



**COUNCIL OF
THE EUROPEAN UNION**



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PRESSE 162

New Alternative Dispute Resolution system for consumers

The Council today¹ adopted a directive on Alternative Dispute Resolution (ADR) and a regulation on Online Dispute Resolution (ODR) ([PE-CONS 79/12](#) and [PE-CONS 80/12](#)).

The new system, which is part of the "Single Market Act" package, will provide for simple, fast and low-cost out-of-court settlement procedures designed to resolve disputes between consumers and traders arising from the sales of goods and services.

It will ensure the establishment of ADR schemes where none exist today. These will fill current gaps in coverage and ensure that consumers are able to take their disputes to an ADR. In addition, it establishes a common framework for ADR in the EU member states by setting out common minimum quality principles in order to ensure that all ADR entities are impartial, transparent and efficient.

Existing national ADR schemes should be able to continue to operate within the new framework. The ADR system will be supplemented by an ODR mechanism involving the setting up of a European online dispute resolution platform (this will be an interactive website free of charge in all languages of the Union²).

As a general rule, the outcome of an ADR procedure should be made available within a period of three months from the date on which the ADR entity has received the complaint file.

¹ The decisions were taken without discussion at the Agriculture Council meeting. They follow an agreement with the European Parliament at first reading. Germany and Spain ([7700/13 ADD1 REV2](#)) abstained from voting.

² Accessible through "Your Europe" portal: <http://europa.eu/youreurope/>.

P R E S S

ADR schemes, also known as "out-of-court mechanisms", already exist in many countries to help consumers involved in disputes which they have been unable to resolve directly with the trader. They have been developed differently across the EU and the status of the decisions adopted by these bodies differs greatly.

The new directive will apply to domestic and cross-border disputes submitted by consumers against traders in almost all areas of commercial activity across the EU, including to online transactions, which is particularly important when consumers shop across borders.

Member states will have two years to incorporate the new provisions into their national legislation.

