



World Consumer Protection Map

Contribution by
The Netherlands

Page 2: Contact of respondent

Q1 **Netherlands**

Name of responding member State

Q2

Name of responding authority/agency:

ACM

Page 3: Consumer protection legislation

Q7 **No**

Does your country's Constitution contain a provision on consumer protection?

Q8 **Respondent skipped this question**

If you do, please provide de following details:

Q9 **Yes**

Does your country have have specific law(s) on consumer protection ?

Q10 **Date** **01/03/2021**

If you do, when was the main specific law first enacted?

Q11 **Date** **03/03/2021**

If your main specific law on consumer protection has been revised, when was the date of its latest revision?

Q12

Please provide the following details of the current specific law(s):

1- Name of law	Burgerlijk Wetboek 3/6/7
1- URL link	https://wetten.overheid.nl/jci1.3:c:BWBR0005291&z=2020-01-01&g=2020-01-01
2- Name of law	Uitvoeringswet Algemene Verordening Gegevensbescherming
2- URL link	https://wetten.overheid.nl/BWBR0040940/2018-05-25
3- Name of law	Wet op het primair onderwijs
3- URL link	https://wetten.overheid.nl/BWBR0003420/2021-02-01
4- Name of law	Elektriciteitswet 1998
4- URL link	https://wetten.overheid.nl/BWBR0009755/2021-01-01
5- Name of law	Telecommunicatiewet
5- URL link	https://wetten.overheid.nl/BWBR0009950/2020-12-21
6- Name of law	Waterwet
6- URL link	https://wetten.overheid.nl/BWBR0025458/2021-01-01

Q13

Please check all the fields that your consumer protections law(s) cover.

- Consumer rights/legitimate needs,
- Access by consumers to essential goods and services,
- Protection of vulnerable and disadvantaged consumers,
- Physical safety,
- Product quality,
- Terms and conditions,
- Promotional marketing and sales practices (including misleading advertisement)
- ,
- Voluntary codes for businesses,
- Restrictive business practices (competition/antitrust),
- Electronic commerce,
- Food distribution,
- Water,
- Pharmaceuticals,
- Energy,
- Public utilities,
- Tourism,
- Data protection and privacy,
- Financial services,
- Dispute resolution,
- Redress,
- Consumer education,
- Consumer information

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Q14

From your previous answer, your specific consumer protection law(s) do(es) not cover the following field(s). Please name the relevant law(s) covering this/these field(s):

Promotion of sustainable consumption

Promotion of sustainable consumption

Q15

Please indicate the URL Link of the relevant law(s) to each field:

Promotion of sustainable consumption

<http://www.duckduckgo.com/>

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Q16

Name of Ministry responsible for consumer protection:

One of several: Ministry of Economic Affairs & Climate

Q17

URL link of responsible Ministry for consumer protection:

<https://www.government.nl/ministries/ministry-of-economic-affairs-and-climate-policy>

Q18

Year when consumer protection was assumed by the current responsible ministry:

1970

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Q19

Yes

Do you have a main consumer protection authority/agency?

Q20

Name of main consumer protection authority/agency:

Netherlands Authority Consumers and Markets

Q21

URL of main consumer protection authority/agency:

<https://www.acm.nl/en/about-acm/our-organization/the-netherlands-authority-for-consumers-and-markets>

Q22

Year of creation:

2006

Q23

Annual budget: (in USD)

80000000

Q24

Total number of staff:

550

Q25

Total number of staff directly affected to consumer protection:

80

Q26

Yes

Do you have a law/decree that governs the main consumer protection authority/agency?

Q27

If you do, please provide the following details:

Reference of the law/decree

See link for several relevant laws and specific link to Wet handhaving consumentenbescherming

URL to law/decree

see: <https://www.acm.nl/en/about-acm/mission-vision-strategy/legislation> &
<https://wetten.overheid.nl/BWBR0020586/2020-02-19>

Q28

Respondent skipped this question

Does your main consumer protection authority/agency have POLICY MAKING powers over any of the following fields?

Q29

From your previous answer, your main authority/agency does not have POLICY MAKING powers over the following fields. Please name the relevant authorities/agencies with powers over these fields:

Consumer rights/legitimate needs	Several Ministries
Access by consumers to essential goods and services	Several Ministries
Protection of vulnerable and disadvantaged consumers	Several Ministries
Physical safety	Several Ministries
Product quality	Several Ministries
Terms and conditions	Several Ministries
Promotional marketing and sales practices (including misleading advertisement)	Several Ministries
Voluntary codes for businesses	Several Ministries
Restrictive business practices(competition/antitrust)	Several Ministries
Electronic commerce	Several Ministries
Financial services	Several Ministries
Promotion of sustainable consumption	Several Ministries
Food distribution	Several Ministries
Water	Several Ministries
Pharmaceuticals	Several Ministries
Energy	Several Ministries
Public utilities	Several Ministries
Tourism	Several Ministries
Data protection and privacy	Several Ministries
Dispute resolution	Several Ministries
Redress	Several Ministries
Consumer education	Several Ministries
Consumer information	Several Ministries

Q30

URL Link of the relevant authority/agency to each field:

Consumer rights/legitimate needs	https://www.government.nl/
Access by consumers to essential goods and services	https://www.government.nl/
Protection of vulnerable and disadvantaged consumers	https://www.government.nl/
Physical safety	https://www.government.nl/
Product quality	https://www.government.nl/
Terms and conditions	https://www.government.nl/
Promotional marketing and sales practices (including misleading advertisement)	https://www.government.nl/
Voluntary codes for businesses	https://www.government.nl/
Restrictive business practices(competition/antitrust)	https://www.government.nl/
Electronic commerce	https://www.government.nl/
Financial services	https://www.government.nl/
Promotion of sustainable consumption	https://www.government.nl/
Food distribution	https://www.government.nl/
Water	https://www.government.nl/
Pharmaceuticals	https://www.government.nl/
Energy	https://www.government.nl/
Public utilities	https://www.government.nl/
Tourism	https://www.government.nl/
Data protection and privacy	https://www.government.nl/
Dispute resolution	https://www.government.nl/
Redress	https://www.government.nl/
Consumer education	https://www.government.nl/
Consumer information	https://www.government.nl/

Q31

Does your main consumer protection authority/agency have ENFORCEMENT powers over any of the following fields?

- Consumer rights/legitimate needs,
- Access by consumers to essential goods and services,
- Protection of vulnerable and disadvantaged consumers,
- Terms and conditions,
- Promotional marketing and sales practices (including misleading advertisement)
- ,
- Voluntary codes for businesses,
- Restrictive business practices (competition/antitrust),
- Electronic commerce,
- Water,
- Energy,
- Public utilities,
- Consumer education,
- Consumer information

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Q32

From your previous answer, your main consumer protection authority/agency does not have ENFORCEMENT powers over the following fields. Please name the relevant authorities/agencies with powers over these fields:

Product quality	Netherlands Food and Consumer Product Safety Authority
Financial services	Dutch Authority for the Financial Markets
Pharmaceuticals	Dutch Healthcare Authority
Data protection and privacy	Dutch Data Protection Authority
Dispute resolution	Dutch Foundation for Consumer Complaints Boards
Redress	Judicial System Netherlands

Q33

URL Link of the relevant authority/agency to each field:

Product quality	https://english.nvwa.nl/
Financial services	https://www.afm.nl/en
Pharmaceuticals	https://www.nza.nl/english
Data protection and privacy	https://autoriteitpersoonsgegevens.nl/en
Dispute resolution	https://www.degeschillencommissie.nl/english/
Redress	https://www.rechtspraak.nl/English

Q34

Regarding enforcement, how many infringement cases does your authority/agency handle on average per year?

125

Q35

Yes

Has your authority/agency imposed sanctions and/or other measures for breaches of consumer protection law(s)?

Q36

Maximum amount for sanction/measure allowed by consumer protection law(s): (in USD)

1089594

Q37

Record highest amount for any sanction/measure imposed: (in USD)

4721574

Q38

Please detail if necessary, what kind of sanctions and/or other measures are available in your jurisdiction

Fines; Order under penalty payments; notice and takedown procedure; public warning;

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Q39

Yes

Are there any non-governmental consumer organizations/associations in your country?

Q40

No

Do you have a law/decree that governs consumer organizations/associations?

Q41

Respondent skipped this question

In case you have a law/decree that governs consumer organizations, please provide the following details:

Q42

Do consumer organizations/associations fulfil any of the following functions?

Consultation in policy making,
Legal advice to consumers,
Consumer education,
Consumer information,
Consumer publications,
Legal representation for consumer collective actions

Q43

Yes

Do consumer groups/associations receive public funding?

Q44

Name the three largest non-governmental consumer organizations/associations in your jurisdiction:

1- Name	Consumentenbond
1- Website	https://www.consumentenbond.nl/
2- Name	Vereniging Eigen Huis
2- Website	https://www.eigenhuis.nl/#/
3- Name	Patiënten Federatie
3- Website	https://www.patiëntenfederatie.nl/

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Q45

Yes

Can consumers obtain redress through judicial channels?

Q46

Yes

Is there a specialized judicial mechanism for consumer complaints?

Q47

If there is, please provide the following details

Name	Judicial System English
URL Link	https://www.rechtspraak.nl/English/Judicial-system-and-legislation/Pages/District-courts.aspx

Q48**Yes**

Do you have collective redress/class actions for consumer complaints?

Q49

Who can represent consumer interests in court?

**Consumers individually,
Lawyers,
Consumer protection enforcement authority/agency,
Consumer associations**

Q50

What is the highest damages award following a collective redress/class action?

Name of case	Unknown
Year of case	Unknown
Total amount in USD	0

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Q51

Regarding out-of-court/alternative consumer dispute resolution, are there any of the following?

**Mediation/ Conciliation,
Arbitration**

Q52

If there are any of the above, please provide the following details:

1- Name	Dutch Foundation for Consumer Complaints Boards
1- URL Link	https://www.degeschillencommissie.nl/english/
2- Name	Dutch Foundation for Health Insurances Complaints and Disputes
2- URL Link	https://www.skgz.nl/information-in-english/
3- Name	Dutch Institute for Financial Disputes
3- URL Link	https://www.kifid.nl/about/

Q53

Yes

Are there any CROSS-BORDER out-of-court/alternative consumer dispute resolution initiatives?

Q54

If there are, please provide the following details:

1- Name	European Consumer Centre Netherlands
1- URL Link	https://www.eccnederland.nl/en
2- Name	Online Dispute Resolution EU
2- URL Link	https://ec.europa.eu/consumers/odr/main/?event=main.home2.show

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Q55

Yes

Are there any self-regulation initiatives from businesses?

Q56

Please provide (up to) 4 examples of the self-regulation initiatives from businesses:

1- Name of initiative	Advertising Code Committee
1- Scope of application	Advertisements
1- URL link	https://www.reclamecode.nl/english/
2- Name of initiative	Codes of Conduct
2- Scope of application	Business behavior
2- URL link	https://www.rvo.nl/onderwerpen/agrarisch-ondernemen/beschermde-planten-dieren-en-natuur/ruimtelijke-ingrepen/ontheffing-vrijstelling/gedragcodes/overzicht-gedragcodes

Q57

No

Are there any co-regulation initiatives between businesses and public entities?

Q58

Respondent skipped this question

Please provide (up to) 4 examples of the co-regulation initiatives between businesses and public entities:

Q59

Do self-regulation and/or co-regulation initiatives cover any of the following issues? (Please relate to UNGCP Guideline 11)

Fair and equitable treatment,
Responsible commercial behaviour,
Disclosure of information and transparency,
Education and awareness-raising,
Consumer complaints and disputes

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Q60

What kind and how many international cooperation agreement(s) on consumer protection does your authority/agency participate in?

	Bilateral	Multilateral/Regional
Formal (treaties)		1
Informal (memoranda of understanding)		1

Q61

Respondent skipped this question

Please provide name and URL link of formal bilateral agreements (treaties):

Q62

Respondent skipped this question

Please provide name and URL link of informal bilateral agreements (memoranda of understanding):

Q63

Please provide name and URL link of formal multilateral/regionals agreements (treaties) that address consumer protection:

European Union
https://ec.europa.eu/info/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/consumer-protection-cooperation-network_en

Q64

Please provide name and URL link of informal multilateral/regionals agreements (memoranda of understanding) that address consumer protection:

ICPEN
<https://icpen.org/>

Q65

Do cooperation agreements on consumer protection (be those formal/informal/bilateral/regional) cover any of the following fields?

Judicial cooperation,
Policy making,
Enforcement,
Consumer rights/legitimate needs,
Access by consumers to essential goods and services,
Protection of vulnerable and disadvantaged consumers,
Physical safety,
Product quality,
Terms and conditions,
Promotional marketing and sales practices (including misleading advertisement)
,
Voluntary codes for businesses,
Restrictive business practices(competition/antitrust),
Electronic commerce,
Financial services,
Promotion of sustainable consumption,
Food distribution,
Water,
Pharmaceuticals,
Energy,
Public utilities,
Tourism,
Data protection and privacy,
Dispute resolution,
Redress,
Consumer education,
Consumer information

Q66

Does your consumer protection enforcement authority/agency have any of the following powers regarding cross-border fraudulent and deceptive commercial practices affecting consumers?

Investigate,
Obtain redress,
Share information and evidence,
Other (please specify):
Administrative powers, like issuing fines.

Q67

Yes

Do you have any experience in cross-border cooperation on enforcement?

Q68

If you do, please provide a short description

We cooperate in the Consumer Protection Cooperation Network (EU), bilateral cooperation, and in ICPEN.

Q69

Do you engage in technical cooperation or capacity building activities on consumer protection?

Bilaterally

Through an international organization/network

As a recipient

No

Yes

As a donor

No

Yes

Q70

If you have engaged in technical cooperation or capacity building activities on consumer protection as a recipient/as donor and/or through an international organization/network, please provide the following details for each initiative

1- Name of programme/project

E-lab

1- Name of cooperating partner(s)

European Commission

1- Starting date of programme/project

1 January 2020

1- Finish date of programme/project

1 January 2025

1- Scope of programme/project (list areas of work)

Online investigations

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Q71

Yes

Does your authority/agency carry out information and education initiatives?

Q72

Do information and education initiatives carried out by your authority/agency cover any of the following fields?

Legislation, dispute resolution,

Environmental protection,

Electronic commerce,

Financial services,

Efficient use of materials, energy, water

Q73

No

Does your authority/agency provide specific education and information initiatives for vulnerable and disadvantaged consumers?

Q74

Respondent skipped this question

If your authority/agency does, please provide the following details:

Q75

Yes

Do consumer organizations/associations provide education and information initiatives?

Q76

If consumer organizations/associations do, please provide the following details:

1- Name of consumer organization/association

Consumentenbond

1- URL link of initiative

<https://www.consumentenbond.nl/>

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Q77

Yes

Does your authority/agency conduct research and analysis on consumer protection issues?

Q78

If your authority/agency does, please provide the following details:

1- Main area of work

Very diverse

1- URL link to online library or publication(s)

<https://www.acm.nl/en>

Q79

Yes

Do other organizations/associations conduct research and analysis on consumer protection?

Q80

If other organizations/associations do, please provide the following details:

1- Main area of work

The Dutch Authority for the Financial Markets

1- URL link to online library or publication(s)

<https://www.afm.nl/en>
