



COUNCIL

C(2001)239/REV1  
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Council

**RENEWAL OF THE MANDATE OF THE COMMITTEE ON CONSUMER POLICY**

(Note by the Secretary-General)

*The attached revised version has been prepared in the light of the comments made by the Executive committee at its 674th Session, on 17 October 2001.*

JT00116137

1. In accordance with the Resolution of the Council concerning the Renewal of the Mandate of the Committee on Consumer Policy adopted by the Council at its 938th Session on 10 December 1998 [C(98)199/FINAL], the mandate of the Committee will expire on 31 December 2001.

2. The Committee discussed the renewal of its mandate and its future work at its 61st Session, on 17-18 September 2001, on the basis of two documents prepared for this item [DSTI/CP(2001)12 and DSTI/CP/RD(2001)10]. With respect to the need for renewal of its mandate, the Committee considered that it remains uniquely situated as the only international forum working effectively to address the consumer policy challenges arising out of the global marketplace. The Committee further considered that it continues to make important contributions to the overall aims and current priorities of the Organisation, noting particularly the development of Guidelines on Consumer Protection in the Context of Electronic Commerce [C(99)184/FINAL], and the current work on the implementation of these guidelines in Member as well as non-Member countries.

3. The Committee also discussed its work programme at its 61<sup>st</sup> Session, on the basis of two documents prepared for this item, [DSTI/CP(2001)6 and DSTI/CP(2001)8]. These documents and the subsequent discussions reflect the Committee's continued commitment to working closely with other subsidiary bodies within the OECD. In particular, the Committee's current work includes joint work with the Committee for Information, Computer, and Communications Policy, its Working Party on Information Security and Privacy, and the Industry Committee's Working Party on Small and Medium Enterprises. In addition, secretariat staff from the Environment Directorate attended the Committee's 61<sup>st</sup> Session and presented an update of the Environment Directorate's work in the area of sustainable consumption. This type of close collaboration is considered to be essential by the Committee, and where other opportunities arise for co-ordination within the OECD the Committee will consult and collaborate accordingly.

4. Another item highlighted during the Committee's 61<sup>st</sup> Session was the importance of co-ordinating its efforts with the consumer policy activities ongoing outside the OECD. Discussion under items 13, 14, and 15 of the draft agenda for that Session [DSTI/CP/A(2001)2/REV1] was devoted to this issue. For example, updates on consumer policy activities in eight other international organisations were presented and discussed under item 15. Future updates will likely include ongoing work in UNCITRAL and UNCTAD. Secretariat proposals for the work programme for 2003-2004 sought to elevate further the visibility of this work by grouping it under a new category called "Outreach". Possibilities being considered for 2003-2004 include holding a conference in a non-member country and holding joint sessions with the IMSN, APEC, FTAA or COPOLCO.

5. With respect to its terms of reference, the Committee considered that its activities largely can be carried out within the existing terms of reference. It is therefore suggested that only minor modifications should be made to these terms of reference, primarily to highlight the importance of (1) collaborating closely with other relevant subsidiary bodies of the OECD, (2) considering relevant quantitative information in consumer policy deliberations, (3) facilitating overall policy coherence through the inclusion of consumer policy considerations in other policy areas, and (4) engaging in further outreach to non-member countries.

6. Whilst the Committee proposed a renewal of its mandate for a period of five years, *i.e.* until 31 December 2006, the Secretary-General considers that a shorter period, three years, would be more appropriate, taking into account one of the recommendations he made in his recently distributed "Challenges and Strategic Objectives" paper. In this recommendation, he proposes that the role, functioning and relevance of committees be subject to a rigorous assessment by groups of Ambassadors and senior Secretariat management [see C(2001)240, §21], a process on which he is taking steps to initiate and will report to Council in the near future.

7. On this basis, the Secretariat has prepared, in the Annex to the present note, a draft Resolution of the Council concerning the Renewal of the Mandate of the Committee on Consumer Policy. Changes to the existing terms of reference are indicated in bold.

8. The Secretary-General therefore invites the Council to adopt the following draft conclusions:

THE COUNCIL

- a) noted document C(2001)239/REV1;
- b) adopted the draft Resolution of the Council concerning the Renewal of the Mandate of the Committee on Consumer Policy set out in the Annex to C(2001)239/REV1.

**ANNEX**

**DRAFT RESOLUTION OF THE COUNCIL**

**CONCERNING THE RENEWAL OF THE MANDATE  
OF THE COMMITTEE ON CONSUMER POLICY**

THE COUNCIL,

Having regard to the Rules of Procedure of the Organisation;

Having regard to the Resolution of the Council of 12 November 1969 establishing a Committee on Consumer Policy [C(69)143];

Having regard to the Resolutions of the Council of 18 July 1972, 22 July 1977, 1 October 1982, 10 July 1987, 25 June 1992, 18-19 and 22-23 December 1997 **and 10 December 1998** concerning the continuation of the Committee on Consumer Policy [C(72)132(Final), C(77)134(Final), C(82)121(Final), C(87)116(Final), C(92)116/Final, C(97)197/FINAL **and C(98)199/FINAL**];

Having regard to the conclusions of the October 1998 Ottawa Ministerial conference “A Borderless World: Realising the Potential of Global Electronic Commerce”, and in particular to the Ministerial Declaration on Consumer Protection in the Context of Electronic Commerce adopted by Ministers at this Conference [Annex 2 to C(98)177], and to the OECD Action Plan for Electronic Commerce which was endorsed by Ministers, SG/EC(98)10/REV5];

**Having regard to the Recommendation of the Council Concerning Guidelines for Consumer Protection in the Context of Electronic Commerce [C(99)184/FINAL];**

Considering the economic and social importance of a broad-based consumer policy in Member countries and the latter's close relationship with general economic and trade policies;

Considering the need to minimise economic costs to consumers and to facilitate the integration of consumer policy considerations into economic **and other** policy **areas**;

Considering the need to improve the functioning of markets, encourage the development of a global marketplace for consumers, including through the use of new electronic media, and to provide effective protection to consumers;

**Considering the importance of collaborating with other relevant subsidiary bodies of the OECD;**

Considering that the implementation of such a policy would be encouraged by exchanges of information and experience, discussions, and law enforcement and policy co-operation between Member countries, as well as co-operation with other international organisations **and non-Member economies**;

On the proposal of the Secretary-General after consultation with the Committee on Consumer Policy:

DECIDES:

I. Terms of Reference

The terms of reference of the Committee on Consumer Policy are:

1. To examine questions relating to consumer **policy and law in Member** countries and within international and regional organisations and to contribute to the further development and strengthening of co-operation between Member countries in policy development and law enforcement.
2. To examine and help develop, **in particular**, the consumer **policy** aspects of electronic commerce, to participate in and encourage the development of the principles which should govern an efficient, **transparent** and fair global marketplace for consumers, and to develop mechanisms for the implementation of these principles and for the effective enforcement of consumer laws in an age of global electronic commerce.
3. To examine issues of consumer safety, particularly those concerning international trade or the development of a global marketplace for consumers.
4. **To collaborate closely with other relevant subsidiary bodies of the OECD.**
5. To consult with the advisory bodies to OECD, BIAC and TUAC, consumer organisations, the private sector, academia and other international organisations.
6. **To encourage the development and use of quantitative information on business to consumer transactions in policy deliberations, to facilitate overall policy coherence through the inclusion of consumer policy considerations in other policy areas, and to engage in outreach to non-member countries.**

II. Review of terms of reference

The terms of reference of the Committee on Consumer Policy shall remain in force until **31 December 2004**, unless the Council decides otherwise as a result of a review prior to that date.

III. Amendment to the Annex to the Rules of Procedure of the Organisation

Paragraph 23 of the Annex to the Rules of Procedure of the Organisation shall be amended as follows: Committee on Consumer Policy: its terms of reference are defined in the Resolution of the Council **annexed to document C(2001)239/REV1**.