

PLATFORM FOR ONLINE PURCHASE DISPUTE RESOLUTION: ODR PLATFORM (Source: European Consumer Centre)



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Junta de Andalucía

For purchases made online, and in the event of potential issues, a specific platform can be used for their resolution: the Online Dispute Resolution Platform (ODR Platform).

The ODR Platform is an online tool developed by the European Commission for resolving online disputes. It aims to help consumers and commercial entities find solutions to problems arising from the purchase of products and services contracted online.

REGULATORY FRAMEWORK.

Alternative dispute resolution in consumer matters is regulated at the European level by:

- [Directive 2013/11/UE of the European Parliament and of the Council of 21 May 2013](#), on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR).
- [Regulation \(EU\) No 524/2013 of the European Parliament and of the Council of 21 May 2013](#), on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC.

At the state level, there is the[Law 7/2017, of November 2](#), by which Directive 2013/11/EU of the European Parliament and of the Council, of May 21, 2013, relating to the alternative resolution of consumer disputes, is incorporated into the Spanish legal system.

FUNDAMENTAL ASPECTS OF THE ODR PLATFORM.

- The [Platform ODR](#) It can be used by consumers residing in the European Union, Norway, Iceland and Liechtenstein, as long as the selling company is based in the European Union, Norway, Iceland or Liechtenstein.
- Through this Platform, disputes that arise after the contracting of a service or the acquisition of a good are resolved, as long as it was done online (excluding other remote contracting modalities).
- This Platform is easy to use and accessible from all types of devices. Consumers can complete the claim form on the platform in three simple steps.
- It makes it easier for the entire process to be online.
- The ODR Platform is free, multilingual and interactive, and includes a translation service to assist in disputes between the different languages of the European Union, Norway, Iceland and Liechtenstein.
- The procedure consists of channeling disputes to the [alternative dispute resolution bodies \(RAL\)](#) that are connected to the platform, thus trying to resolve the controversy through arbitration or mediation, thus avoiding judicial proceedings.
- Business entities and merchants that offer their products or services online are required to include an easily accessible link to the ODR platform on their website. Likewise, they must inform their email addresses.

- The European Consumer Center of Spain (CEC Spain) is the contact point for the ODR platform in Spain, with the function of providing information regarding its use, but, in no case, does it influence the process.
- This platform allows parties to submit claims by filling out a [electronic form](#) available in all official Union languages (in addition to Norwegian and Icelandic) and offers the option to attach relevant documents.

BASIC ELEMENTS IN THE OPERATION OF THE ODR PLATFORM.

If you have a problem with a good or service purchased online, you can use the [Plataform ODR](#) to file a complaint and have it resolved by an independent dispute resolution body. The steps to follow are:

- The consumer or their representative will proceed to write a claim and attach the documents they consider relevant, sending it via the ODR platform so that it is received by the affected company. Once submitted, you will receive a confirmation message. Both the consumer and the affected company must be based in the EU, Norway, Iceland or Liechtenstein.
- Once the affected company agrees to use this procedure, it will select one or more alternative dispute resolution bodies from the [list](#) within 30 days.
- The consumer may accept one of them or request a new list from the company. Before accepting it, it is advisable to consult all the information about it such as rates, geographical area in which it operates

and procedure of action of the alternative dispute resolution body.

- If within 30 days, the consumer does not accept a dispute resolution body, the claim will not be processed through the platform.
- Resolution of the dispute. Once their claim has been resolved, the consumer will receive a message with the result of the claim.

CONTACT POINT IN SPAIN FOR THE ODR PLATFORM.

The European Consumer Center in Spain (CEC) is designated before the European Commission as the contact point for the ODR platform in Spain, providing, by virtue of said designation, to whoever requests it, assistance and support in the presentation of complaints to through said Platform:

- Postal Address: Calle Príncipe de Vergara 54, 28006. Madrid.
- E-mail: cec@mscbs.es
- Telephone: +34 91 822 45 55. Telephone service hours, Monday to Friday from 11:00 a.m. to 1:00 p.m.



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