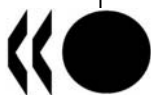


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Organisation de Coopération et de Développement Économiques
Organisation for Economic Co-operation and Development

27-Oct-2009

English - Or. English

COUNCIL

Council

PROPOSED REVISION OF THE MANDATE OF THE COMMITTEE ON CONSUMER POLICY

(Note by the Secretary-General)

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Background

1. The Committee on Consumer Policy was created in 1969 to examine questions relating to consumer policy and law in Member countries and within international and regional organisations and to contribute to the further development and strengthening of co-operation between Member countries in policy development and law enforcement. In recent years it has expanded its activities to include India as an observer, while launching outreach programmes with a growing number of non-Member economies. The mandate of the Committee is set to expire on 31 December 2009 [C(2004)170].

2. The Committee was subject to an In-Depth Evaluation which covered the 2001-2006 period, and to follow-up monitoring during 2007-2008. Relevance was rated “very high”; effectiveness and efficiency were rated “high” [C(2006)190 & CORR1, C/M(2007)1; C(2007)130; C(2008)102; C/M(2007)17; C/M(2008)]. Pursuant to the Resolution of the Council on a New Governance Structure for the Organisation [C(2006)78/FINAL], the Chair of the Committee had a Dialogue with the Council in July 2009 to review the Committee’s activities.

3. The Committee has not set up any sub-committee to assist it in its work.

Mandate renewal

4. The Committee discussed its mandate at its 77th Session, held on 30 March - 1 April 2009, and agreed to recommend that it be extended, subject to several minor revisions. The suggested revisions are to reference in the Preamble the adoption of (i) the 2007 Recommendation of the Council on Consumer Dispute Resolution and Redress and (ii) the Seoul Ministerial Declaration for the Future of the Internet Economy (along with the OECD report on Shaping Policies for the Future of the Internet Economy). The Committee also agreed to recommend that the mandate be revised to formalise the co-operation it has pursued with the International Consumer Protection Enforcement Network. These recommended changes are reflected in the draft Resolution in Annex hereto.

5. It is proposed that the revised mandate should remain in force for a period of five years, until 31 December 2014, unless the Council decides otherwise. The draft Resolution would supersede all previous provisions concerning the mandate of the Committee. The Committee would return to the Council to propose a revision to its mandate should there be any major developments that warrant such a change.

Proposed Action

6. In the light of the preceding, the Secretary-General invites the Council to adopt the following draft conclusions:

THE COUNCIL

- a) noted document C(2009)136;
- b) adopted the draft Resolution concerning the mandate of the Committee on Consumer Policy as set out in the Annex to document C(2009)136, which shall enter into force from 1 January 2010.

ANNEX

**DRAFT RESOLUTION OF THE COUNCIL
REVISING THE MANDATE OF THE COMMITTEE ON CONSUMER POLICY**

THE COUNCIL,

Having regard to the Rules of Procedure of the Organisation;

Having regard to the Resolution of the Council of 12 November 1969 establishing a Committee on Consumer Policy [C(69)143];

Having regard to the Resolutions of the Council of 18 July 1972, 22 July 1977, 1 October 1982, 10 July 1987, 25 June 1992, 18-19 and 22-23 December 1997, 10 December 1998, 26 November 2001 and 10 November 2004 concerning the continuation of the Committee on Consumer Policy [C(72)132(Final), C(77)134(Final), C(82)121(Final), C(87)116(Final), C(92)116/FINAL, C(97)197/FINAL, C(98)199/FINAL, C(2001)239/REV1 and C(2004)170];

Having regard to the conclusions of the October 1998 Ottawa Ministerial conference “A Borderless World: Realising the Potential of Global Electronic Commerce”, and in particular to the Ministerial Declaration on Consumer Protection in the Context of Electronic Commerce adopted by Ministers at this Conference [Annex 2 to C(98)177], and to the OECD Action Plan for Electronic Commerce which was endorsed by Ministers, SG/EC(98)10/REV5];

Having regard to the Recommendation of the Council Concerning Guidelines for Consumer Protection in the Context of Electronic Commerce [C(99)184/FINAL];

Having regard to the Recommendation of the Council Concerning Guidelines for Protecting Consumers from Fraudulent and Deceptive Commercial Practices Across Borders [C(2003)116];

Having regard to the Recommendation of the Council on Consumer Dispute Resolution and Redress [C(2007)74];

Having regard to the 2008 Seoul Ministerial Declaration for the Future of the Internet Economy [C(2008)99] and to the OECD report on Shaping Policies for the Future of the Internet Economy;

Having regard to the proposed revision of the mandate of the Committee on Consumer Policy [C(2009)136];

Considering the economic and social importance of a broad-based consumer policy in Member countries and the latter's close relationship with general economic and trade policies;

Considering the need to minimise economic costs to consumers and to facilitate the integration of consumer policy considerations into economic and other policy areas;

Considering the need to improve the functioning of markets, encourage the development of a global marketplace for consumers, including through the use of new electronic media, and to provide effective protection to consumers;

Considering the importance of collaborating with other relevant subsidiary bodies of the OECD;

Considering that the implementation of such a policy would be encouraged by exchanges of information and experience, discussions, and law enforcement and policy co-operation between Member countries, as well as co-operation with other international organisations and non-Member economies;

DECIDES:

I. Mandate

The mandate of the Committee on Consumer Policy is:

1. To examine questions relating to consumer policy and law in Member countries and within international and regional organisations and to contribute to the further development and strengthening of co-operation between Member countries in policy development and law enforcement.
2. To examine and help develop, in particular, consumer trust in the global digital economy, to participate in and encourage the development of the principles which should govern an efficient, transparent and fair global marketplace for consumers, and to develop mechanisms for the implementation of these principles and for the effective enforcement of consumer laws on line and across borders.
3. To examine issues of consumer policy and safety, particularly those concerning international trade or the development of a global marketplace for consumers.
4. To collaborate closely with other relevant subsidiary bodies of the OECD.
5. To consult with the advisory bodies to OECD, BIAC and TUAC, consumer organisations such as Consumers International, the private sector, academia and other international organisations, including the International Consumer Protection and Enforcement Network.
6. To encourage the development and use of relevant quantitative information in consumer policy deliberations, to facilitate overall policy coherence through the inclusion of consumer policy considerations in other policy areas, and to engage in outreach to non-Member economies.

II. Expiry of the mandate

The mandate of the Committee on Consumer Policy shall expire on 31 December 2014.