

ZA5467

**Flash Eurobarometer 300 (Retailers' Attitudes Towards
Cross-border Trade and Consumer Protection)**

**Country Specific Questionnaire
Malta (English)**

FLASH 300 – CROSS BORDER 2010 DG SANCO

SCREENERS

- B1. Does your company sell directly to final consumers?**
- Yes 1
 - No 2 *END INTERVIEW*
 - [DK/NA] 9
- B2. How many employees do you have in your company?**
- Employees → If less than 10, interview to be terminated
 - [DK/NA] 999999

DEMOS

- D1. In how many EU countries outside Malta do you have subsidiaries or retail outlets?**
- Countries [DK/NA] 99
- D2. What was your companies' turnover in 2009?**
- €
 - [DK/NA] 999999999
- D3. Which of the following sales channels do you use?**
[MULTIPLE ANSWER IS POSSIBLE]
- In-premises sales 1
 - Internet 2
 - Phone 3
 - Post 4
 - Doorstep selling 5
 - Other out-of-premises channels 6
 - [DK/NA] 9
- D4. Which of the following product categories is the largest in your sales?**
[ONLY ONE ANSWER IS POSSIBLE]
- Food and drinks 1
 - Clothing, footwear and accessories (including jewellery and cosmetics) 2
 - Furniture, furnishings and decoration (including do-it-yourself goods and maintenance products) 3
 - Household appliances, electronic goods and information technology goods 4
 - Leisure goods (ex. books, audiovisual material, toys...) 5
 - Cars, motor vehicles and parts 6
 - Other goods 7
 - Financial services 8

- Telecommunications services 9
- Energy or transport services 10
- Hotels and restaurants..... 11
- Other services 12
- [DK/NA] 99

D5. Besides Malta, to how many EU countries do you actively market/advertise to final consumers?

[READ OUT – ONE ANSWER ONLY]

WRITE IN:

- [][] Countries (0 – 26)
- [DK/NA] 99

D6. In how many EU languages are you currently prepared to carry out transactions with consumers?

[READ OUT – ONE ANSWER ONLY]

- In Maltese language only 1

WRITE IN:

- [][] Languages
- [DK/NA] 9

MAIN QUESTIONNAIRE

CROSS BORDER SALES

ASK ALL

A1. To how many EU countries do you currently make cross-border sales to final consumers?

“In our definition, a cross-border sale is a sale by phone, post or e-commerce or by a home visit to a final consumer (i.e. the general public) resident in a different EU Member State from that of the seller. The origin of the products sold is not relevant. Of prime importance is that the final customer is resident in a different EU country from the seller, when the transaction takes place. Sales in shops to people from another EU country, who are on holidays or on a shopping trip, do not qualify as cross-border transactions.”

- I sell only to consumers in my own country..... 0
- [][] Countries
- [DK/NA] 99

ASK ALL

A2. Please indicate an estimate of the percentage of your total turnover from:

A. E-commerce/internet sales

- [][][] %
- [NOT APPLICABLE - -] 888
- [DK/NA] 999

B. Other distance sales (by phone, by post, by home-visit)

- [][][] %
- [NOT APPLICABLE - -] 888
- [DK/NA] 999

[IF THE ANSWER IS OTHER THAN “000” OR “888” OR “999” IN A2_A.]

A3. Of the total value of your E-COMMERCE/INTERNET SALES, can you estimate the percentage to consumers living in other EU countries?

- [][][] %
- [NOT APPLICABLE - No internet sales] 888

- [DK/NA] 999

[IF THE ANSWER IS OTHER THAN "000" OR "888" OR "999" IN A2_B.]

A4. Now, summing up, can you estimate what percentage of your total sales to final consumers by phone, post, e-commerce and home-visit are cross-border sales to EU countries?

- [][] %
- [NOT APPLICABLE - No remote sales to consumers located in a different country]..... 888
- [DK/NA] 999

MEASURES TO FACILITATE CROSS BORDER SALES

ASK ALL

A5. If the provisions of the laws regulating transactions with consumers were the same throughout the 27 Member States to how many EU countries would you be interested in making cross-border sales to final consumers?

- None, we have no interest in cross-border sales..... 0
- [][] Countries
- [DK/NA] 99

INFORMATION AND AWARENESS OF LEGAL OBLIGATIONS TOWARD CONSUMERS

ASK ALL

A6. How well informed are you about your legal obligations towards consumers arising from consumer legislation in your country?

By consumer legislation we mean legislation dealing with the economic interests of consumers which does not include product safety. When questions relate to product safety, it will be explicitly stated.

- Fully informed 1
- Well informed 2
- Not well informed 3
- Not informed at all..... 4
- [DK/NA] 9

ASK ALL

A7. How well informed are you about the legislation on product safety?

- Fully informed 1
- Well informed 2
- Not well informed 3
- Not informed at all..... 4
- Not relevant because you don't sell products 8
- [DK/NA] 9

ASK ALL

A9. How well informed are you about the legislation on food safety?

- Fully informed 1
- Well informed 2
- Not well informed 3
- Not informed at all..... 4
- Not relevant because you don't sell food products 8

- [DK/NA] 9

ASK ALL

A10. Do you know where you can find or get relevant information and advice about consumer legislation either regarding your own country or other EU countries?

[READ OUT– MULTIPLE ANSWER IS POSSIBLE]

- Yes, with regard to legislation in my own country 1
- Yes, with regard to legislation in other EU countries 2
- [Yes, mentioned the European Consumer Centre specifically] 3
- No, neither for my country nor for other EU countries 4
- [DK/NA] 9

A10b. If the provisions of the laws regulating transactions with consumers were the same throughout the 27 member states of the EU do you think that the level of your cross-border sales would ...

[READ OUT– ONE ANSWER ONLY]

- Increase a lot 4
- Increase a little 3
- Decrease a little 2
- Decrease a lot 1
- [Would not change] 8
- [DK/NA] 9

KNOWLEDGE OF CONSUMER LEGISLATION

SPLIT BALLOT

A11_a. The cooling off period is the legal right of a consumer to return a product purchased on the internet, phone or post within a certain period without paying a penalty. What is the length of the cooling-off period in your country? Please state your reply in CALENDAR days

- Calendar days
- [DK/NA] 999

A12_a. Please complete the following statement correctly. “The consumer has the right to ask for a defective product to be repaired...

- Within 1 year from the date of the original purchase or 1
- Within 2 years from the date of the original purchase or 2
- Within minimum 2 years from the date of the original purchase and longer for some specific products 3
- [None of the above] 4
- [DK/NA] 9

ASK ALL

A13. I will read 4 statements about legislation in our country concerning commercial practices. There are prohibited and non-prohibited practices. For each statement, could you please indicate if it is prohibited or not?

- Prohibited 1
- Not prohibited 2
- [DK/NA] 9

A. To include an invoice or a similar document seeking payment in marketing material..... 1 2 9

- B. To advertise products at a very low price compared to other offers without having a reasonable quantity of products for sale.. 1 2 9
- C. To make exaggerated statements in an advertisement.. 1 2 9
- D. To describe a product as 'free' although it is only freely available to customers calling a premium rate phone number..... 1 2 9

ASK ALL

A14. I will read 4 statements about legislation in your country concerning product safety. There are true and false statements. For each statement, could you please indicate if it is true or false?

- True 1
- False 2
- [Not relevant because we do not sell products] 8
- [DK/NA] 9

- A. Upon the authorities' request, retailers must cooperate with the authorities to prevent risks posed by products which they supplied. 1 2 8 9
- B. Retailers must not place unsafe product on the market. 1 2 8 9
- C. Retailers must immediately recall unsafe products from their customers 1 2 8 9
- D. 1 2 8 9

ASK ALL

A14bis. I will read 4 statements about legislation in your country concerning food safety. There are true and false statements. For each statement, could you please indicate if it is true or false?

- True 1
- False 2
- [Not relevant because we do not sell food products]..... 8
- [DK/NA] 9

- A. All businesses selling food to final consumers are responsible for its safety..... 1 2 8 9
- B. All businesses selling food to final consumer must be able to identify and trace back all their suppliers. 1 2 8 9
- C. All businesses selling food to final consumers must have in place and implement HACCP (Hazard Analysis Critical Control Point) procedures for risk containment purposes. 1 2 8 9
- D. The presence of an allergen in food must be highlighted through a special warning on the label1 2 8 9

COMPLIANCE WITH CONSUMER LEGISLATION

ASK ALL

A15. In the past twelve months, have you come across fraudulent advertisements, statements or offers made by your competitors?

- Yes, on several occasions 1
- Yes, once or twice 2
- No..... 3
- [DK/NA] 9

ASK ALL

A16. In the past twelve months, have you come across misleading or deceptive advertisements, statements or offers made by your competitors?

Misleading or deceptive advertisements are advertisements which contain false information or present factually correct information in a misleading manner about the goods or services to be sold.

- Yes, on several occasions 1
- Yes, once or twice 2
- No 3
- [DK/NA] 9

ASK ALL

**A17. In the past twelve months, are you aware that your competitors knowingly sold any unsafe products?
By unsafe products, we mean consumer products, not industrial or food products which do not comply with safety standards.**

- Yes, on several occasions 1
- Yes, once or twice 2
- No 3
- Not relevant because I don't sell products 4
- [DK/NA] 9

ASK ALL

A18. Now, thinking about all legislation dealing with the economic interests of consumers, please say whether you strongly agree, agree, disagree or strongly disagree with the following statements. Let me confirm once more that all responses are strictly anonymous.

- Strongly agree 1
- Agree 2
- Disagree 3
- Strongly disagree 4
- [DK/NA] 9

A. You comply with consumer legislation..... 1 2 3 4 9

B. Your competitors comply with consumer legislation 1 2 3 4 9

ASK ALL

A19. In relation to consumer legislation, did any of the following take place in the past two years?

- Yes 1
- No 2
- [DK/NA] 9

A_1. You were contacted by the consumer authorities in the context of an inspection concerning your national sales..... 1 2 9

B_1. One of your competitors has been the subject of an inspection by the consumer authorities. 1 2 9

ASK ALL

C. You have been informed by the consumer authorities (or by consumer organisations) that they consider you are breaching consumer legislation. For example, in a meeting or telephone call with an official, by sending you a letter or email notifying non-compliance with legislation, by taking you to court, or through an injunction. 1 2 9

ASK ALL

D. One of your competitors has been informed by the consumer authorities (or by consumer organisations) that they consider that they are breaching consumer legislation. 1 2 9

ASK ALL

F. You have learned through the media about a breach of consumer legislation in your market. . 1 2 9

G_1. You were contacted by the consumer authorities in the context of a inspection concerning your cross-border sales 1 2 9

ASK ALL

H. You were contacted by an European Consumer Centre concerning a specific consumer complaint 1 2 9

ASK ALL

A20. In relation to product safety, did any of the following take place in your firm the past two years?

- Yes 1
- No 2
- [NOT RELEVANT, DON'T SELL PRODUCTS] 8
- [DK/NA] 9

A. You received consumer complaints about the safety of any of the products you sold 1 2 8 9

B. The authorities checked the safety of any of the products you were selling 1 2 8 9

C. The authorities asked you to withdraw or recall any of the products you were selling 1 2 8 9

D. The authorities asked you to issue a public warning about the safety of any of the products you were selling 1 2 8 9

E. You, as a retailer, carried out any tests to make sure that any of the products you were selling were safe 1 2 8 9

F. Other action (spontaneous) 1 2 8 9

ASK ALL

A21. The following statements relate to monitoring compliance with consumer and product safety legislation. Please say whether you strongly agree, agree, disagree or strongly disagree with the following statements.

- Strongly agree 1
- Agree 2
- Disagree 3
- Strongly disagree 4
- [NOT RELEVANT, DON'T SELL PRODUCTS] 8
- [DK/NA] 9

A. The public authorities actively monitor and ensure compliance with consumer legislation in my sector in my country. 1 2 3 4 8 9

B. The public authorities actively monitor and ensure compliance with product safety legislation in my sector in my country. 1 2 3 4 8 9

C. The public authorities actively monitor and ensure compliance with food safety legislation in my sector in my country. 1 2 3 4 8 9

D. Consumer NGOs actively monitor compliance with consumer legislation in my sector in my country. 1 2 3 4 8 9

- E. The self-regulatory bodies actively monitor respect of codes of conducts or codes of practice in my sector in my country. 1 2 3 4 8 9
- F. The media regularly report on businesses which do not respect consumer legislation. .. 1 2 3 4 8 9
- G. I changed my commercial practices as a result of a media story..... 1 2 3 4 8 9

REDRESS

A22a. In the past two years, have you used Alternative Dispute Resolution (ADR) mechanisms (i.e. arbitrators, mediators, ombudsmen, conciliation bodies, consumer complaints boards, other out-of-court dispute resolution bodies) to settle disputes with customers? (multiple answers possible)

- No, and I do not know any of those mechanisms 1
- No, but I know some ADR mechanisms 2
- No, but I am member of an ADR body 3
- Yes, I have used ADR mechanisms 4
- Yes, I regularly use those mechanisms..... 5
- Yes, through the ADR body I am a member of..... 6
- [DK/NA] 9

A23. Would you prefer to settle a dispute with a group of consumers over the same problem through ...?

ONLY ONE ANSWER IS POSSIBLE

- Individual ADR or 1
- Collective ADR or..... 2
- Individual court proceedings or 3
- Collective court proceedings?..... 4
- [DK/NA] 9

OTHER

ASK ALL

A25. Thinking about all non-food products currently on the market in your country, do you think that...?

[ONLY ONE ANSWER IS POSSIBLE]

- Essentially all products are safe 1
- A small number of products are unsafe 2
- A significant number of products are unsafe 3
- Not relevant because we do not sell non-food products..... 8
- [DK/NA] 9

ASK ALL

A26. Thinking about all food products currently on the market in your country, do you think that...?

[ONLY ONE ANSWER IS POSSIBLE]

- Essentially all products are safe 1
- A small number of products are unsafe 2
- A significant number of products are unsafe 3
- Not relevant because we do not sell food products 8
- [DK/NA] 9