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**Role of Education
in Consumer Protection**

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**Faculty of International Relations
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Role of Education in Consumer Protection

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Summary:

This text deals with the role of education in the field of consumer protection. The accent is emphasized by the policy of the EU. At the same time it also couples the education and higher level of protection which customers feel in particular member countries of the EU. Considering this the text builds on the hypothesis that „old“ member countries have, with respect to long-term developed conceptions in the field of customer protection, more sophisticated education system involving interactive education in schools. In the last part of the text the authors suggest the conception of education and training in the area of the consumer protection for the Czech Republic whereas they result from the knowledge about the present state of the education in this field.

Keywords: consumer, protection, education.

Role vzdělávání v ochraně spotřebitele

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Abstrakt:

Text se zabývá rolí vzdělávání v oblasti ochrany spotřebitele. Vysvětluje, proč je na vzdělávání kladen takový důraz, který je umocněn politikou Evropské unie v této oblasti. Zároveň dává do souvislosti vzdělání a vyšší pocíťovanou míru ochrany spotřebitelů v jednotlivých členských zemích EU. V tomto směru staví na hypotéze, že „staré“ členské země mají vzhledem k dlouhodoběji rozpracovaným koncepcím v oblasti ochrany spotřebitele i lépe propracovaný systém vzdělávání, spojený s interaktivní výukou na školách. V poslední části textu autoři navrhnou koncepci výchovy a vzdělávání v oblasti ochrany spotřebitele pro Českou republiku, přičemž vycházejí z poznatků o současném stavu vzdělávání v této oblasti.

Klíčová slova: spotřebitel, ochrana, vzdělávání.

JEL: Q21, P36, O17

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Introduction

Consumer protection has become a separate policy of the European Union in connection with the deepening integration and the formation of the united market. Nowadays it is possible to say that the Czech legislation in the area of the consumer protection is fully harmonized with the European Union legislation. But the harmonization of the legislation by itself does not mean sufficient legal awareness of consumers. Ever so the right to education stands for one of the basic rights of consumer, from the present pieces of knowledge we can extract that the education of consumers is not on the sufficient level yet. Only educated and knowledgeable consumer can actively use his consumer rights and critically observe the present level of the consumer protection.

The European Commission within the European Union periodically undertakes the representative investigation which aim is to observe the opinions of the respondents in different areas (EU 2005a). In 2008 another of the investigations regarding the consumer protection took place. This investigation links to the previous investigations in 2003 and 2006. Especially according to the last two investigations we can observe changes in consumers` opinions. We are partially fond of the development of the consumers` opinions in the Czech Republic in comparison with the other member states of the European Union. We think that in many cases the feelings of the worse protection of the Czech consumer are caused by the fact that the consumers do not know how to protect themselves because they do not know how. The way how this can be eliminated is especially a systematic and methodical education not only of the consumers but also of the other subjects in consumer relations.

1. Right to information and education in the field of consumer protection

The fundamental rights of consumers in the European Union embodied in the union legislation are:

- the right to health and safety,
- the right to protection of consumer economic interests,
- the right to compensation,
- the right to information and education,
- the right to legal representation.

The right to information and education is in broad terms included also in the UN General Assembly resolution number 39/248 from 14th of April 1985. The resolution asks the particular countries to develop, strengthen or preserve their own policy of consumer protection which should, among others, include the education and information programs for consumers. The education in the area of consumer protection should be an integral part of education system and consumers should learn to work and obtain all necessary information for

qualified decisions. It is interesting that the European Union declared the right to information and education whole 10 years sooner than the United Nations did.

As to the consumer issues in the European Union the Strategy for consumer policy for 2007-2013 term is valid at present. The actual action program of the European Union in the field of consumer policy declares within the scope of its second aim (which is ensuring the efficient use of legal enactments in the area of consumer protection, especially by cooperation in law enforcement, information providing, education) that the activities in consumer education should be oriented especially on young consumers, older consumers and other vulnerable groups of consumers. That is because these groups are less capable to defend actively their interests and are disadvantaged in the relationship consumer – seller. The program also emphasizes that the interactive education which is adapted to needs and understanding of the target groups is necessary.

The right to information in legal enactments is basically projected in the information duty which the legislation puts on businessmen in relation to consumer. It contains the information about the businessman itself and also the information about the goods and services which he provides. This duty is set partly for all relationships between businessmen and consumers in general and partly in the context of separate contract types.

The right to education in the field of consumer protection is not projected in legal enactments. Nevertheless the accent on consumer education becomes an integral part of proclaimed policies of particular countries. Behind the increased concern about education we can see the idea of active approach of consumer to his own protection. State can and must provide legal framework for this issue, become involved when consumer does not have instruments and possibilities to protect himself (for example sanitary facilities control) and supervise. On the other hand consumer has to – everywhere it is possible – watch fulfillment of his own rights. To do that he has to know his rights and has to know how to protect himself effectively. And that is the role of education.

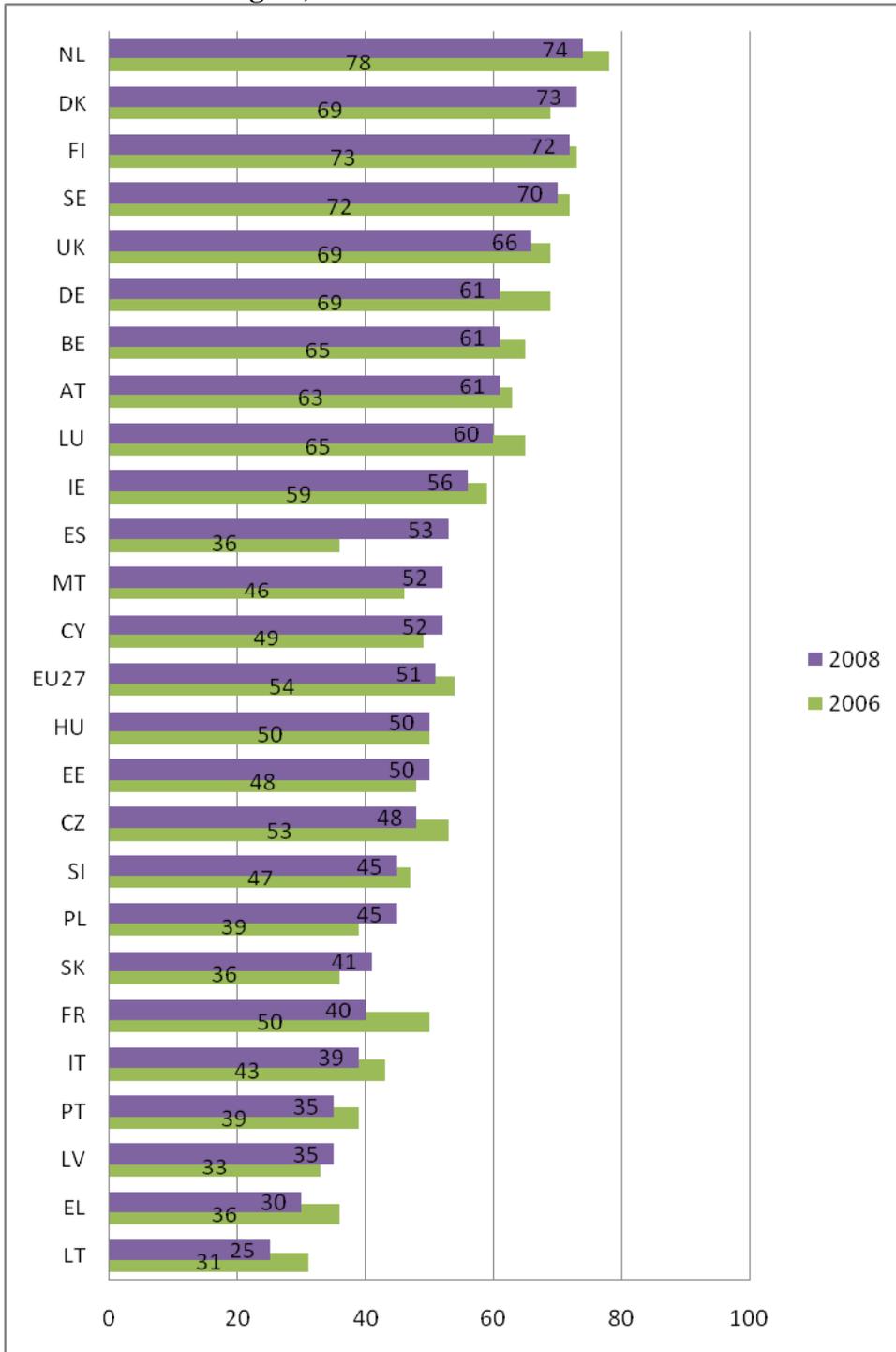
2. Extent of consumer protection in the European Union from consumers' point of view

Whether a consumer feels sufficiently protected by present legal remedies – passive protection – could be shown in the results of the 2008 „Consumer Protection In The Internal Market“ European Commission's research. It is regular, periodically repeated research. The previous research was realized in 2006, the similar research was also realized in 2003, before the entrance of new countries into the European Union. The last research was oriented on consumer protection partially within the markets of single member countries, partially on

consumer protection within cross-border purchases. At about 1000 respondents more than 15 years old from every member country (except Cyprus, Luxemburg and Malta) took part in research; therefore we can consider the results as a representative sample. At the same time it seems very interesting to compare the two last researches.

For the purpose of this article we have chosen the questions which relate the current issue and where it was possible to compare both researches.

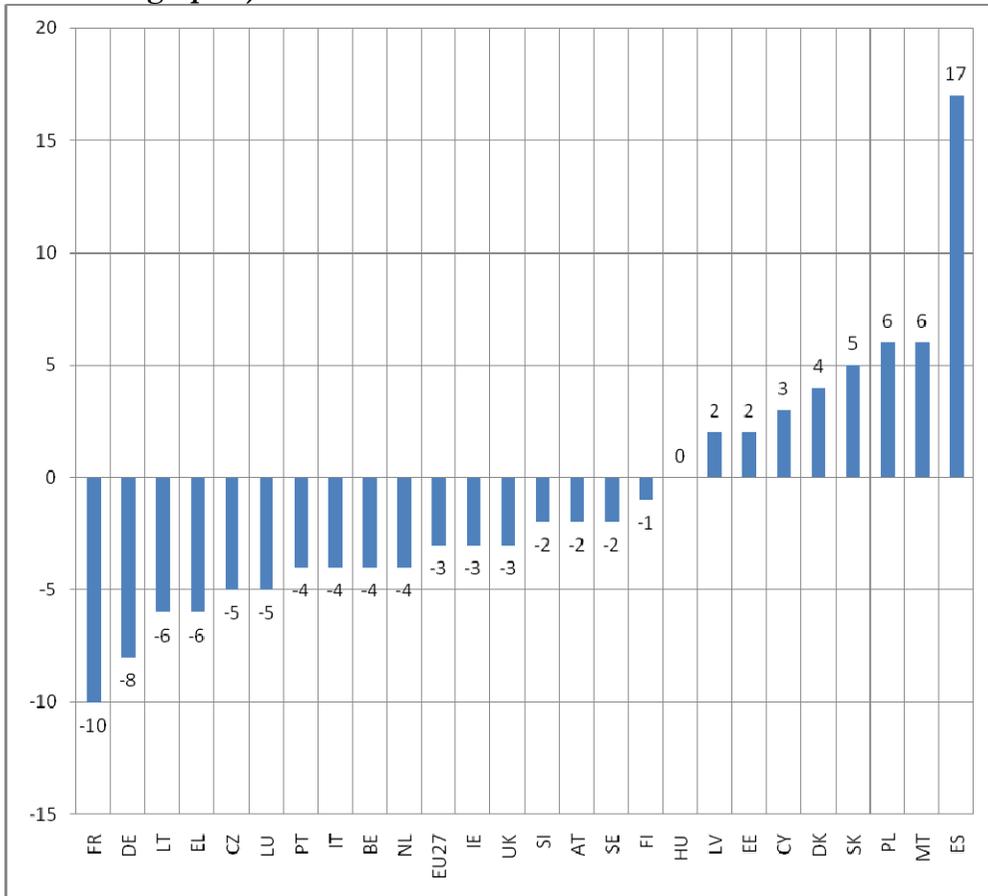
Graph 1: You feel that you are adequately protected by existing measures to protect consumers (answers totally agree and tend to agree)



Source: EU (2007): Consumer protection.

More than half of Europeans answered the asked question positively. Almost all old member countries showed higher-than-average results (except of France and Italy). New member countries on the other hand did not get above the European Union average. The Czech Republic's result is slightly below the average. We can assume that in new member countries the results were caused partially by passivity of citizens due to history and partially by insufficient general awareness of own possibilities of consumer protection.

Graph 2: Changes in consumers' opinion between 2006-2008 (in %, graph 1)

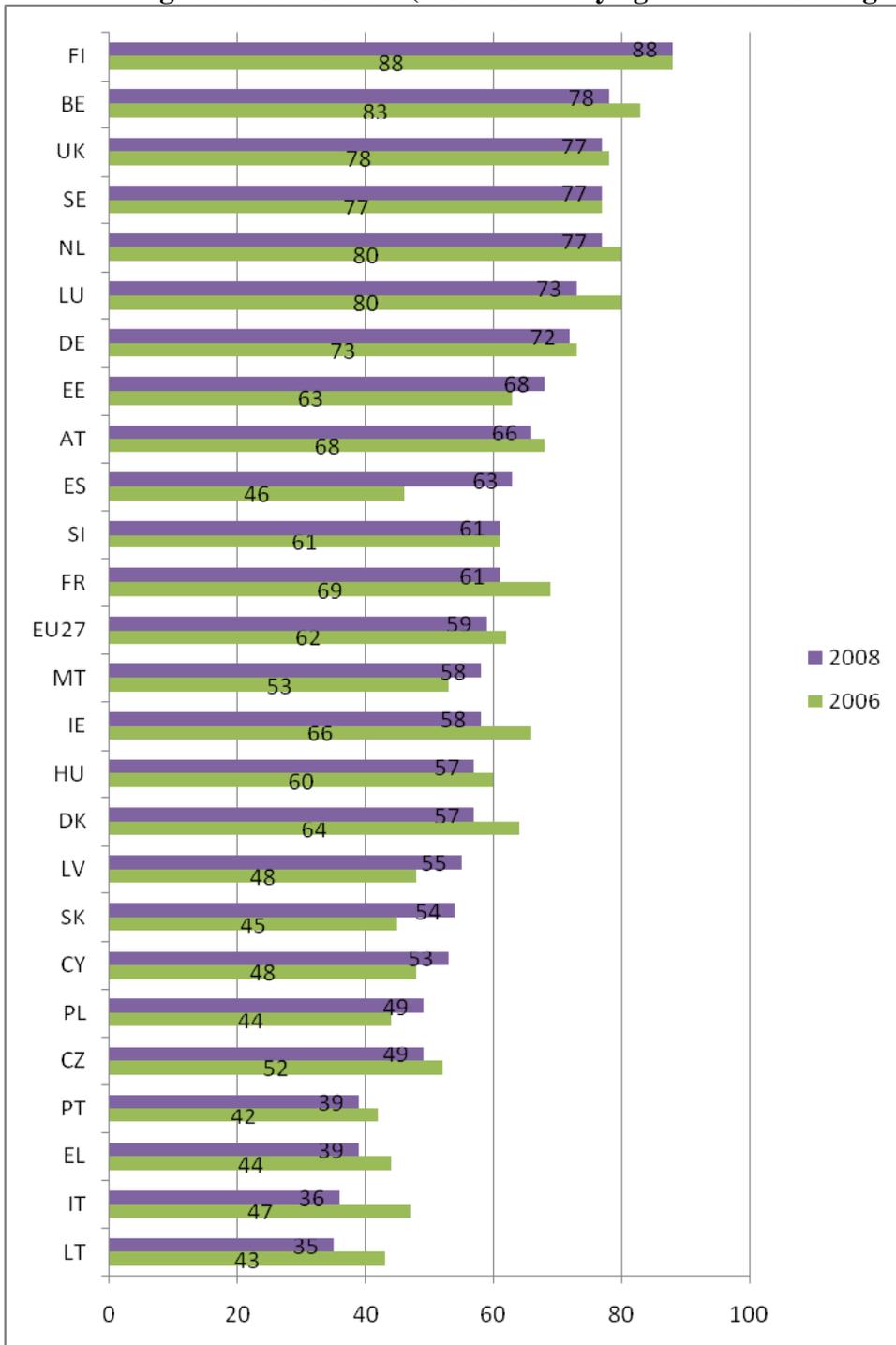


Source: EU (2007): Consumer protection.

Except of Spain, which seems to be rather a statistical discrepancy, in most of the countries the consumer confidence more likely decreased in present means of consumer protection. It is interesting that the consumer confidence increased in none of the old member countries. We can suppose that the result in France is caused by decrease of confidence in state administration in general. Very surprising is a skepticism of German consumers because there is high level of consumer protection in Germany and also a good law enforcement. We can only guess what caused the decrease of confidence in present means of

protecting of Czech consumers because we can say that the possibilities of consumer protection are improving in general. We can only question ourselves if the effect – with respect to certain general disillusion from the state administration acts – takes place when the respondent cannot differ between the investigated area and overall situation.

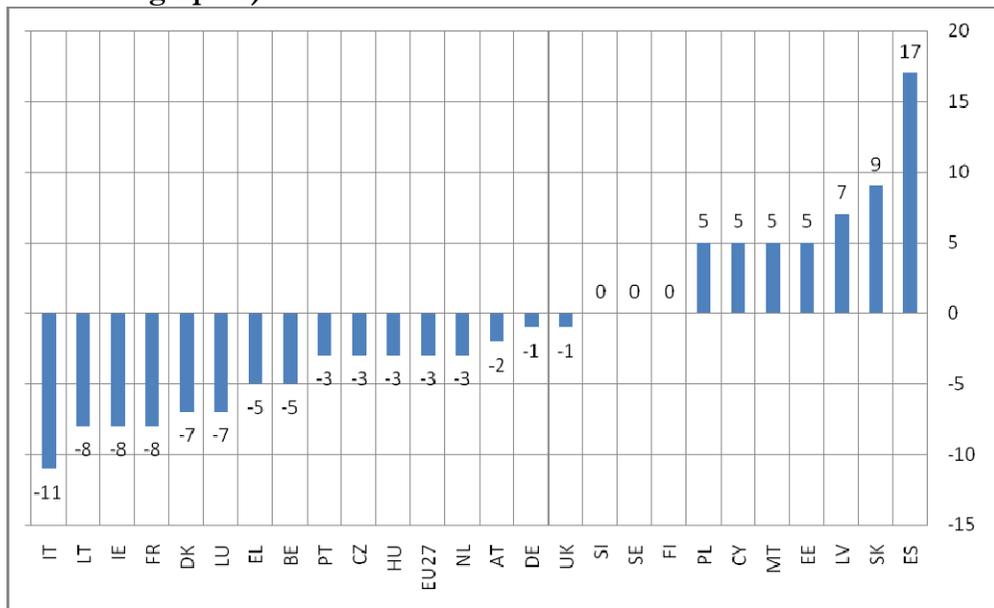
Graph 3: In general, sellers\ providers in (our country) respect your rights as a consumer (answers totally agree and tend to agree)



Source: EU (2007b).

More than a half of Europeans feels that sellers respect their consumer rights; compared to the previous question the respondents answered positively even more often. As to the sequence of particular countries it is impossible not to notice that the results are very much the same. From this fact we can deduce that if sellers respect consumer rights the consumer feels protected enough with the present means of protection. It would be interesting to verify also the inverse connection: if sellers respect consumer rights more when a consumer is protected enough by current means and regulation.

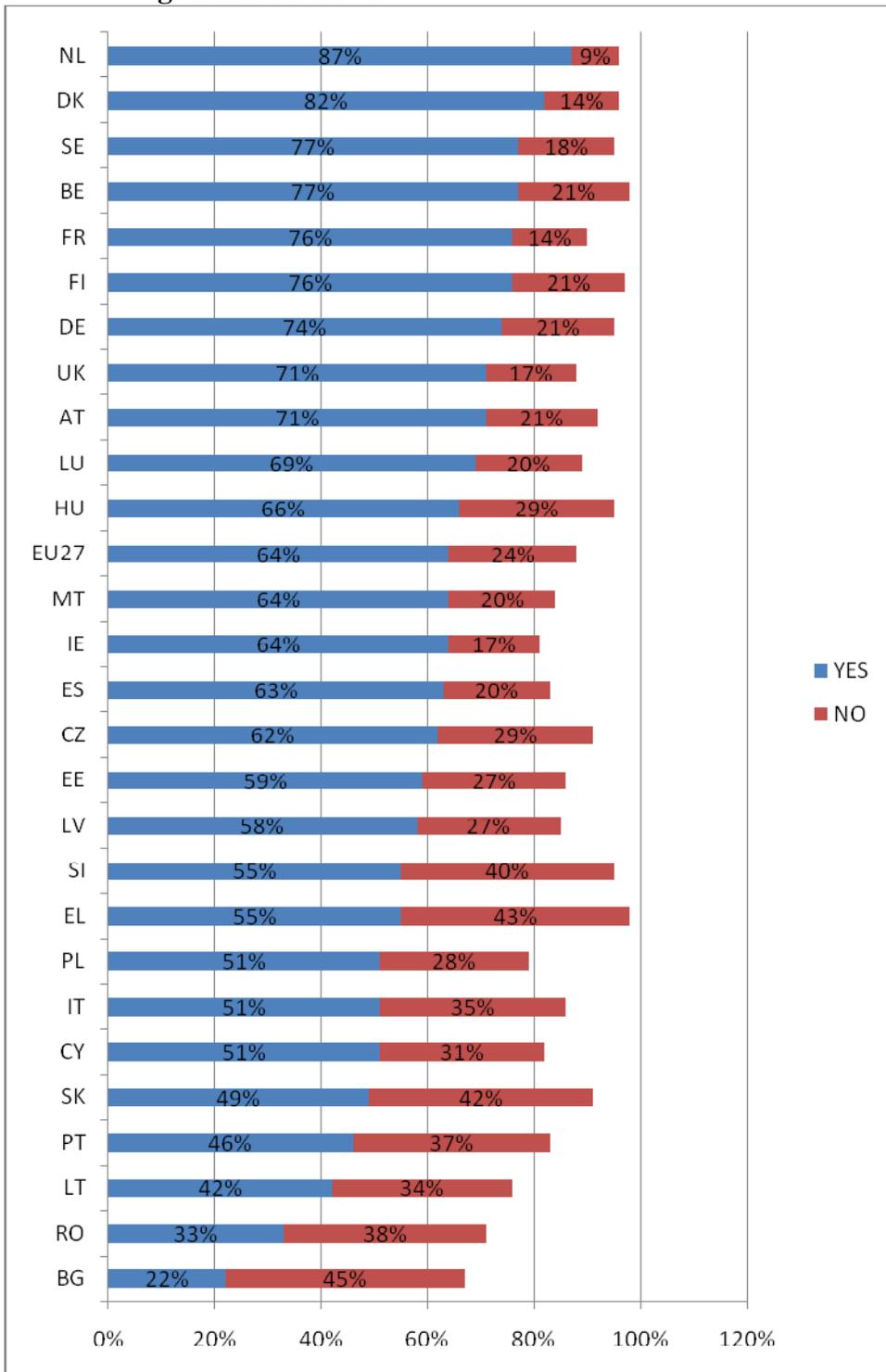
Graph 4: Changes in consumers' opinion between 2008-2006 (in %, graph 3)



Source: EU (2007b).

The previous figure confirms prevailing pessimism of Europeans again; the lower number of respondents confirmed consumer rights complying on the part of sellers. Respondents from none of the old member countries of the European Union except of Spain felt increase in respect to their rights. This feature is so distinct that it could be worth of deeper research.

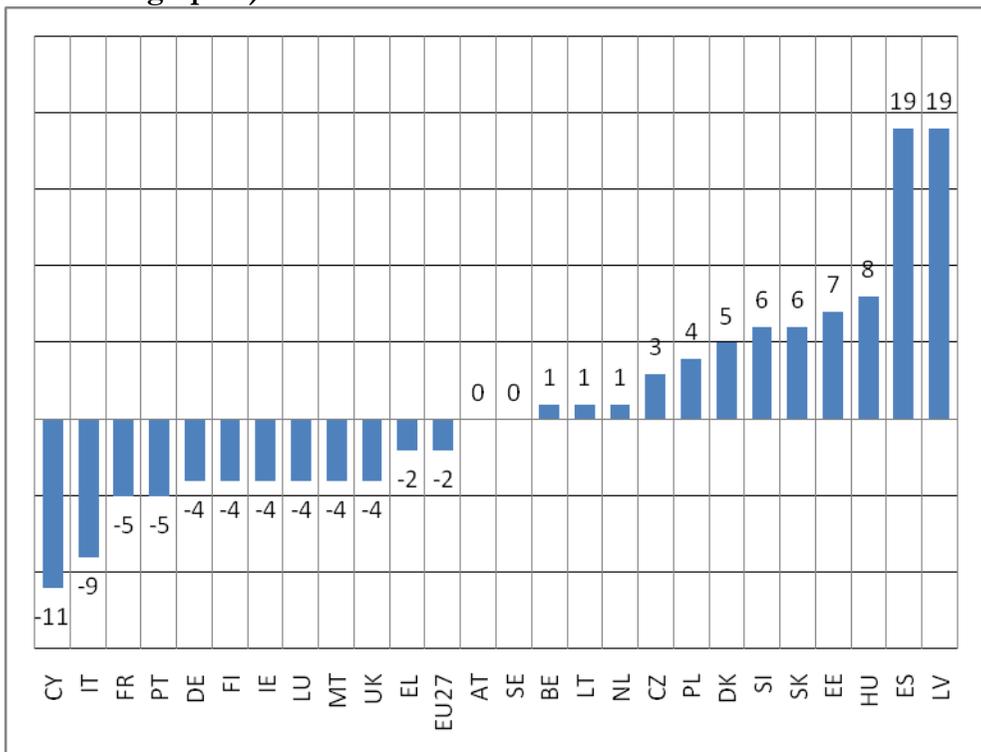
Graph 5: You trust independent consumer organisations to protect your rights as a consumer



Source: EU (2007b).

64 % of Europeans which feel that independent consumer organizations defend their rights believe in their purpose. The confidence was above the average in most of the old member countries of the European Union where we can suppose that the independent consumer organizations have a long tradition and earned some of the demonstrable successes in the field of consumer protection. The results of new member countries are therefore understandable. The results in Bulgaria and Romania are distinctively different. We can suppose that independent consumer organizations are only establishing here and trying to find it's own role for their fulfillment.

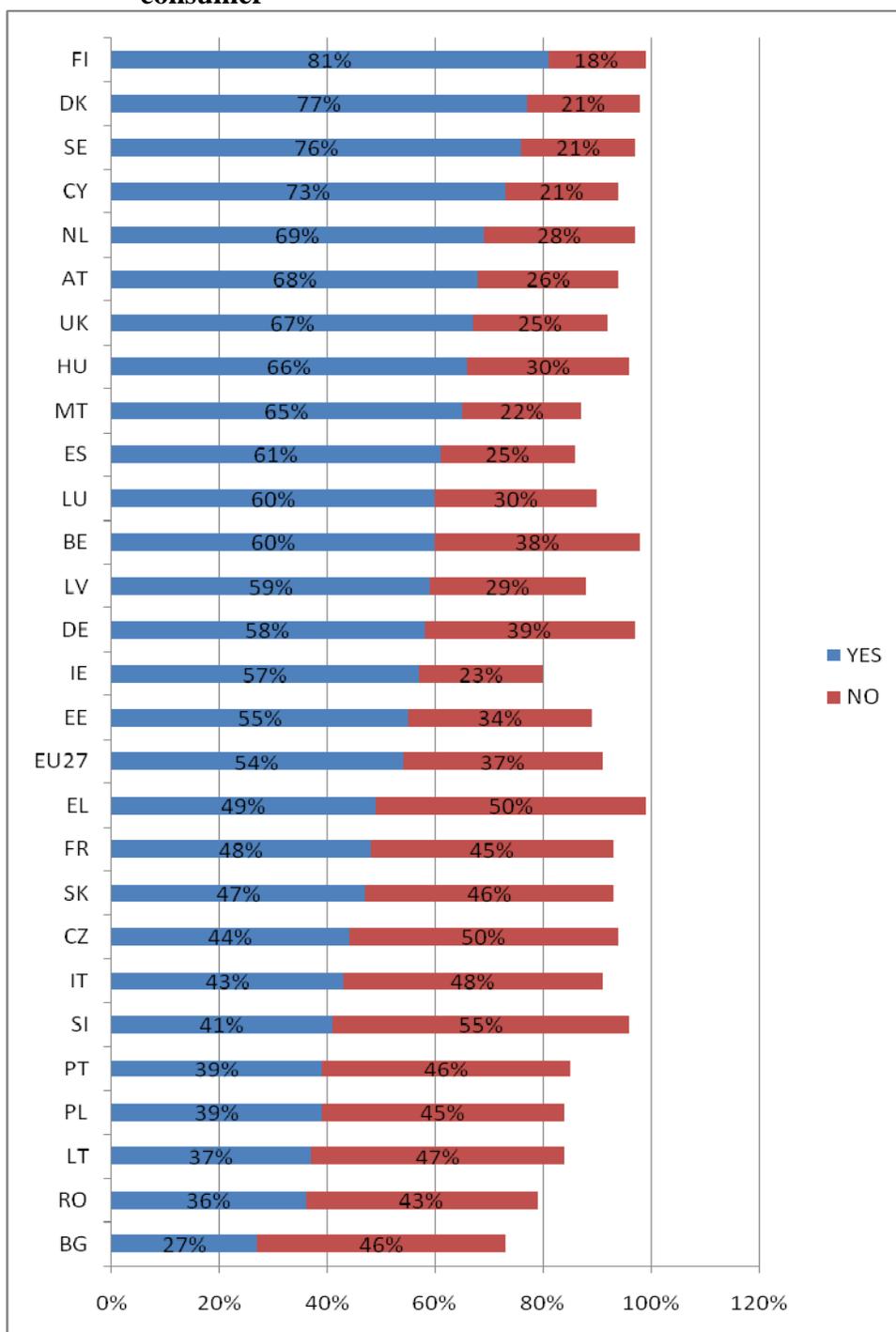
Graph 6: Changes in consumers' opinion between 2008-2006 (in %, graph 5)



Source: EU (2007b).

Also from this chart we can see an apparent decrease, eventually stagnation of confidence in old member countries. More pessimistic view is prevailing in this research compared to the research realized two years ago except of Spain where Spanish respondents were particularly optimistic. The optimistic trend prevails in most of new member countries however it is not possible to forget that the results are still under the European Union average.

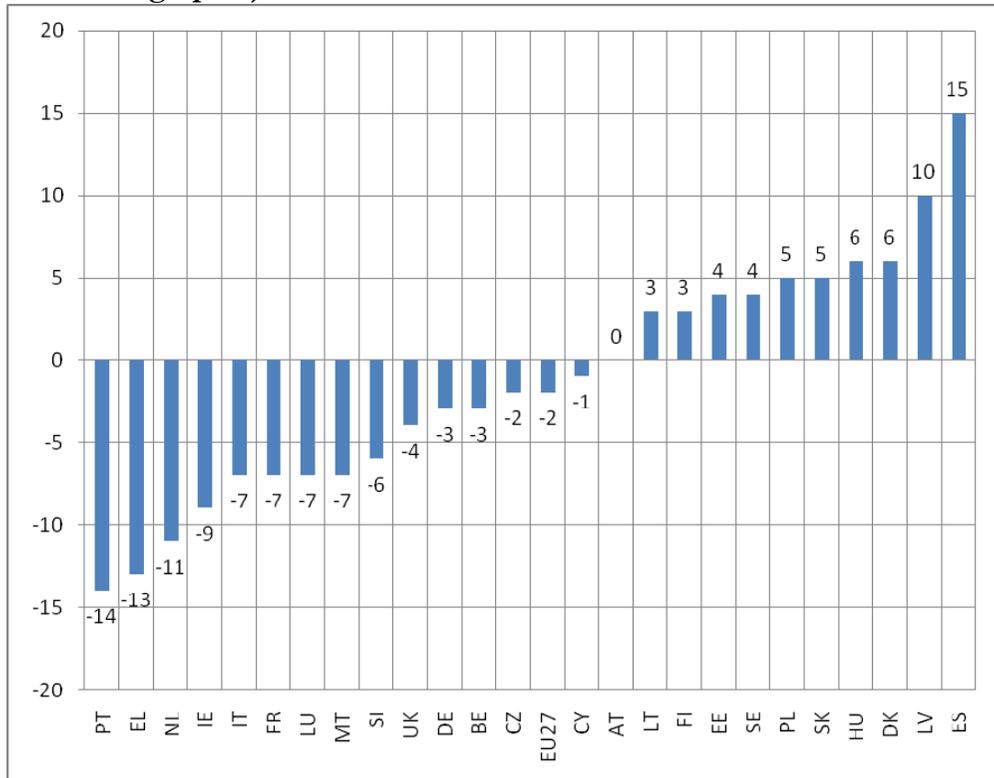
Graph 7: You trust public authorities to protect your rights as a consumer



Source: EU (2007b).

By comparison of two previous answers we can deduce that the higher percentage of Europeans in general believes more in independent consumer organizations than in public authorities. Nevertheless the confidence in public authorities is apparent in more than a half of respondents. The old member countries of the European Union have stronger confidence in public authorities too.

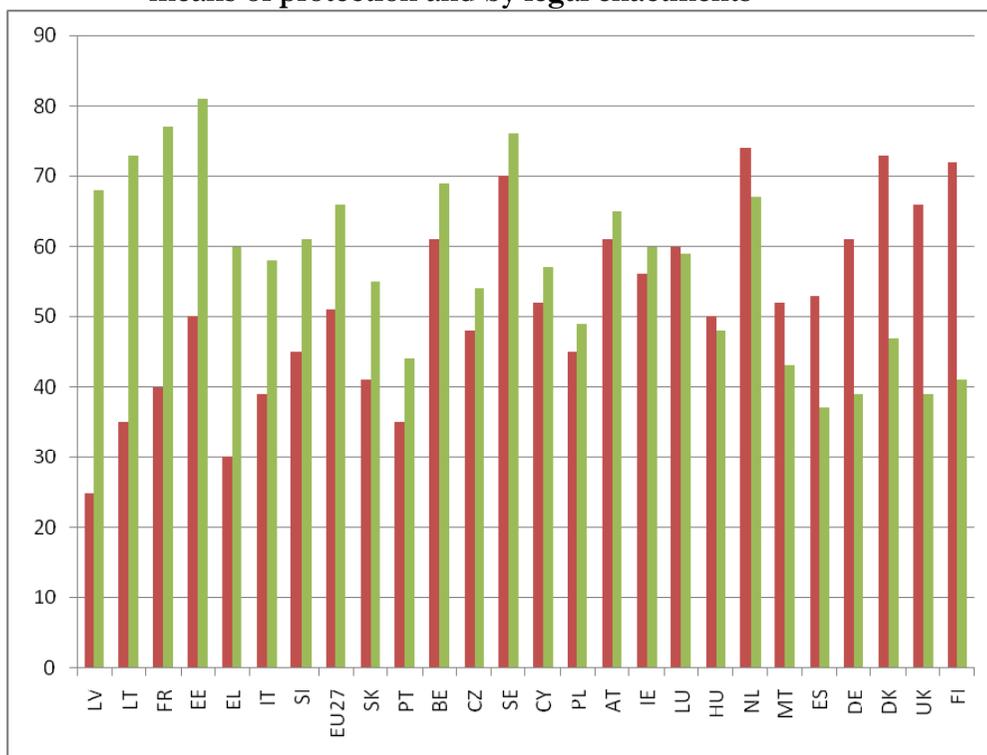
Graph 8: Changes in consumers' opinion between 2008-2006 (in %, graph 7)



Source: EU (2007b).

Confidence in consumer protection from the public authorities' side should go neck by neck with the feeling of consumers that they are protected enough by present means of protection (and also by legal enactments). The previous chart shows that the pessimistic and optimistic tendencies are equal in particular countries but the scope of decrease in confidence in public authorities and the scope of decrease in sufficient protection of consumer rights are not always the same. The comparisons of both answers are shown in the following chart.

Graph 9: Comparison of consumer feeling of protection by present means of protection and by legal enactments



Source: EU (2007b).

It is surprising that in countries like Lithuania, Latvia, Greece and also France the respondents do not feel protected enough by the current means of protection and by legal enactments. In spite of that they strongly believe that public authorities defend their consumer rights. The question emerges: what causes the discrepancy? On the other hand the respondents in Germany and Great Britain feel protected enough by the current means of protection but in comparison with this statement they show much less confidence in public authorities. We can assume that respondents from these countries can use the current means of protection and legal enactments and they defend their consumer rights by themselves. That is why the authors constructed the hypothesis that the respondents from the first group of countries mentioned above prefer „strong“ state to take care of their protection (whom they believe in) but because the state is not able to do so without the consumer’s active participation they are not satisfied with the extent of their protection.

3. Conception of Consumer Education and Training

The authors have identified major flaws in the area of the education and training. It would be reasonable to aim our interest this way because the

systematic education and training in this field is essential for improvement of the business and consumer environment. Although the European legislation declares the consumer rights to education and training, also the education and training is equally essential for the business subjects itself and its managers and executives. We cannot forget state administration employees either.

In order to support argument concerning insufficient level of the consumer education the questionnaire in some classes in the University of Economics in Prague was carried out to observe personal and familiar experience of respondents (students). The questionnaire proved that relatively a lot of respondents do not know exactly their consumer rights although we can observe a correlation between educational attainment and these rights acknowledgement. The questionnaire also showed that consumer protection is in consumers' apprehension often identified with the possibility of sales returns. Every respondent have had a complaint experience, nevertheless it was mostly complaints of the physical goods of the higher prices. None of respondents claimed to complaint groceries; by the comparison of the cost and the utility the complaint seemed ineffective. Also the complaints of services where there are no explicit criteria how to check the results of the services (such as hairdressing) seemed to be problematic. The questionnaire results confirm the justness of the lifelong learning in the field of customer protection.

If we want to accomplish the complexity of the consumer education we should already start in the primary schools. Not enough attention is paid to this problem in the primary schools nowadays. It mostly depends on the activities of the particular teacher and how much erudite he is. It seems logical to place the problem of the consumer protection in the second grade primary school, for example it could be taught within the subjects dealing with civics. Although primary school students are not eligible for legal acts, they should at least orientate themselves in their consumer rights considering that they are getting into a consumer position in a lot of situations. On the second hand the qualified teacher is necessary for the high quality education. In this regard it seems to be desirable to aim the attention also on the creation of the educational course for teachers.

The European Union is being directly involved in the process of education in the secondary schools by the publication of so called „Diary“ which is up-dated every school year. This diary serves as an aid to support the education of the chosen problems of the European Union including the protection and safety of customers (EU 2005c). The diary contains two parts – one is for students, the other one for teachers. The part for students contains the brief description of the issue, practical examples, brief advices and instructions how to solve problems and references to other (especially internet) sources. Manual for teachers helps to find a way how to interactively work with the diary when teaching. Within the school year 2007/2008 the European Commission carried

out a questionnaire referring the use of the diary. 10 329 teachers in total responded whereas 726 respondents were from the Czech Republic (it means approximately 7 % of all respondents). The findings which are mentioned in the figure below seem to be interesting.

Tab. 1: Has the Teachers' Guide been suitable for use in the classroom? (in %)

Group	Suitable	OK	Unsuitable
As a source of information	78,5	21,2	0,3
As a resource for classroom activities	57,1	40,6	2,3
As a 'citizenship' resource	63,8	34,5	1,7
To further your classroom objectives	51,1	45,7	3,2

Source: EU (2007c).

The previous figure can help us discover if teachers can really use the aid to support the interactive educational process; if the diary is used appropriately it makes the independent team work of students and involvement into discussion possible. This statement matches especially with the reaction in the row number 2 – the activity sources in the class. From the answers we can see that the teachers use the diary primarily like the „common textbooks“ and unlike the way it was ment to be used. More detailed answers (classified according to the member states) are not available. In spite of that and based on the respondents' experience stated in the student questionnaire (within the University of Economics in Prague, see above) we think that teachers in the Czech Republic do not know how to use the similarly conceived educational aids yet. It can be, among others, caused by certain rigidity of the Czech educational system which still prefers the information transfer to active engagement of the students into the process of education.

Tab. 2: What did you think about each section of the Diary? (in %)

Group	Very Useful	OK	Not Useful
Calendar pages	57,0	39,8	3,2
Environment	68,1	31,4	0,5
The European Union	70,8	28,7	0,5
Healthy Consumers	54,6	44,0	1,4
Responsible Consumers	57,8	40,6	1,6
Research and Development	33,3	60,7	6,0
Safe Consumers	57,8	41,2	1,0

Source: EU (2007c).

The structure of the diary is very well pictured in this figure. The consumer question is handled in the parts of „healthy consumers“, „responsible consumers“ and „safe consumers“. The problem is that these parts belong to the less useful ones from the teachers' point of view. It can be caused by the

fact that the parts „European Union“ and „Environment“ are primarily interesting for the teachers. It is not by a chance that the issue of consumer protection, unlikely the European Union and Environment issues, is not among the graduation questions in the Czech Republic.

Tab. 3: In your opinion, which other issues should be covered in the Diary? (in %)

Group	Yes	Don't know	No
Consumer Affairs	83,1	13,6	3,3
Culture and languages	78,6	17,5	3,9
Humanitarian and Development Aid	62,1	29,8	8,1
Environment	91,0	7,3	1,7
The European Union	87,8	10,4	1,8
Research & Development	54,0	35,8	10,2
Studying in Europe	73,5	17,1	9,4
Travelling in Europe	71,6	20,8	7,6
Working in Europe	78,8	14,8	6,4
Europe and the wider world	75,1	20,3	4,6

Source: EU (2007c).

When the question is put differently, the teachers again value the problems of the environment and the European Union as a dominant theme; after that the consumer issue follows. On the other hand when the respondents were opted to choose among the different set of issues, the problem of consumer protection seems to be significant for them.

The pure existence of any aid cannot ensure the quality of the education. This depends on the particular teacher (school), on how much time and energy he wants or can pay to this issue. Essential presumption is, likely in the primary schools, the erudity and a quality of the teacher.

The universities are not primarily determined for the „general education“. The problem of the consumer protection is thought within the fields of education which relate with this issue, especially the economic and law fields. Nevertheless the significance of the consumer protection issue is proved by the fact that in 2007 the European Commission advertised the challenge for publishing the suggestion of the continuing master`s programme dealing with the consumer issue. The goal was to support the creation of the joint study at least of 3 European universities and by it to allow students to accomplish the specialized qualification in the field of consumer protection on this level of study. Faculty of International Relations of the University of Economics in Prague felt addressed by this challenge and tried to find the partners for this particular project; however the effort did not lead to an intended result – the Faculty was not able to find two partner universities from the European Union to be

interested in this project. The reason was not the fact that the consumer protection issue was neglected by the universities, the obstruction was other requirements of the challenge (for example the students mobility and financing).

Of course the training and education of the consumers should not be over by accomplishment of the formal education. The importance of this issue for the European Union is proved by the existence of „Dolceta“ (Dolceta 2007) on-line consumer education classes. Under the auspices of the European Union the consumer protection issue is dealt in the interactive way (in all languages used in the European Union) in four modules: the consumer rights, financial services, safety of consumers, the educational module for consumers. The first three modules contain the practical information and instructions how to act in different consumer situations. The fourth module is primarily intended for the primary and secondary schools teachers and also for the lectors of the lifelong learning; it contains the simple case studies including the teacher key.

The authors also suggest the system of the open classes for the laic public which purpose would be especially the familiarization with the consumer rights, market supervision body, the correct complaints procedure, the possibility of using the consumer organizations. The most suitable partner for these classes would be exactly the consumer organizations which could introduce their own experience and demonstrate the settlement of consumer disputes. It is surprising that the consumer organizations are in fact oriented on the support of the businessmen workshops; none of the organizations offers the specialized workshop for consumers nowadays.

Except of programmes focused on the laic public the authors suggest to create programmes focused on the employess working in the fields of trade and services and state administration employess. From the previous experience in education in the area of the consumer protection in the business firms (for example within the certified educational programme for consumer cooperatives in 2006 – 2007) emerged that managers find the consumer protection still costly in the terms of the increased costs in a lot of areas and they are not able to appraise it as a competitive advantage. For this reason also they aspire to deal with the consumer protection only in terms of essentially necessary range; in some cases they do not even do this much and they encroach on consumer rights.

As to the state administration we can reasonably assume that the part of it which deals with the consumer protection is sufficiently qualified. On the other hand we observe considerable reserves in the part of state administration which „sells the services“ to the citizens – so called public services (for example the transportation or the energy distribution). For educational purposes it could be possible to view this group the same as the businessmen. However in contrast

to real businessmen the lack of quality for the customer is caused more by the incompetence, not knowing or ignorance than the efforts to cut the costs at the expense of customers in the organizations. Not knowing or incompetence could further decrease the systematic education in the particular field.

Conclusion

The authors' aim is to define the role of the education in the area of consumer protection, consider the present level of education and suggest the concept of education and training in this field. The reason is the growing accent on customer education which results especially from the policies of the European Union.

It was interesting to explore the answers of respondents drawn from the European Commission investigations which – among others – dealt with the level of protection which customers feel and confidence in public authorities and independent consumer organizations. If we generalize the results we can state that consumers feel the higher level of protection (with some exceptions) especially in the old member countries and they are also more confident towards the public authorities and non-profit-making organizations. Nevertheless we can observe the certain trend to pessimism too. The lower level of consumer protection in new member countries can be related to unfamiliarity and lower education in this field.

The level of consumer education in the Czech Republic seems to be insufficient. The citizens should obtain basic education in the field of consumer protection already in the primary school of second grade when, considering the age, they have no legal capacity but they already become customers and often independently purchase goods or services. The education should go on in the secondary schools and become the common part of the framework of subjects such as civics. It is essential to point out that education in this area, which is for further life pure practical, should proceed by the interactive form and under the direction of qualified teacher. As an aid for education process in the secondary school the European Union developed so called Diary which is however not fully used in the educational process in the Czech Republic or it is used merely as an information database and its possibilities for the engagement of students into interactive education are not used at all.

The authors further suggest the open education classes for consumers, for example in the cooperation with the independent consumer organizations and vocation schools. It is important to say that the education of laic public is not going this way and there is only few classes oriented on consumer protection nowadays. There is also still insufficient number of longlife education classes

oriented on consumer protection issue with the accent on businessmen and especially state administration.

If we sum up the findings we can say that the level of education in the field of consumer protection is insufficient in the Czech Republic in all layers and this issue is underestimated. Although the consumer policy of the country accent the education of consumers, the practical fulfillment gets behind. The time came to involve the consumer protection issue in the education in primary and secondary schools. The result should be a well-educated consumer so he would be aware of his rights and could defend them.

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