



STATUTORY INSTRUMENTS.

S.I. No. 32 of 2016



EUROPEAN UNION (ONLINE DISPUTE RESOLUTION FOR
CONSUMER DISPUTES) REGULATIONS 2016

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CONSUMER DISPUTES) REGULATIONS 2016

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 Regulation (EU) No. 524/2013 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 (Online Dispute Resolution for Consumer Disputes) Regulations 2016.

2. The European Union (Online Dispute Resolution for Consumer Disputes) Regulations 2015 (S.I. No. 500 of 2015) are hereby amended by substituting the following article for Article 4:

“Offences

4. (1) An ADR entity which contravenes Article 9(7), 9(8), 10(a), 10(b) or 10(c) of the Council Regulation commits an offence.

(2) A trader who contravenes Article 14(1) or 14(2) of the Council Regulation commits an offence.

(3) An ADR entity which commits an offence under paragraph (1) shall be liable on summary conviction to a class A fine or to imprisonment for a term not exceeding 12 months, or to both.

(4) A trader who commits an offence under paragraph (2) shall be liable on summary conviction to a class A fine or to imprisonment for a term not exceeding 12 months, or to both.

¹O.J.No. L 165, 18.06.2013, p.63.

(5) Sections 77, 78, 80 and 84 of the Act of 2007 shall apply to an offence under these Regulations as they apply to an offence under that Act and, accordingly, references in those sections to an offence under that Act shall be construed as including references to an offence under these Regulations.”



GIVEN under my Official Seal,
22 January 2016.

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 Regulation (EU) No. 524/2013 on Online dispute resolution for consumer disputes and amending Regulation (EC) No. 2006/2004 and Directive 2009/22/EC by amending S.I. No. 500 of 2015 to clarify the position regarding offences under the Regulations and how they apply to traders and ADR entities.

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