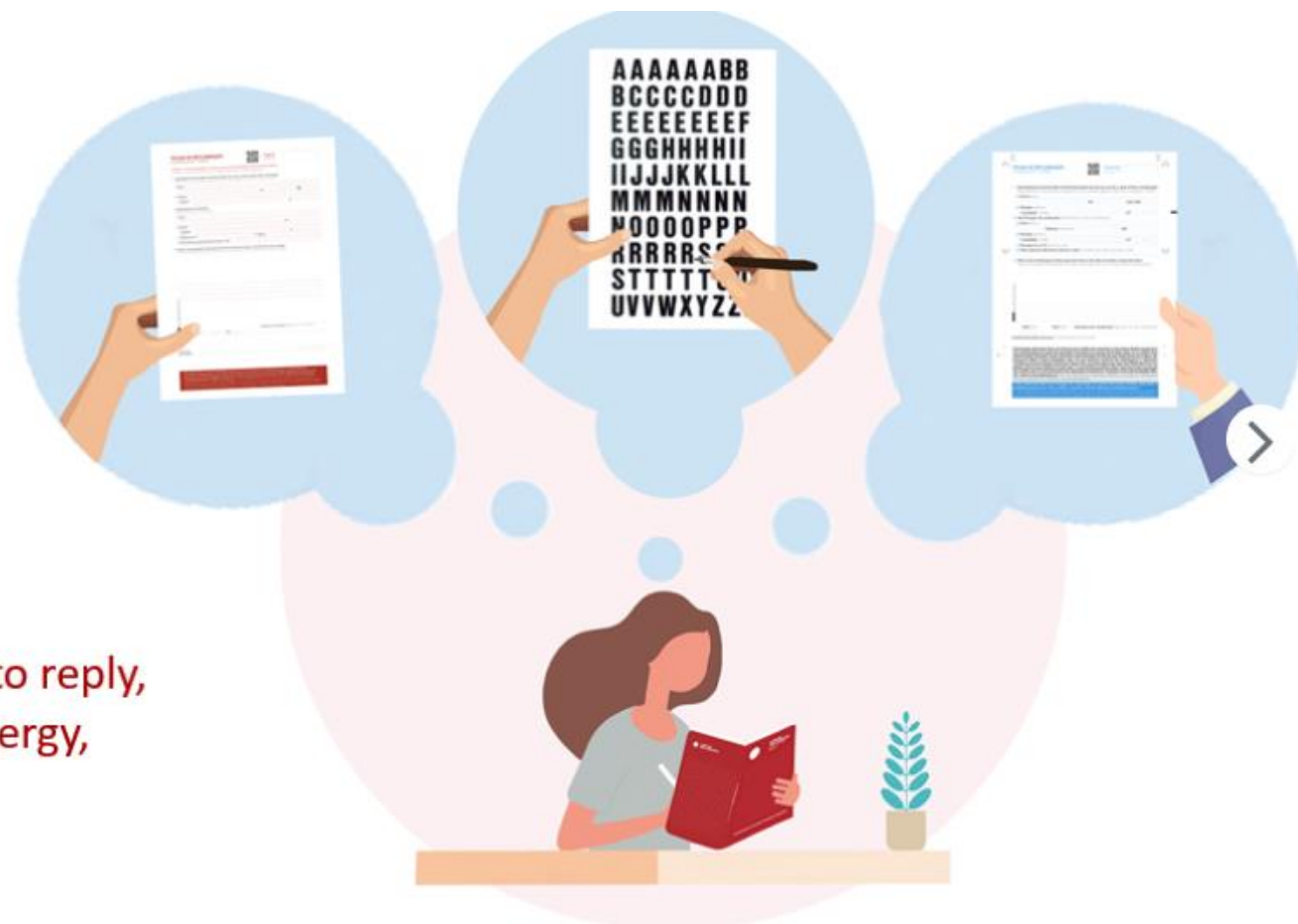


If you use the Book in physical format, you need to:

- Use only one complaint sheet;
- Write with a ballpoint pen in capital letters;
- Receive a duplicate of the complaint.

The original of the complaint is sent by the trader to the competent Regulatory and/or Supervisory Body within a maximum of 15 working days.

NOTE: Although recommended, the operator is not obliged to reply, unless it concerns Public Essential Services (water supply, energy, communications and transports).

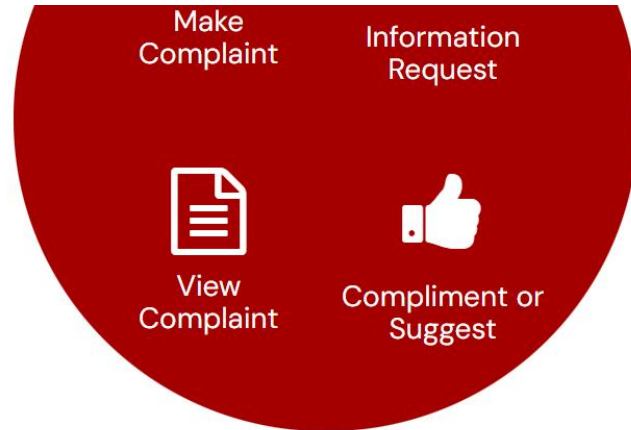




Where can you find the Complaints Book?

In addition to the paper Complaints Book, you can also find an electronic version and an app that you can download to your cell phone.

<https://www.livroreclamacoes.pt/Inicio/>



COMPLAINTS BOOK ⁱ

A legally established citizenship tool

Choose your profile



The Electronic Complaints Book in figures ⓘ

411 199

Registered Suppliers of goods and

1 127 806

Complaints

6 824

Compliments

3 365

Suggestions

35

Registered Regulatory/Supervisory Authorities

Usage experience ⓘ



3,2/4

[VIEW DETAILS](#)

34 353

Information Requests



Attention!

If you choose the electronic format of the Complaints Book at <https://www.livroreclamacoes.pt/>, be aware that the economic operator has an obligation to reply to you within 15 working days.

In the physical format of the book, this obligation only applies to Essential Public Services.

And remember, if you have not solved the problem, contact an ADR



LIVRO DE RECLAMAÇÕES

[FAQ AND LEGISLATION](#)
[Support Line: 217 998 010](#)

- **Online Complaint**

① ② ③ ④

1. Complainant identification

Registration data

E-mail * ⓘ This email address will be used to receive notifications associated to this request or to access your account.

Personal data

Name * Family name *

Tax Identification number * Do you have a Portuguese VAT number?

Document type * Document Number *

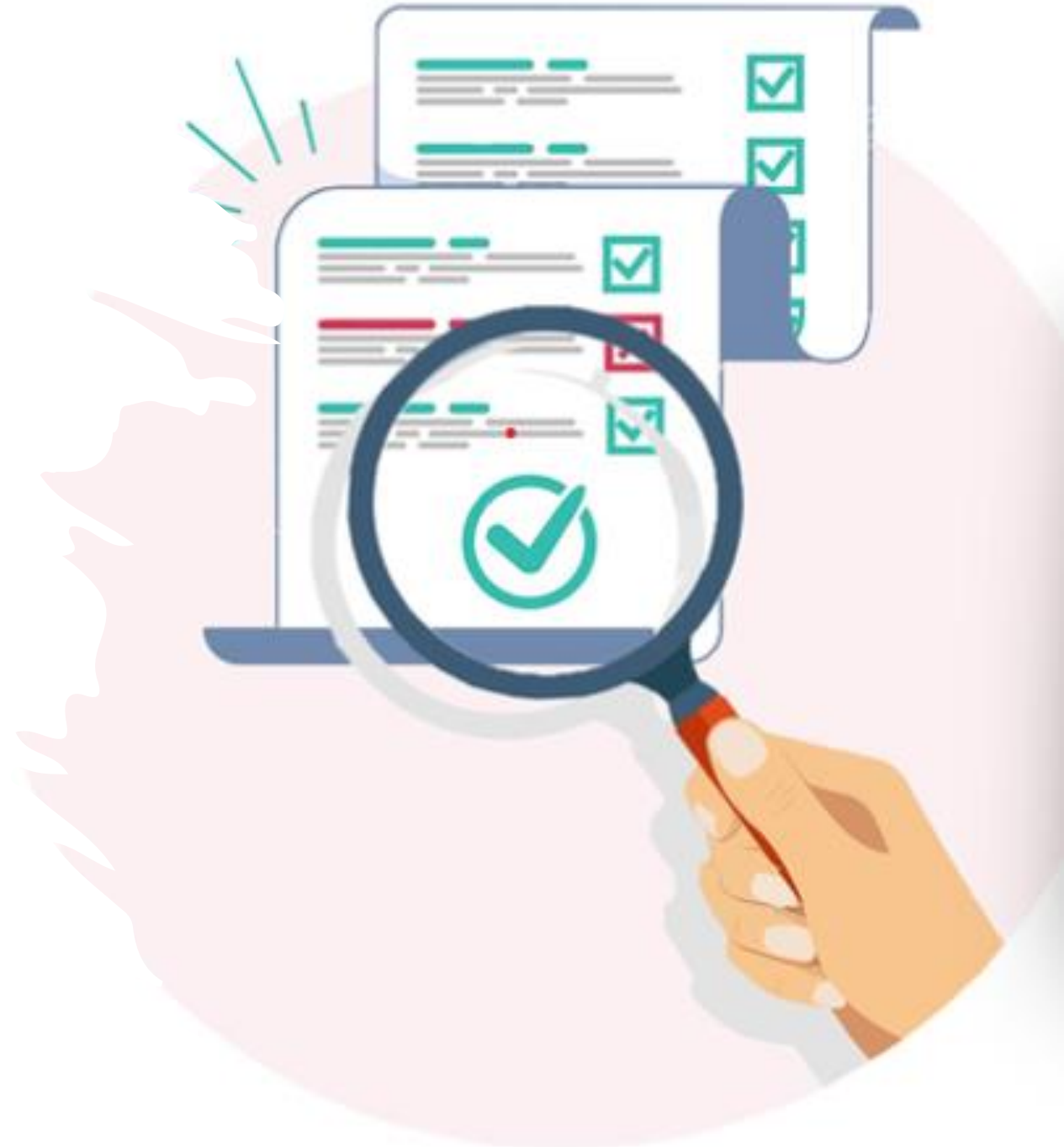
Cartão de Cidadão Português ▼

Nacionality ▼

Portugal

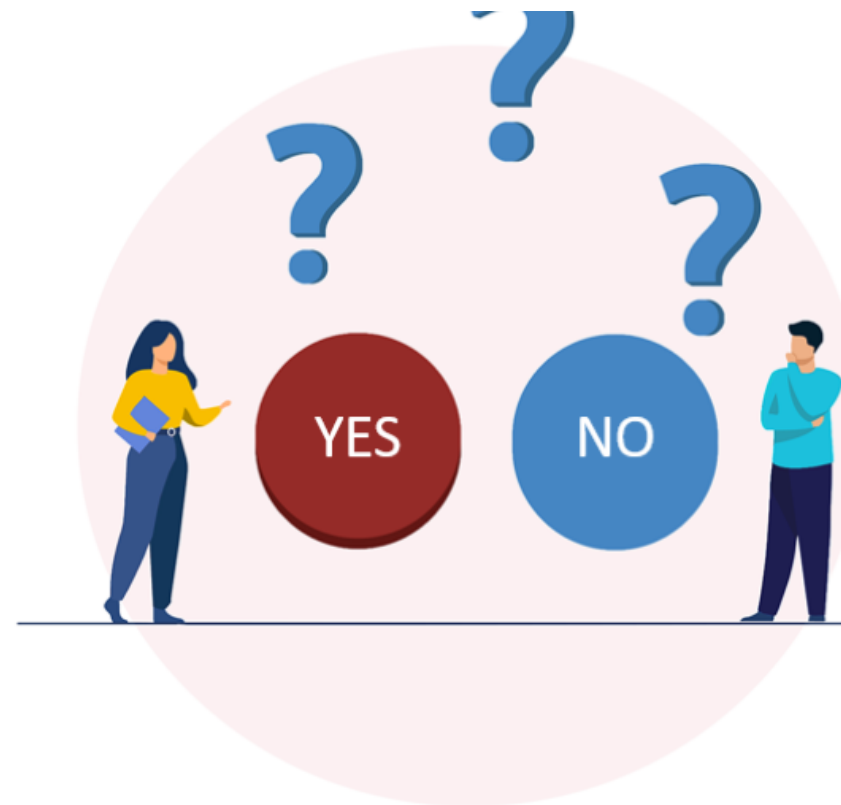
What does the competent authority do?

- Examines the complaint and adopts the proper procedure if the facts indicate illegal practices;
- Depending on the content of the complaint and the allegations made by the professional, the authority may take the appropriate necessary measures according to the powers conferred by the law;
- **Informs the consumer of the competent ADR entities, if an illegal practice is not found.**



What about resolving consumer conflict between the professional and the consumer?

This is a role that can be handled by Alternative Dispute Resolution bodies and Courts.



Who are the ADR entities?

ADR (Alternative Dispute Resolution) entities are mostly arbitration centers that resolve conflicts quickly, affordably and effectively.

In the case of disputes up to €5,000, the consumer can require the professional to submit to this form of consumer dispute resolution. See the list of ADR bodies on the Directorate General for Consumers website at <https://www.consumidor.gov.pt/parceiros/sistema-de-defesa-do-consumidor/entidades-de-resolucao-alternativa-de-litigios-de-consumo.aspx>.



11 ADR Bodies in Portugal

- 7 with generic regional competence
- 2 with generic national competence
- 2 with national expertise competence in
 - *Insurance Sector*
 - *Travel agencies*



The Portuguese Consumer Directorate-General (DG Consumer) is the competent authority to monitor the performance ADR entities established in Portugal

- Notifies the list of ADR entities authorized to the European Commission (ADR Directive);
- Monitors compliance with the obligations established for these entities, including the application of fines and penalties;
- Coordinates and promotes the consumer arbitration network.



Consumer Dispute Resolution In Portugal

Consumer Dispute Resolution Centres' Activities – Include the provision of legal information and assistance to consumers and rely on mediation, conciliation or arbitration in order to reach a solution.

- ✓ **Consumer Information and Complaints – Data** - roughly 12.000 complaints a year handled;
- ✓ **Average file timeframe** is of **70 days**;
- ✓ **No fees or just moderate file taxes** are charged during the complaint procedure (only 4 entities have fees);
- ✓ **Nowadays most of the complaints** handled **reach a solution** through the Centres' intervention, 80% due to mediation and 20% due to conciliation or arbitration;



OBRIGADA!



THANK YOU!



SÓNIA PASSOS



SONIA.PASSOS@DG.CONSUMIDOR.GOV.PT