

New European Union Consumer Protection Legislation and the Implementation in Macedonia

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Abstract

The EU aims to achieve a high level of consumer protection for its products and services. The sphere of consumer rights has an impact on the identity of internal market, which with almost 500 million consumers, is one of the largest in the world. The EU legislation sets up general safety regulation for services, foodstuff and non food products. The Treaty on the functioning of the European Union promotes a high level of consumer protection and underlines the importance of activities and measures in the field of consumer rights. According to the Treaty, consumer protection shall be taken into account in defining and implementing other EU policies and activities. This papers aim to elaborate on the situation in the sphere of consumer protection and to give some recommendations for further activities. Also, the paper aims to initiate a wide process of debate about the consumer policy and legislation. The importance of the subject justifies it. Beside high level of protection, the European Commission annually receives more than 1500 notifications of unsafe products. With the intention to create better protection, The Commission proposed a new Directive on consumer rights, that shall merge four existing directives. The Republic of Macedonia as a candidate state has been making efforts to improve its legislation and activities in the field of consumer protection. The last European Commission progress reports comments on the present situation in the field on consumer protection. In the future, Macedonia has to continue with the activities in the area of consumer protection.

Introduction

The European Union has been acting permanently to protect and to improve the quality of health and quality of life of its citizens. One of the basic pillars of this engagement is the consumer protection matter. The internal market has a crucial role in building benefits for EU citizens. The identity of the internal market has a strong dependence on the consumer protection regulation. Efficient and effective single market needs an EU level consumer protection policy and legislation. Common legislation rises from the common policy. Common activities and measures are core instruments for the implementation of the policy and legislation in the area of consumer protection. From year to year the EU has been making firmer consumer protection regulation. The numerous Union institutions are working on the consumer protection issues. Consumer protection legislation contributes to the protection of the general rights of citizens.

We can recognize the EU commitment to consumer protection in the Treaty on functioning of the European Union, which together with the Treaty on the European Union, has constitutional importance (The Treaty on the EU). In article 169 (ex Article 153) of the Treaty on functioning of the European Union, it is stipulated that in order to promote the interests of consumers and to ensure a high level of consumer protection, the Union shall contribute to protect health, safety and economic interests of consumers, as well as to promote their right to information, education and to organize themselves in order to safeguard their interests. The Union shall contribute to attain the objectives referred to consumer protection, through measures which support, supplement and monitor the policy pursued by member states. The measures taken by member states must be compatible with the Union treaties (The Treaty on functioning). That clearly demonstrates the firm determination to strengthen activities, policies and legislation on the EU level in the field of consumer protection. The Republic of Macedonia, as a state with an aspiration for membership in the EU, has a number of obligations for transposing and implementing the EU standards and EU legislation in many spheres. One of those spheres is the sphere of consumer protection, where Macedonia has been acting toward improvement of consumer protection.

European Union Policy in the Field of the Consumer Protection

The European Union consumer protection policy is a young policy. It has a very ambitious agenda. The Union is dedicated to building a new consumer policy, which will be more coherent. The EU policy in the field of consumer protection has a goal to enhance the consumers' possibilities to make a rational choice. It has significant impact on the strength of the internal market, as one of the largest markets in the world with almost 500 million consumers.

The EU consumer policy aims to be proactive and to support the consumer activities. That policy is interactive, promoting permanent improvement and the consumer education, consumer interests and dialogue between consumers, business sectors, experts and all other relevant stakeholders. The process of adopting the EU consumer policy, strategies and other documents and legislation, needs to be transparent and open for different attitudes and views. The aim of common consumer policy is to ensure that the EU consumer draw maximum benefits from the existence of an internal market (Moussis, 2006, p.193). The EU internal market gives the consumer a wider choice at competitive prices (Weatherill, 2005, p.40).

In our opinion the coherent consumer policy contributes to an increase in the identity of the single market, and on the other hand the efficient internal market also contributes to better consumer protection. That shows the existence of the interactive relations between the consumer protection and the single market.

Building common EU consumer protection policy is connected with adopting strategic documents. The first EU document with strategic importance was adopted in 1975. The History of common consumer protection starts with the Council Resolution from April 1975, concerning preliminary programs for protection and information of the consumers (Mathijssen, 2010, p. 496). The next consumer protection strategies covered various periods from 1981-2006. The last EU Consumer protection strategy was adopted for the period 2007-2013 (The Strategy).

The last European Union Consumer policy strategy 2007-2013 promotes a high level of consumer protection together with permanent improvement of the consultations between consumers and the business sector. The Strategy recognizes that the activities in the area of consumer protection are a big challenge for the quality of health and quality of life of almost 500 million citizens. This document underlines that consumer protection is an important

pillar of the single (common) market and in this context, there is a need for more efficient activities and stronger coordination on the EU level. Our expectations are that the stronger coordination will consolidate the common activities and to improve a common system of information.

The Strategy promotes the firm integration of European Union consumer policy into other EU policies, such as economic, social, health, education, environmental and other policies. The place of the EU consumer policy will be at the heart of the next phase of the internal market. According to the Strategy, the consumer dimension of the internal market needs to be reinforced. It demonstrates the Union's determination to raise the level of importance of consumer protection activities to one of the most important priorities of the common activities. It is important to comment that the consumer dimension of the single market, after adoption of the Strategy has been increased.

The Strategy establishes the main priorities for the period 2007-2013. The Strategy determines that consumer welfare is the most important pillar of a well functioning market. The Strategy makes serious efforts to enable consumers to make an environmental choice. In the future we expect further EU activities in the direction of encouraging the consummation of the environmentally friendly products. That is a completely new approach in the consumer sphere. We are convinced that in the future, the relation between the consumer sphere and the sphere of the environment will rise permanently.

According to our opinion, one of the top priorities of the new common consumer policy and legislation should be to eliminate overlaps between the member states and the EU consumer protection policy and legislation and to ensure the closer coordination between the EU and the member states. To reach this goal EU consumer policy has to build effective instruments for systematic and permanent monitoring of the member states consumer policies. The stronger monitoring will consolidate the common activities and improve the common system of information, which will provide a high- quality database on the EU level, with the qualitative information and dates.

The European Commission adopted a number of documents related to the implementation of the EU Consumer protection strategy. One of the most important documents is Green paper on the review of the EU consumer acquis (legislation). The Paper promotes the need of expanding public consultation in the area of consumer protection, which will help to determine the current problems in this area (Green paper). With a goal to achieve the firmer efficient consumer protection common activities, the Commission

suggests numerous reforms in a field of consumer protection, including reforms in the EU legislation. As a result of research and analysis made in the process of preparing the Green paper, the Commission proposed urgent changes in the legislation. We can conclude that the Green paper has a crucial role for the beginning of the process of changing the consumer protection legislation.

Existing EU Consumer Protection Legislation

The consumer protection policy is a main base for drafting and adopting legislation in the field on consumer issues. The legislation is an important part of EU activities in the area of consumer protection. The Consumer protection legislation has a goal to ensure a higher level of protection for EU citizens, fair trade competition on the internal market and free flow of information. This legislation is aimed to prevent unfair practices and to improve the interests and rights of consumers. The existing EU legislation in the field of consumer protection consists of numerous directives, regulations, decisions and other legal acts. The most important part of the existing EU legislation is based on four directives:

Directive 85/77EEC, to protect the consumer with respect to contracts negotiated away from business premises;

Council Directive 93/13 EEC, of 5 April 1993 on unfair terms in consumer contracts on unfair terms in consumer contracts;

Directive 97/7/ EC of the European Parliament and the Council of 20 May 1997 on the protection of consumers with respect to distance contracts and

Directive 1999/44 EC of the European Parliament and of the Council of 25 May 1999, on certain aspects of the sale of consumer goods and associated guarantees.

The Directive to protect the consumer with respects to contract negotiated away from business premises (Directive 85/77), was the first large effort in building consumer protection legislation on the EU level. The Directive introduced a period of a minimum of seven days for canceling the trade contracts from the consumers, which was in that period a significant innovation. This Directive is directed to the contracts under which the trader supplies goods or services to a consumer and which are concluded: during an excursion organized by the trader away from his business premises; during

visits by a trader to the consumers home or to the consumers place of work and where the visit does not take place at the express request of the consumer. The Directive involves the right to withdraw the products, which is a serious effort for raising consumer rights. The Directive does not relate to the contracts for supplies of food, drink and other goods for current consumption, contracts concluded on the base of catalogues and insurance contracts, contracts for securities and contracts for construction. The Directive stipulates general provisions for consumer rights and gives opportunities to the member states to adopt more favorable conditions for the protection of the consumers' rights in the area covered by the Directive, which opens possibilities for differences in the member states legislation. The Directive involves opportunities for more coherent consumer protection on the EU level. The importance of the Directive is obvious, because it is the first strong step in the long term process of building consumer protection legislation.

The Directive on unfair terms in consumer contracts 93/13 EEC, known as the "Unfair contract Directive" (Directive 93/13) aims to define contract terms and rights and duties of the contract parties. The Directive stipulates standard contract terms and makes efforts to facilitate trade transactions and to expand consumer rights in the area of standard contracts, which are prepared from the sellers, suppliers and performers of the services. The standard contracts usually favor sellers, suppliers and performers, who define terms and conditions between the parties and put the consumers in a position without alternatives. It is also a serious reason for precise regulation of the standard contracts in EU legislation. The Directive introduces a well known notion, "good faith" and aims to prevent imbalances in the rights and obligations in the contracts. The experiences from practice confirm the logical fact that unfair practices are mainly performed by sellers, suppliers and performers. The Directive promotes interpretation of standard contracts, which will be in favor of the consumers. That clearly confirms that the Directive strives to protect the consumer's interest. The Directive defines unfair contract terms as a significant imbalance in the parties' rights and obligations, which shows the commitment of the Directive to protect the consumer's rights. The importance of the directive is huge, because it aims toward stronger regulations of the standard contracts (that very often leave the consumers in unfavorable position) on the EU level.

The Directive 97/7 EC, on the protection of consumers with respect to distance contracts named in practice, as Distance selling directive, (Directive 97/7) makes efforts to set interests of the consumers, who buy products or

services through distance communication and distance contracts. Distance selling is defined as distance communications between the consumers and sellers through catalogues, phone, fax communications, teleshopping, internet communications, etc. The Directive sets numerous rules for situations where the consumers and sellers are not in direct contacts. From the analyses of the Directive we can recognize a determination for enhancement of consumer protection in distance selling and for minimization the consumer's risks. In this way the Directive stipulates the provisions that provide comprehensive information before purchase, and gives to consumers opportunity to cancel the contracts within a minimum of seven days, without giving the reason for canceling the contracts and without penalty, except the costs of returning the products. In that context, the Directive provides the consumer protection from fraudulent use of credit and other payment cards. This EU legal act makes efforts to put the consumers in the same or similar conditions, as consumers who buy products and services in shops. The Directive introduces measures for the gradual consolidation of the internal market and stipulates that the transactions in successive operations cannot be regulated differently in legislations of member states. Those provisions are directly oriented to enhance the single market and its identity, as a market area which has a need for regulation by coherent legislation.

The Directive regulates that the consumers must be provided with all main the characteristics of goods and services and that the price of products must include all taxes and delivery cost. We are assured the prohibition of hidden items in the prices, contributes toward stronger consumer confidence in the internal market. The detailed rules for cancelling the credit arrangements, according to the Directive, remains under the competence of member states, which could also produce differences in the legislation on the EU and the member state level. The Directive provides articles related to strict rights of European Commission for controlling the implementation of the Directive in member states legislation. That creates a new stronger position of the Commission in the area of consumer protection. We can conclude from the above mentioned that the Directive introduces significant innovations. It gives a big contribution for the coherency of common legislation in the area of consumer protection.

The Directive 99/44 EC, concerning aspects of the sale of consumer goods and associated guaranties, regulates legal and commercial guaranties (Directive 99/44). The Directive provides legal protection for the purchasers

and promotes achievement of a high level of consumer protection and consumers benefits from the internal market. It stipulates a strict obligation for the seller to deliver goods to the consumer in conformity with the conditions from the contracts. In case of lack of conformity, the consumer may require the seller to repair the goods or may require the seller to replace the goods free of charge. Replacement or repair of the goods should be completed within a reasonable time, or consumer has right to cancel the contract. In case of product defects, consumer could ask for a reduction of the price. It is very clear that the Directive also contributes to the coherency of common legislation especially with the provisions that lead to the direction of the approximation.

Besides the four mentioned directives it is important to underline, that there are numerous other directives and other parts of EU legislation which, directly or indirectly, regulate the area of consumer protection. The Directive 2000/13 on the approximation on the laws of the member states relating labeling, presentations of foodstuffs to the final consumers, hospitals, restaurants and similar mass caterers, regulates conditions for labeling, which must include name under which the products is selling, physical conditions of the foodstuff, specific treatment (powdered, freeze-dried, deep-frozen concentrated, smoked, etc.), information of weight in units of volume, date of minimum durability, condition for use and keeping, instructions for using, etc. (Directive 2000/13). Also we can mention as an important part of common legislation, some legal acts (mostly related to the food stuff) such as Regulation EC 1924/2006 on nutrition and claims made on food (Regulation 1924/2006); Directive 1999/10 EC, providing for derogations from the provisions of article 7 of Directive 79/112 EEC, as regards the labeling of foodstuffs (Directive 1999/10); Regulation EC 509/ 2006 on agricultural products and foodstuffs as traditional specialties guaranteed (Regulation 509/2006) and Regulation EC 834/2007 on organic production and labeling of organic products (Regulation 834/2007).

Besides the above mentioned four main legal acts, the numerous other legal acts are parts of EU legislation which regulate separate sectors like transport, environment, travel arrangements, energy, etc., and also have some provisions related to consumer protection. These should be subjects of further researcher. We can also strongly recommend for further research to use analyses from EC Consumer Law Compendium – Comparative Analyses (Shulte – Nolke, 2007, pp. 44-85). We can confirm that existing consumer protection legislation still has been based on minimum harmonization that we

can see from the analysis of the above mentioned EU legal acts. That acts beside a number of provisions which make the serious efforts toward a stronger coherency of EU consumer protection legislation still allows space for the differences in national legislation. Also we can widely see the problems in the implementation of the common legislation into the member states from the analyses which are made in the EC Consumer Law Compendium – Comparative Analyses (Shulte – Nolke, 2007, pp. 95 - 140). The differences on the level of consumer protection standards in the member states could make difficulties in the implementation of EU consumer protection legislation. It could affect the coherency of the internal market. Also we want to underline that existing legislation still has regulatory fragmentation: That is a serious obstacle for efficient cross border trade and strengthening the identity of the internal market. The Directives, as the largest part of the EU consumer protection legislation, as a flexible legal instrument, in the future should build coherent regulation, which could be easily and in a short period transposed onto national legislation. That will ensure more coherent and harmonized EU consumer protection legislation, and the implementation would be monitored by the European Commission and other EU institutions without any obstacles. A policy implementation refers to the putting into effect of legislation, decisions, or policy formulated and agreed upon by the EU's policy making institutions (Cini, 2003, p. 349). Besides numerous positive effects, the EU consumer protection legislation still does not constitute a clear position between the EU legislation and the member state legislation. The Commission must check to see that nationally implemented legislation is adopted in each of the member states and that it conforms with the directives (Oudenaren, 2005, p. 107). That produces the need for change and for stronger harmonization of the EU consumer protection legislation. It is possible only by stronger competence amongst EU institutions.

New European Union Consumer Protection Legislation

The main goal of the EU consumer policy and legislation is to ensure benefits for consumers. At the beginning of this part of the paper we present the fact that 15% of consumers have returned a defective product in a period of 12 months. Compared to 2008, the number of notifications has risen from 1.866 to 1.993 dangerous products (Eurobarometer 252). That confirms the urgent need for adopting new consumer protection legislation. The most

important part of the new Union's legislation in the area of consumer protection is the European Commission proposal for a Directive on consumer rights (Proposal Directive). The Directive consists of provisions which will guarantee more harmonized protection of EU consumers. In our opinion the proposal Directive on consumer rights will ensure a higher level of consumer protection and will establish a more efficient single market, making easier and less costly cross border selling and will provide the consumers with a larger choice and a competitive price. The new EU consumer protection legislation will set up higher standards of consumer protection, and will harmonize EU safety, measures and activities, in the directions of protection and improvement of the quality of health and life of the Union's citizens. It will strengthen the power of the consumers.

The new Directive stipulates more efficient consumer rights related to remediation of defect products and services, i.e. repair, replace and reduce the price. The proposal Directive on consumer rights is a result of five years of activities of numerous EU institutions. The main bodies in the complex process of preparing and drafting the Directive have been the European Commission and Directorate General for consumer protection, which exists in the structure of the Commission. The proposal Directive will merge four of the most important existing directives into one directive. The Directive aims at modernizing existing consumer protection regulation, and bringing it into line with technological changes, like online auctions. The Directive strengthens provisions in key areas where the consumers have had the most problems in recent years. The Directive will extend to intangible goods such as computer software and cover online services, and put them in a similar position with physical products. The Directive regulates the obligations for consumer information, such as main characteristics of the product, the price will have to include all taxes and expenses, terms of delivery, arrangements of payment, right to withdraw, after sales services, guaranties, duration of the contracts, consumer and trader obligations, etc.

The proposal Directive resulted from deep analyses and debates that included consultations with experts, consumer organizations and the business sector. The Directive is devoted to protecting consumer interests which have not been individually negotiated, such as the well known problem with standard contracts. It aims to prevent consumer risks and in this direction makes efforts for a precise definition of notions, such as consumer, trader, sales contract, service contract, distance contract, distance communication, off premises contract, good, product, producer, financial service, order form,

commercial guarantee, intermediary, etc. The Directive provides obligations, in case of a distance and off-premise contracts, and regulates the right to withdraw, which is further regulated in separate annexes of the Directive. The Directive emphasizes the traders obligations and in a similar manner trader's liability to the consumer, in a minimum period of two years, if the goods are not in conformity with the contract. The unfair terms are defined, as terms which create significant imbalances in the rights and obligations of consumers and traders and they are precisely defined in a separate annex. The crucial element of the new Directive, stipulated in article 4, regulates that the member states may not maintain or introduce in their national legislation provisions different from those laid down by the Directive. It clearly shows the firm determination to strengthen the coherency of the EU consumer protection legislation and makes assumptions for better perspectives of EU legislation.

The proposal Directive on consumer rights provides simplification of the EU legislation and consumer acquis. As we mentioned above, the proposal Directive will merge four existing directives into one Directive. That will simplify the process of the implementation of common legislation. The proposal Directive has a goal to remove inconsistencies between the EU and member state legislation and to close all gaps in regulation by expanding consumer protection on the EU level. The proposal Directive attempts to draft more precise definitions of the trader's and consumer's rights and obligations. When the Directive will enter into force, the traders who expanded their business in different member states will reduce the administrative costs, which in our opinion, opens the door for strengthening the internal market. It will give to the member states a clear framework for the adoption of the mandates by each national legislation in the field of consumer protection, which will be fully harmonized with EU legislations. That will eliminate the lack of harmonization. The new Directive will introduce elements for stronger monitoring of the implementation of the EU consumer protection policy and legislation.

We predict that the new Directive on consumer rights will be adopted in the first half of 2012. The debates in the European Parliament, confirm that the proposal Directive will be supported by all European Union institutions and that it will be voted in by the European Parliament and the Council. We are strongly convinced that the new Directive will improve consumer protection on the EU level and in the member states. The new types of regulation that raise

the competency in the field of consumer protection will strengthen the consumer's confidence amidst the possibilities of the single market.

In this part of the paper, very briefly, we will mention the new Consumer credit directive- Directive 2008/48/EC on credit agreements for consumers (Directive 2008/48). The Directive was adopted in 2008 and it should be completely transposed onto all member states as of late. The Directive has a goal to create more precise obligations and rights related to lending. It introduces serious changes in the sphere of credit agreements and aims toward better protection of consumers, involving the improvement of the system of information during the process of application. Under the new consumer credit Directive, the persons who use the credit products and services, will be supplied with more information and they will have stronger protection, during the application and lending process. It is also important to mention that the Directive opens opportunity for early loan repayments without penalty, which create new significant benefits for the consumer. The Directive will enhance the lender and borrower rights and obligations and will facilitate the procedures for credits. The directive will produce enhancement of consumer protection in the area of credit arrangements and simplifies the banking transactions procedures.

The Commission and other EU institutions now believes that no national rules to be more proactive than EU laws and the EU is moving toward maximal harmonization of the consumer protection legislation (Howells, 2009, p. 65). The problems with fragmentation of consumer protection cannot solve this fragmentation on the level of member states. It can be solved only on the EU level. These justify the efforts of the European institutions for building of new common consumer legislation and the need for further consolidation of the power of the EU institution.

Implementation of European Union Legislation in Macedonia

The Republic of Macedonia, as a state with candidate status, is expecting a date for beginning negotiations with the EU. On the way toward EU integration Macedonia has obligations in many spheres. One of the spheres is the sphere of consumer protection, which has been growing in importance in the EU. In this context, Macedonian over the last few years has been making serious efforts for harmonization of the national legislation with the EU legislation. The last EU Commission 2010, Progress report, related to Macedonia, in Chapter 28 underlines that there has been a little progress in

the area of consumer protection. The report stressed that there is some progress as regards product safety related issues and that the new law on market surveillance was enacted. Also the report advanced the further capacity building of the authorities with the competencies in the sphere of consumer protection. The report underlined that the competencies of the various inspectorates are unclear (Progress report).

The report shows that Macedonia has to continue with the harmonization of its consumer protection legislation and undertake the permanently intensive process of transposing and implementing the EU consumer protection standards. The Macedonian legislation has to follow changes in the EU legislation which are very dynamic. That insinuates the permanent amending of the national legislation. The legislation must open possibilities for prevention of all kinds of unfair practice, especially in standard contracts, for enhancement of consumer organization, education of the consumers and for improving transparency. The Macedonian legislation has to follow the dynamic path of EU legislation.

The area of consumer protection in Macedonia is regulated in numerous laws such as: The Law on trade; The consumer protection law; The Law on products safety; The Law on food safety; The Law on chemicals; The Law on electronic trade, and numerous other laws and sub law acts, which regulate some specific areas and some aspects of consumer protection. The number of these legal acts shows that it is not easy to affect consumer rights. That clearly shows that Macedonian consumer protection legislation has to continue with the reforms. In the future there is a need to decrease the number of laws that regulate this sphere, following the efforts of the EU to merge the more legal acts into a smaller number of acts. If we analyze the above mentioned laws we can see that there are differences in the laws, in defining some notes, such as trader, consumer, seller, product guarantee, etc. (for example in the Law on product safety, in the Law on trade, etc.). In the future, Macedonian legislation has to create a firmer regulation related to the product guarantees. The present product guarantees provisions especially in the Law on trade, but also in other laws, could create consumer confusion in cases of the violation of their rights. In the practice very often producers, sellers and importers throw past their responsibilities between themselves with respect to product defects.

The Macedonian consumer protection legislation in the future has to provide stronger support for rising public awareness of the consumers and

strengthen the NGO sector in the sphere of consumer protection. The strengthening of the NGO sector will encourage the consumers to seek the protection of their rights. There are only a few cases annually, initiated before the courts from the consumers (Progress report). Also we can see from the analysis of the above mentioned laws, that there is a lack of an official consolidated version of the laws which are published in The Official Gazette of the Republic of Macedonia. The official consolidated versions are necessary after continuously amending the laws. That is a practice of the EU institutions. The official consolidated versions will enable easier practice of the laws. The implementation of the EU consumer protection legislation and standards will bring the Macedonian market closer to the single EU market. Expecting the implantation of the new EU consumer protection legislation, Macedonia has to take early measures and activities for preparation, in order to be prepared for harmonization with new EU legislation.

Conclusions and Recommendations

What can we conclude after the above mentioned discussion? The EU has been acting permanently in the direction of improving consumer protection. The area of consumer protection is crucial for the quality of health and life and well-being of the citizens. The importance of common consumer policy and legislation has been growing continuously. The main directions for the further common consumer protection activities are stipulated in the above mentioned EU strategic documents which are the core part of consumer policy. The current consumer policy recognizes the needs for stronger harmonization of the activities and legislation on the EU level. That is possible only with changes in EU legislation. More harmonized activities can provide better consumer protection than the particular activities of the member states. But besides the permanent activities and improving the coherency of legislation on the EU level, there are still many responses from the consumers. This justifies the needs for further strong activities on the EU level.

Consumer protection is significant for successful functioning of the EU internal market. The EU institutions recognize the needs for further activities in the direction of closer cooperation between all 27 member states and the needs for further expanding consumer protection activities on the EU level.

The new EU consumer legislation will create conditions for better protection of the consumers. The relevant EU institutions have to continue

intensive activities for adopting the proposal for a Directive on consumer rights. After coming into force, the Directive will be the core part of new EU consumer protection legislation. The new legislation will raise the consumer's confidence with respect to the advantages and possibilities of the internal market. The new legislation will enhance the competencies of the EU institutions, especially of the Commission, and they could perform stronger monitoring on the process of the implementation of common policy and legislation. Merging the four existing directives, which regulate some aspects of the consumer protection into one Directive, will enable easier enforcement of common legislation.

The Union has to continue with capacity building of the consumer organizations, as a core pillar in the process of adopting and implementing the consumer protection legislations. That will contribute to better consumer protection. Also the Union has to give stronger support for the states with aspirations to become members of the European Union, which is the case with Macedonia, in order to prepare them to face with the conditions of the internal market.

The harmonization of the legislation of member states with the EU consumer protection legislation is very important for the aspirations of the Republic of Macedonia regarding EU integration. Following the dynamic of EU legislation is not an easy task. Macedonia has to act permanently in the direction of adopting the high level consumer protection standards that are stipulated in EU consumer protection legislation. Also, after adoption of the legislation, there is a need for practical implementation. The state's institutions have to consider the consumer non-governmental organizations as an important partner in the process of adoption and implementation of the consumer protection legislation. The need for improving consumer protection standards is not only because of EU integration, but foremost it is for the better protection, health and quality of citizens' life. The research and the papers in the area of consumer protection in Macedonia are very rare, so that is a wide field for further research in the sphere of consumer protection, from legal, economic, social and many other aspects. One of the goals of this paper is to initiate further research, debates and other activities in field of consumer protection.

According to our opinion it is possible to give some recommendations for further activities in the EU and in Macedonia in the area of consumer

protection. For the further development of the EU consumer policy and legislation we can recommend the following:

- to continue with the activities for the fast harmonization of the EU legislation, especially regarding the Directive on consumer rights. It will enable more efficient consumer protection of the EU citizens;
- to continue strengthening high level consumer protections standards;
- further expanding the competencies of the EU institutions, especially of the European Commission;
- to intensify the activities in the direction of building a firm partnership of relations between the EU institutions and member state institutions with consumer protection organizations in the process of drafting, adopting and enforcing the EU consumer protection policy and legislation;
- to strengthen the integration of EU consumer policy and policies in other areas such as economic policy, social policy; health and environmental policy and other policies;
- stronger EU support for Macedonia and other countries with aspirations for membership in the EU, in the sphere of consumer protection in an aim to prepare them to face the conditions and standards which exist in the EU;
- Also we will give some recommendations for further activities of Macedonia in the sphere of consumer protection:
 - to accelerate the process of harmonizing Macedonian consumer protection legislation with the EU legislation;
 - to continue intensively with the capacity building of the institutions with competencies in the area of consumer protection;
 - to amend the laws for making clear competencies between various competent institutions, especially between the various inspectorates;
 - to continue building a firmer relation between the institutions and NGO sector;
 - to follow permanently and closely the process of adaptations of the new EU consumer protection legislation practicing “the preparing mechanisms” in the aim to be prepared for the implementation of the new EU legislation in the short period.

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