



STATUTORY INSTRUMENTS.

S.I. No. 368 of 2015



EUROPEAN UNION (ALTERNATIVE DISPUTE RESOLUTION FOR
CONSUMER DISPUTES) (NO. 2) REGULATIONS 2015

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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 further effect to Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013¹, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Alternative Dispute Resolution for Consumer Disputes) (No. 2) Regulations 2015.

2. The European Union (Alternative Dispute Resolution for Consumer Disputes) Regulations 2015 (S.I. No. 343 of 2015) are amended by the insertion of the following Part after Part 3:

“Part 3A

CO-OPERATION BETWEEN ADR ENTITIES AND NATIONAL AUTHORITIES

Cooperation between ADR entities and national authorities enforcing Union legal acts on consumer protection

17A. (1) Public authorities and ADR entities shall take such steps as they consider appropriate to co-operate.

(2) The steps referred to in paragraph (1) shall include—

(a) mutual exchange of information on practices in specific business sectors about which consumers have repeatedly lodged complaints, and

(b) the provision of technical assessment and information by the public authorities to ADR entities where such assessment or information is necessary for the handling of individual disputes and is already available.

(3) Cooperation and mutual information exchanges referred to in paragraphs (1) and (2) shall comply with the rules on the protection of personal data in accordance with the Data Protection Acts 1988 and 2003.

(4) This Regulation shall be without prejudice to provisions on professional and commercial secrecy which apply to public authorities.

¹O.J. No. L 165, 18.06.2013, p.63.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 4th September, 2015.

(5) ADR entities shall be subject to rules of professional secrecy or other equivalent duties of confidentiality laid down in the legislation of the Member State in which they are established.

(6) “Public authorities” in this Regulation means public authorities designated under Regulation 4 of the European Communities (Cooperation Between National Authorities Responsible for the Enforcement of Consumer Protection Laws) Regulations 2006 (S.I. No. 290 of 2006).”



GIVEN under my Official Seal,
2 September 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 further effect to Directive 2013/11/EU on alternative dispute resolution for consumer disputes and amending Regulation (EC) No. 2006/2004 and Directive 2009/22/EC by amending S.I. No. 343 of 2015 to include provisions for co-operation between ADR entities and national authorities.

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