

The Legal Gazette A, no. 62/2005
TRANSLATED FROM THE ICELANDIC

In case of conflict of interpretation the Icelandic legal text as published in the „Legal Gazette“ shall prevail.

A C T
on the Consumer Agency and Consumer Spokesman
with later amendments

Art. 1

The Consumer Agency is a State institute which shall work on administrative projects in the field of consumer affairs, product safety affairs, official market control, metrology and electricity security affairs as further stipulated in the present Act. The Consumer Agency comes under the Minister of Commerce.

Art. 2

The Consumer Agency shall undertake the implementation of the Act on the Surveillance of Unfair Commercial Practices and Market Transparency and the Act on Product Safety and Official Market Control as further stipulated in the Act on that subject. The Agency will also undertake daily office support services and the preparation of matters as agreed for the Consumer Spokesman. The Consumer Agency shall also undertake electricity safety matters as stipulated in the Act on the Safety of Electrical Installations, Consumer Apparatus and Electrical Materials. The Agency shall also undertake superior supervision of legal and practical metrology and shall arrange for the implementation of the Act on [Measurements, Measurement Standards and Official Weighers] ¹⁾. The Consumer Agency shall also discharge the duties with which it is charged in other Acts.

The Consumer Agency shall work on the formulation of policy in the field of consumer affairs and the Agency shall also head the way for the performance of research in that field. The Consumer Agency shall also undertake the accumulation, processing and publication of information in the field of consumer affairs as well as other tasks with which the Agency will be charged in Acts or the Minister's decisions.

¹⁾ Act no. 34/2007

Art. 3

The Minister will appoint the Consumer Agency Director for a term of five years at a time.

The Director shall have an extensive knowledge and experience about matters in the field of the Agency. The Director will manage the work and operation of the Agency and will engage other personnel.

The Minister may by means of Regulations lay down further rules on the organization and activities of the Consumer Agency.

Art. 4

The Minister will appoint an Appeals Committee for Consumer Affairs consisting of three persons and as many Reserves for a period of four years at a time. The Chairman of the Committee and his Reserve shall meet conditions to be appointed to the Office of District Judges. The Minister will determine the remuneration of Committee members which shall be paid out of the State Treasury.

To the Appeals Committee for Consumer Affairs there may be referred decisions by the authorities which are made in accordance with the following Acts:-

- a. the Act on the Surveillance of Unfair Commercial Practices and Market Transparency,
- b. the Act on Product Safety and Official Market Control and
- c. other Acts in the field of affairs of the Consumer Agency if authority for this is to be found in that Act.

A complaint in writing shall be received by the Appeals Committee within four weeks as of the time a party to a matter was given notice of a decision under para. 2. The Appeals Committee's decision shall be at hand within six weeks of the Appeal.

The Committee's decisions are complete within the administration and are subject to legal execution.

Art. 5

The Minister of Commerce will appoint the Consumer Spokesman for a period of five years at a time. He shall be knowledgeable and experienced in the affairs of consumers.

The Wages and Terms Committee will determine the wages and working terms of the Consumer Spokesman. The Consumer Spokesman is not permitted to undertake other paid work or take on tasks which are not in conformity with his profession.

The Consumer Agency will undertake daily office support services and the preparation of matters as agreed for the Consumer Spokesman. The Consumer Spokesman is authorized to conclude a service agreement with the Consumer Agency concerning the preparation of matters for the Office.

Art. 6

The Consumer Spokesman shall guard the interests and rights of consumers and support increased consumer protection.

The Consumer Spokesman's task i.a. consists of:-

- a. receiving consumers' messages,
- b. reacting when he deems the rights and interests of consumers to have been violated,
- c. rendering substantiated Opinions along with proposals for improvements.
- d. submitting proposals for improvements to Laws and administrative instructions specifically relating to consumers and
- e. introducing legislation and other Rules of Law relating to consumer affairs.

Art. 7

The Consumer Spokesman can take matters for handling following upon complaint or upon his own initiative. All consumers are authorized to apply to the Consumer Spokesman with their matters, but he will decide himself as to whether an indication gives occasion for proceedings on his part.

The Consumer Spokesman will not take for handling disputes between consumers and sellers, but he shall give guidance to those applying to him with such matters as to which means are possible, i.a. within the administration and with Courts of Law.

Art. 8

Independent of confidentiality the Consumer Spokesman may require from authorities all information he considers necessary in order to enable him to attend to his task. Likewise firms and unions are in duty bound to grant the Consumer Spokesman all information which he considers necessary for him to discharge his duties in accordance with item b, para. 2, Art. 6.

The Consumer Spokesman cannot require information which pertains to the security of the State or foreign affairs which shall be treated as secret, except with permission of the Minister involved.

In case there arises a dispute on account of the provision of para. 1 the Consumer Spokesman is authorized to seek a decision by Courts of Law. The handling of a Case will be in accordance with the Code of Procedure in Civil Cases.

Art. 9

The Consumer Spokesman is not permitted to tell about the items he learns of in the course of his work and which shall be kept secret. The same applies to those discharging duties for the Consumer Spokesman. The duty of confidentiality remains although a post is left.

Art. 10

The Consumer Spokesman is in the course of his duties not subject to instructions from others. The Opinions of the Consumer Spokesman which are prepared on the basis of the present Act will not be referred to another authority.

Art. 11

The Consumer Spokesman shall render to the Minister of Commerce an annual report on his work during the past calendar year. The report shall be printed and published officially.

The Minister may by means of Regulations lay down further rules relating to the activities of the Consumer Spokesman.

Art. 12

This Act enters into force on 1 July 2005.