**Open Consultation on GEO-BLOCKING AND OTHER GEOGRAPHICALLY-BASED RESTRICTIONS WHEN SHOPPING AND ACCESSING INFORMATION IN THE EU (EN)**

INTRODUCTION

INTRODUCTION

This consultation aims at gathering views and opinions on the different restrictions faced by users, consumers and businesses when they access or provide information, shop or sell across the borders in the European Union.

This will inform the Commission for its ongoing work in preparing legislative proposals on geo-blocking under the Digital Single Market Strategy as well as the follow up to the forthcoming Internal Market Strategy for Goods and Services planned for October 2015.

Questions apply regardless of whether the action takes place online or offline, unless the context makes it clear otherwise.

The public consultation is available in all official languages.

The views expressed in this public consultation may not be interpreted as stating an official position of the European Commission.

If a respondent wishes to have confidential treatment of his/her response, this will be ensured.

For further information and background on this consultation, please refer to the background document.

This public consultation will close on 28 December 2015 (12 weeks from the day when all language versions have been made available).

**How to answer the questionnaire**

 This questionnaire is composed of two sets of questions: one for customers and one for traders.

If you are a consumer or reply on behalf of consumers, please choose "consumer perspective" in question 1.

If you are a business or reply on behalf of businesses you can choose to reply:

-  as a business mainly selling goods and services, please choose "company perspective" in question 1
-  as a business mainly buying goods and services, please choose "consumer perspective" in question 1
-  as a business selling AND buying goods and services, please choose "consumer AND company perspective" in question 1

Respondents living with disabilities can request the questionnaire in .docx format and send their replies in email to the following address:

CNECT-GEOBLOCKING-CONSULTATION@ec.europa.eu.

If you are an association representing several other organisations and intend to gather the views of your members by circulating the questionnaire to them, please send us a request in email and we will send you the questionnaire in .docx format. However, we ask you to introduce the aggregated answers into EU Survey. In such cases we will not consider answers submitted in other channels than EU Survey.

INFORMATION ABOUT THE RESPONDENT

INFORMATION ABOUT THE RESPONDENT

1. Please indicate who you are (single choice):

Consumer perspective
Company perspective
Consumer AND company perspective
Others

Consumer perspective

Consumer organisation
Individual consumer

Tell us about you

Company providing goods or services
Business federation
Chambers of commerce

Please specify the sector of activity

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Size of the company

Small or medium sized company (up to 250 employees)
Micro company (less than 10 employees)
Other

Please specify

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How are you selling/ providing services?

Selling/providing services predominantly online
Brick and mortar shops
Both online and offline selling

Where are you selling/ providing services to?

Domestically
Cross-border
Both domestically and cross-border

Others

Public authority
Civil society association
Intellectual property rights holder
Research institution / Think tank
Other

 Please specify

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2. Please indicate your place of residence or establishment:

Austria
Belgium
Bulgaria
Croatia
Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
The Netherlands
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden
United Kingdom
Country from the EEA (Specify which one) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Several EU Member States or EEA countries

(Specify which ones) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Several countries both inside and outside of the EU or EEA

(Specify which ones) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Non-EU country

Specify which one \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. Please specify if you are based in:

A city (cities of more than 50,000 inhabitants)
A (small) town or suburban area (5,000 to 50,000 inhabitants)
A rural area

4. Please provide your contact information (name, address and e-mail address)

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5. Is your organisation registered in the Transparency Register?

Yes
No
Not relevant

Registration No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

You have the opportunity to register your organisation **(http://europa.eu/transparency-register/index\_en.htm)** before you submit your contribution.

If you are an association, would you like to share with the Commission any evidence collected from your members or from other sources on geo-blocking or/and other forms of discrimination based on customer's nationality, location or residence?

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Please upload your file (pdf or doc)

QUESTIONS

QUESTIONS

**Customers**

1. As a general principle, consumers and businesses should be able to purchase and access services from everywhere in the EU.

I strongly agree
I agree
Neither agree nor disagree
I disagree
I strongly disagree

Additional comments

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2. Which forms of geoblocking and other geographically- based restrictions do you consider as creating significant obstacles to the single market?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | I strongly agree | I agree | Neither agree nor disagree | I disagree | I strongly disagree |
| Blocking any access to websites across borders, thereby denying access to information, comparisons of service or product ranges and prices), with or without rerouting to 'national' websites |  |  |  |  |  |
| Allowing access to websites and offers across borders but denying the possibility to complete the order or purchase after obtaining information on the geo-location or residence of the user |  |  |  |  |  |
| Allowing access to websites across borders but denying the possibility to download digital products across borders |  |  |  |  |  |
| Allowing access to websites and offers across borders but denying the possibility to pick up, deliver or ship the goods across borders |  |  |  |  |  |
| Differentiating prices or other conditions on the basis of the nationality of the customer |  |  |  |  |  |
| Differentiating prices or other conditions on the basis of the country of residence of the customers or the location from which they are ordering or accessing the services |  |  |  |  |  |
| Denying access to additional services on the basis of the country of residence of the customers or the location from which they are ordering or accessing the services (e.g. loyalty cards, discounts, reduction vouchers) |  |  |  |  |  |
| Denying access to after-sales services on the basis of the country of residence of the customers or the location from which they are ordering or accessing the services (e.g. maintenance and repair of the product, customer support) |  |  |  |  |  |
| Other forms of geo-blocking |  |  |  |  |  |

Please explain

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Comments

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3. There are different ways in which geo-blocking and other geographically based restrictions can take place. How would you classify the following barriers?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Very important | Important | Neutral | Not important | I don't know |
| Re-routing to a website targeting the home country of the visitor without the possibility to overrule |  |  |  |  |  |
| Refusing access to a website or an offer based on IP-address (or other technical means allowing to determine the geo-location of the user) |  |  |  |  |  |
| Refusing access to a website or an offer based on customers' disclosure of their nationality |  |  |  |  |  |
| Refusing access to a website or an offer based on customers' disclosure of their residence |  |  |  |  |  |
| Terminating the transaction based on customers' disclosure of their residence |  |  |  |  |  |
| Refusing foreign credit cards or other foreign means of payment |  |  |  |  |  |
| Linking access to, purchase or download of digital goods or services to the postal address of the customers |  |  |  |  |  |
| Linking access to or purchase of non-digital goods or services to the postal address of the customers |  |  |  |  |  |
| Application of disproportionally higher shipping costs based on the location of the customer |  |  |  |  |  |
| Providing a format for address, postal codes or phone etc. which is specific to certain countries |  |  |  |  |  |
| Other ways of geo-blocking |  |  |  |  |  |

Please specify

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4. Have you experienced geo-blocking or other geographically-based restrictions when shopping in another EU country?

Yes
No

Please specify the restriction, the type of goods or services as well as the economic sector

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5. Have you ever asked traders why they refused to sell or charged higher prices based on where you live?

Yes, and in most cases I have received an explanation from the seller
Yes, but in most cases I have not received an explanation from the seller
No, never
The explanation was provided upfront by the trader

6. In your opinion, what - beyond legal constraints - might be considered other objective factors justifying geoblocking or, more generally, different treatment of users and customers based on their residence or geo-location?

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7. In your opinion, in which circumstances should geo-blocking, refusing a transaction or, more generally, different treatment of users and customers based on their residence or geo-location not be justified?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Not justified | Neither justified nor unjustified | Justified | I don’t know |
| Cross border delivery is easily accessible and the customer is prepared to pay additional shipping costs |  |  |  |  |
| The customer is prepared to organise the delivery |  |  |  |  |
| There is no additional cost linked to delivery or other administrative burden (for example: simple downloading of digital content, the customer will use the service/good in the country of the trader or of its supplier) |  |  |  |  |
| Customers are prepared to take the risk of concluding a transaction in the language of the trader |  |  |  |  |
| The means of payment used by the customer is internationally valid and accepted in the traders' country |  |  |  |  |
| The brand of the physical store (franchisee or subsidiary) also exists in the customer's country |  |  |  |  |
| The trader advertises its products or services also in the customer's country |  |  |  |  |
| The trader has a website targeting specifically the country of the customer |  |  |  |  |
| The customer is moving to the seller's country but is not registered yet |  |  |  |  |
| Nationality can never be a justification |  |  |  |  |
| Residence or location of the customer can never be a justification |  |  |  |  |
| Other circumstances |  |  |  |  |

Please specify

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Please explain

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8. What should constitute elements of a policy response at the EU level on unjustified geo-blocking and other geographically based restrictions?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | I strongly agree | I agree | Neither agree nor disagree | I disagree | I strongly disagree |
| More transparency: companies should have the obligation to make clear before the (trans)action the detailed, objective and verifiable reasons why they treat customers differently based on their residence or nationality |  |  |  |  |  |
| More transparency: companies should have the obligation to explain upon request the detailed, objective and verifiable reasons why they treat customers differently based on their residence or nationality |  |  |  |  |  |
| Rules including a list of reasons that may never justify treating domestic and foreign users differently |  |  |  |  |  |
| Rules including a closed list of objective and verifiable reasons that may justify treating domestic and foreign users differently |  |  |  |  |  |
| Rules banning ways and means of discriminatory geo-blocking and other restrictions according to your ranking in question 3 above |  |  |  |  |  |
| Banning the discriminatory blocking of access to websites across borders |  |  |  |  |  |
| Rules imposing on traders to obtain consent of users/customers prior to automatic rerouting to another website (including another language version of the same website) |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/customers from throughout the EU under the same conditions as those applied to users/consumers of the 'home' country of the provider |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/customers from throughout the EU under conditions reflecting the additional administrative costs or burdens resulting from the cross-border transaction |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/consumers from throughout the EU and to provide delivery cross-border if the users/customers are willing to organise themselves the delivery and cover the additional shipping costs |  |  |  |  |  |
| Rules prohibiting traders to refuse the cross-border download of digital products (such as software or video games) |  |  |  |  |  |
| Rules applicable only to online transactions |  |  |  |  |  |
| Rules applicable only to physical purchases and orders |  |  |  |  |  |
| Other elements of policy response |  |  |  |  |  |

Please specify

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9. In your view should SMEs, particularly micro enterprises, be exempted from regulatory measures in this context?

Yes
No

If yes, under which circumstances?

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10. In your view what would be the best policy instrument (or combination thereof) to intervene in this context at EU level?

|  |
| --- |
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11. How can effective implementation best be ensured?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | I strongly agree | I agree | Neither agree nor disagree | I disagree | I strongly disagree |
| Monitoring and enforcement by the European Commission |  |  |  |  |  |
| Monitoring and enforcement by national authorities (e.g. consumer protection authorities or competition authorities) |  |  |  |  |  |
| More effective cross-border cooperation mechanism between national authorities to ensure that rules against unjustified restrictions can be enforced within the EU |  |  |  |  |  |
| By alternative dispute resolution bodies (ombudsman, online conciliation services, by (national) European Consumer Centres, for example) |  |  |  |  |  |
| Others |  |  |  |  |  |

Please specify

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Or other existing best practices that you are aware of (including self-regulation of companies) – please give examples

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12. From a user/customer perspective, what would be the overall impact of addressing geo-blocking and other geographically based restrictions?

Very positive
Somewhat positive
Neutral
Somewhat negative
Very negative
I don't know

Please explain why/which opportunities?

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13. Can you indicate for each of the possible measures listed what would be the impact on your activities, in terms of new market opportunities as well as additional costs or burden?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Very positive | Somewhat positive | Neutral | Somewhat negative | Very negative | I don't know |
| More transparency: companies should have the obligation to make clear before the (trans)action the detailed, objective and verifiable reasons why they treat customers differently based on their residence or nationality |  |  |  |  |  |  |
| More transparency: companies should have the obligation to explain upon request the detailed, objective and verifiable reasons why they treat customers differently based on their residence or nationality |  |  |  |  |  |  |
| Rules including a list of reasons that may never justify treating domestic and foreign users differently |  |  |  |  |  |  |
| Rules including a closed list of objective and verifiable reasons that may justify treating domestic and foreign users differently |  |  |  |  |  |  |
| Rules banning ways and means of discriminatory geo-blocking and other restrictions according to your ranking in question 3 above |  |  |  |  |  |  |
| Banning the discriminatory blocking of access to websites across borders |  |  |  |  |  |  |
| Rules imposing on traders to obtain consent of users/customers prior to automatic rerouting to another website (including another language version of the same website) |  |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/customers from throughout the EU under the same conditions as those applied to users/consumers of the 'home' country of the provider |  |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/customers from throughout the EU under conditions reflecting the additional administrative costs or burdens resulting from the cross-border transaction |  |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/consumers from throughout the EU and to provide delivery cross-border if the users/customers are willing to organise themselves the delivery and cover the additional shipping costs |  |  |  |  |  |  |
| Rules prohibiting traders to refuse the cross-border download of digital products (such as software or video games) |  |  |  |  |  |  |
| Rules applicable only to online transactions |  |  |  |  |  |  |
| Rules applicable only to physical purchases and orders |  |  |  |  |  |  |
| Other impact |  |  |  |  |  |  |

Please specify

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**Traders**

1. As a general principle, consumers and businesses should be able to purchase and access services from everywhere in the EU

I strongly agree
I agree
Neither agree nor disagree
I disagree
I strongly disagree

Comments

|  |
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|  |

2. Which forms of geoblocking and other geographically- based restrictions do you consider as creating significant obstacles to the single market?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | I strongly agree | I agree | Neither agree nor disagree | I disagree | I strongly disagree |
| Blocking any access to websites across borders, thereby denying access to information, comparisons of service or product ranges and prices), with or without rerouting to 'national' websites |  |  |  |  |  |
| Allowing access to websites and offers across borders but denying the possibility to complete the order or purchase after obtaining information on the geo-location or residence of the user; |  |  |  |  |  |
| Allowing access to websites across borders but denying the possibility to download digital products across borders |  |  |  |  |  |
| Allowing access to websites and offers across borders but denying the possibility to pick up, deliver or ship the goods across borders |  |  |  |  |  |
| Differentiating prices or other conditions on the basis of the nationality of the customer |  |  |  |  |  |
| Differentiating prices or other conditions on the basis of the country of residence of the customers or the location from which they are ordering or accessing the services |  |  |  |  |  |
| Denying access to additional services on the basis of the country of residence of the customers or the location from which they are ordering or accessing the services (e.g. loyalty cards, discounts, reduction vouchers) |  |  |  |  |  |
| Denying access to after-sales services on the basis of the country of residence of the customers or the location from which they are ordering or accessing the services (e.g. maintenance and repair of the product, customer support) |  |  |  |  |  |
| Other forms |  |  |  |  |  |

Please explain

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Comments

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3. There are different ways in which geo-blocking and other geographically based restrictions can take place. How would you classify the following barriers?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Very important | Important | Neutral | Not important | I don't know |
| Re-routing to a website targeting the home country of the visitor without the possibility to overrule |  |  |  |  |  |
| Refusing access to a website or an offer based on IP-address (or other technical means allowing to determine the geo-location of the user) |  |  |  |  |  |
| Refusing access to a website or an offer based on customers' disclosure of their nationality |  |  |  |  |  |
| Refusing access to a website or an offer based on customers' disclosure of their residence |  |  |  |  |  |
| Terminating the transaction based on customers' disclosure of their residence |  |  |  |  |  |
| Refusing foreign credit cards or other foreign means of payment |  |  |  |  |  |
| Linking access to, purchase or download of digital goods or services to the postal address of the customers |  |  |  |  |  |
| Linking access to or purchase of non-digital goods or services to the postal address of the customers |  |  |  |  |  |
| Application of disproportionally higher shipping costs based on the location of the customer |  |  |  |  |  |
| Providing a format for address, postal codes or phone etc. which is specific to certain countries |  |  |  |  |  |
| Other barriers |  |  |  |  |  |

Please specify

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4. Have you experienced geo-blocking or other geographically-based restrictions in your business (B2B)?

Yes
No

5. Have you applied geo-blocking or other geographically-based restrictions in your business (B2B and B2C)?

Yes
No

If yes, to achieve which aim:

|  |
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6. If you apply restrictions or different conditions to customers located in different EU countries, in which circumstances do you provide them with an explanation?

We give an explanation upon request of the customer
We provide a full explanation upfront on our website, in publicity material or in the shop
We provide explanation to consumer associations if they ask us individually
We have not been asked any explanation

7. In your opinion, what - beyond legal constraints - might be considered other objective factors justifying geoblocking or, more generally, different treatment of users and customers based on their residence or geo-location?

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8. In your opinion, in which circumstances should geo-blocking, refusing a transaction or, more generally, different treatment of users and customers based on their residence or geo-location not be justified?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Not justified | Neither justified nor unjustified | Justified | I don’t know |
| Cross border delivery is easily accessible and the customer is prepared to pay additional shipping costs |  |  |  |  |
| The customer is prepared to organise the delivery |  |  |  |  |
| There is no additional cost linked to delivery or other administrative burden (for example: simple downloading of digital content, the customer will use the service/good in the country of the trader or of its supplier) |  |  |  |  |
| Customers are prepared to take the risk of concluding a transaction in the language of the trader |  |  |  |  |
| The means of payment used by the customer is internationally valid and accepted in the traders' country |  |  |  |  |
| The brand of the physical store (franchisee or subsidiary) also exists in the customer's country |  |  |  |  |
| The trader advertises its products or services also in the customer's country |  |  |  |  |
| The trader has a website targeting specifically the country of the customer |  |  |  |  |
| The customer is moving to the seller's country but is not registered yet |  |  |  |  |
| Nationality can never be a justification |  |  |  |  |
| Residence or location of the customer can never be a justification |  |  |  |  |
| Other circumstances |  |  |  |  |

Please specify

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Please explain

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9. What should constitute elements of a policy response at the EU level on unjustified geoblocking and other geographically based restrictions?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | I strongly agree | I agree | Neither agree nor disagree | I disagree | I strongly disagree |
| More transparency: companies should have the obligation to make clear before the (trans)action the detailed, objective and verifiable reasons why they treat customers differently based on their residence or nationality |  |  |  |  |  |
| More transparency: companies should have the obligation to explain upon request the detailed, objective and verifiable reasons why they treat customers differently based on their residence or nationality |  |  |  |  |  |
| Rules including a list of reasons that may never justify treating domestic and foreign users differently |  |  |  |  |  |
| Rules including a closed list of objective and verifiable reasons that may justify treating domestic and foreign users differently |  |  |  |  |  |
| Rules banning ways and means of discriminatory geo-blocking and other restrictions according to your ranking in question 3 above |  |  |  |  |  |
| Banning the discriminatory blocking of access to websites across borders |  |  |  |  |  |
| Rules imposing on traders to obtain consent of users/customers prior to automatic rerouting to another website (including another language version of the same website) |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/customers from throughout the EU under the same conditions as those applied to users/consumers of the 'home' country of the provider |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/customers from throughout the EU under conditions reflecting the additional administrative costs or burdens resulting from the cross-border transaction |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/consumers from throughout the EU and to provide delivery cross-border if the users/customers are willing to organise themselves the delivery and cover the additional shipping costs |  |  |  |  |  |
| Rules prohibiting traders to refuse the cross-border download of digital products (such as software or video games) |  |  |  |  |  |
| Rules applicable only to online transactions |  |  |  |  |  |
| Rules applicable only to physical purchases and orders |  |  |  |  |  |
| Other elements |  |  |  |  |  |

Please specify

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10. In your view should SMEs, particularly micro enterprises, be exempted from regulatory measures in this context?

Yes
No

If yes, under which circumstances?

|  |
| --- |
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11. In your view what would be the best policy instrument (or combination thereof) to intervene in this context at EU level?

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|  |

12. How can effective implementation best be ensured?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | I strongly agree | I agree | Neither agree nor disagree | I disagree | I strongly disagree |
| Monitoring and enforcement by the European Commission |  |  |  |  |  |
| Monitoring and enforcement by national authorities (e.g. consumer protection authorities or competition authorities) |  |  |  |  |  |
| More effective cross-border cooperation mechanism between national authorities to ensure that rules against unjustified restrictions can be enforced within the EU |  |  |  |  |  |
| By alternative dispute resolution bodies (ombudsman, online conciliation services, by (national) European Consumer Centres etc. for example) |  |  |  |  |  |
| Others |  |  |  |  |  |

Please specify

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|  |

Or other existing best practices that you are aware of including self-regulation of companies) – please give examples

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13. From a business perspective, what would be the overall impact of addressing geo-blocking and other geographically based restrictions?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Very positive | Somewhat positive | Neutral | Somewhat negative | Very negative | I don't know |
| For my business sector |  |  |  |  |  |  |
| For the economy |  |  |  |  |  |  |
| For cross border e-commerce |  |  |  |  |  |  |
| For cross border trade generally |  |  |  |  |  |  |

Please explain why/which opportunities?

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14. Can you indicate for each of the possible measures listed what would be the impact (where possible, quantified) in terms of new market opportunities as well as additional costs or burden?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Very positive | Somewhat positive | Neutral | Somewhat negative | Very negative | I don't know |
| More transparency: companies should have the obligation to make clear before the (trans)action the detailed, objective and verifiable reasons why they treat customers differently based on their residence or nationality |  |  |  |  |  |  |
| More transparency: companies should have the obligation to explain upon request the detailed, objective and verifiable reasons why they treat customers differently based on their residence or nationality |  |  |  |  |  |  |
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| Rules including a closed list of objective and verifiable reasons that may justify treating domestic and foreign users differently |  |  |  |  |  |  |
| Rules banning ways and means of discriminatory geo-blocking and other restrictions according to your ranking in question 3 above |  |  |  |  |  |  |
| Banning the discriminatory blocking of access to websites across borders |  |  |  |  |  |  |
| Rules imposing on traders to obtain consent of users/customers prior to automatic rerouting to another website (including another language version of the same website) |  |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/customers from throughout the EU under the same conditions as those applied to users/consumers of the 'home' country of the provider |  |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/customers from throughout the EU under conditions reflecting the additional administrative costs or burdens resulting from the cross-border transaction |  |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/consumers from throughout the EU and to provide delivery cross-border if the users/customers are willing to organise themselves the delivery and cover the additional shipping costs |  |  |  |  |  |  |
| Rules prohibiting traders to refuse the cross-border download of digital products (such as software or video games) |  |  |  |  |  |  |
| Rules applicable only to online transactions |  |  |  |  |  |  |
| Rules applicable only to physical purchases and orders |  |  |  |  |  |  |
| Other impact |  |  |  |  |  |  |

Please specify

|  |
| --- |
|  |

15. Such impact would, in your view, be mostly on

my business sector
economy
cross border e-commerce
cross border trade generally

16. If you think that EU measures in this area would impose significant additional burden on traders, which burden do you think of?

Additional administrative compliance costs
Additional costs in the area of marketing or web design
Additional personnel costs
Additional delivery costs

Other type of additional costs (please specify)

|  |
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Other type of burden (please specify)

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|  |

**Consumer AND company perspective**

1. As a general principle, consumers and businesses should be able to purchase and access services from everywhere in the EU.

I strongly agree
I agree
Neither agree nor disagree
I disagree
I strongly disagree

Additional comments

|  |
| --- |
|  |

2. Which forms of geoblocking and other geographically- based restrictions do you consider as creating significant obstacles to the single market?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | I strongly agree | I agree | Neither agree nor disagree | I disagree | I strongly disagree |
| Blocking any access to websites across borders, thereby denying access to information, comparisons of service or product ranges and prices), with or without rerouting to 'national' websites |  |  |  |  |  |
| Allowing access to websites and offers across borders but denying the possibility to complete the order or purchase after obtaining information on the geo-location or residence of the user |  |  |  |  |  |
| Allowing access to websites across borders but denying the possibility to download digital products across borders |  |  |  |  |  |
| Allowing access to websites and offers across borders but denying the possibility to pick up, deliver or ship the goods across borders |  |  |  |  |  |
| Differentiating prices or other conditions on the basis of the nationality of the customer |  |  |  |  |  |
| Differentiating prices or other conditions on the basis of the country of residence of the customers or the location from which they are ordering or accessing the services |  |  |  |  |  |
| Denying access to additional services on the basis of the country of residence of the customers or the location from which they are ordering or accessing the services (e.g. loyalty cards, discounts, reduction vouchers) |  |  |  |  |  |
| Denying access to after-sales services on the basis of the country of residence of the customers or the location from which they are ordering or accessing the services (e.g. maintenance and repair of the product, customer support) |  |  |  |  |  |
| Other forms of geo-blocking |  |  |  |  |  |

Please explain

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Comments

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3. There are different ways in which geo-blocking and other geographically based restrictions can take place. How would you classify the following barriers?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Very important | Important | Neutral | Not important | I don't know |
| Re-routing to a website targeting the home country of the visitor without the possibility to overrule |  |  |  |  |  |
| Refusing access to a website or an offer based on IP-address (or other technical means allowing to determine the geo-location of the user) |  |  |  |  |  |
| Refusing access to a website or an offer based on customers' disclosure of their nationality |  |  |  |  |  |
| Refusing access to a website or an offer based on customers' disclosure of their residence |  |  |  |  |  |
| Terminating the transaction based on customers' disclosure of their residence |  |  |  |  |  |
| Refusing foreign credit cards or other foreign means of payment |  |  |  |  |  |
| Linking access to, purchase or download of digital goods or services to the postal address of the customers |  |  |  |  |  |
| Linking access to or purchase of non-digital goods or services to the postal address of the customers |  |  |  |  |  |
| Application of disproportionally higher shipping costs based on the location of the customer |  |  |  |  |  |
| Providing a format for address, postal codes or phone etc. which is specific to certain countries |  |  |  |  |  |
| Other ways of geo-blocking |  |  |  |  |  |

Please specify

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|  |

4. Have you experienced geo-blocking or other geographically-based restrictions when shopping in another EU country?

Yes
No

Please specify the restriction, the type of goods or services as well as the economic sector

|  |
| --- |
|  |

5. Have you experienced geo-blocking or other geographically-based restrictions in your business (B2B)?

Yes
No

6. Have you applied geo-blocking or other geographically-based restrictions in your business (B2B and B2C)?

Yes
No

If yes, to achieve which aim:

|  |
| --- |
|  |

7. Have you ever asked traders why they refused to sell or charged higher prices based on where you live?

Yes, and in most cases I have received an explanation from the seller
Yes, but in most cases I have not received an explanation from the seller
No, never
The explanation was provided upfront by the trader

8. If you apply restrictions or different conditions to customers located in different EU countries, in which circumstances do you provide them with an explanation?

We give an explanation upon request of the customer
We provide a full explanation upfront on our website, in publicity material or in the shop
We provide explanation to consumer associations if they ask us individually
We have not been asked any explanation

9. In your opinion, what - beyond legal constraints - might be considered other objective factors justifying geoblocking or, more generally, different treatment of users and customers based on their residence or geo-location?

|  |
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|  |

10. In your opinion, in which circumstances should geo-blocking, refusing a transaction or, more generally, different treatment of users and customers based on their residence or geo-location not be justified?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Not justified | Neither justified nor unjustified | Justified | I don’t know |
| Cross border delivery is easily accessible and the customer is prepared to pay additional shipping costs |  |  |  |  |
| The customer is prepared to organise the delivery |  |  |  |  |
| There is no additional cost linked to delivery or other administrative burden (for example: simple downloading of digital content, the customer will use the service/good in the country of the trader or of its supplier) |  |  |  |  |
| Customers are prepared to take the risk of concluding a transaction in the language of the trader |  |  |  |  |
| The means of payment used by the customer is internationally valid and accepted in the traders' country |  |  |  |  |
| The brand of the physical store (franchisee or subsidiary) also exists in the customer's country |  |  |  |  |
| The trader advertises its products or services also in the customer's country |  |  |  |  |
| The trader has a website targeting specifically the country of the customer |  |  |  |  |
| The customer is moving to the seller's country but is not registered yet |  |  |  |  |
| Nationality can never be a justification |  |  |  |  |
| Residence or location of the customer can never be a justification |  |  |  |  |
| Other circumstances |  |  |  |  |

Please specify

|  |
| --- |
|  |

Please explain

|  |
| --- |
|  |

11. What should constitute elements of a policy response at the EU level on unjustified geo-blocking and other geographically based restrictions?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | I strongly agree | I agree | Neither agree nor disagree | I disagree | I strongly disagree |
| More transparency: companies should have the obligation to make clear before the (trans)action the detailed, objective and verifiable reasons why they treat customers differently based on their residence or nationality |  |  |  |  |  |
| More transparency: companies should have the obligation to explain upon request the detailed, objective and verifiable reasons why they treat customers differently based on their residence or nationality |  |  |  |  |  |
| Rules including a list of reasons that may never justify treating domestic and foreign users differently |  |  |  |  |  |
| Rules including a closed list of objective and verifiable reasons that may justify treating domestic and foreign users differently |  |  |  |  |  |
| Rules banning ways and means of discriminatory geo-blocking and other restrictions according to your ranking in question 3 above |  |  |  |  |  |
| Banning the discriminatory blocking of access to websites across borders |  |  |  |  |  |
| Rules imposing on traders to obtain consent of users/customers prior to automatic rerouting to another website (including another language version of the same website) |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/customers from throughout the EU under the same conditions as those applied to users/consumers of the 'home' country of the provider |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/customers from throughout the EU under conditions reflecting the additional administrative costs or burdens resulting from the cross-border transaction |  |  |  |  |  |
| Rules requiring traders to accept cross-border transactions from users/consumers from throughout the EU and to provide delivery cross-border if the users/customers are willing to organise themselves the delivery and cover the additional shipping costs |  |  |  |  |  |
| Rules prohibiting traders to refuse the cross-border download of digital products (such as software or video games) |  |  |  |  |  |
| Rules applicable only to online transactions |  |  |  |  |  |
| Rules applicable only to physical purchases and orders |  |  |  |  |  |
| Other elements of policy response |  |  |  |  |  |

Please specify

|  |
| --- |
|  |

12. In your view should SMEs, particularly micro enterprises, be exempted from regulatory measures in this context?

Yes
No

If yes, under which circumstances?

|  |
| --- |
|  |

13. In your view what would be the best policy instrument (or combination thereof) to intervene in this context at EU level?

|  |
| --- |
|  |

14. How can effective implementation best be ensured?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | I strongly agree | I agree | Neither agree nor disagree | I disagree | I strongly disagree |
| Monitoring and enforcement by the European Commission |  |  |  |  |  |
| Monitoring and enforcement by national authorities (e.g. consumer protection authorities or competition authorities) |  |  |  |  |  |
| More effective cross-border cooperation mechanism between national authorities to ensure that rules against unjustified restrictions can be enforced within the EU |  |  |  |  |  |
| By alternative dispute resolution bodies (ombudsman, online conciliation services, by (national) European Consumer Centres, for example) |  |  |  |  |  |
| Others |  |  |  |  |  |

Please specify

|  |
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Or other existing best practices that you are aware of (including self-regulation of companies) – please give examples

|  |
| --- |
|  |

15. From a user/customer perspective, what would be the overall impact of addressing geo-blocking and other geographically based restrictions?

Very positive
Somewhat positive
Neutral
Somewhat negative
Very negative
I don't know

Please explain why/which opportunities?

|  |
| --- |
|  |

16. From a business perspective, what would be the overall impact of addressing geo-blocking and other geographically based restrictions?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Very positive | Somewhat positive | Neutral | Somewhat negative | Very negative | I don't know |
| For my business sector |  |  |  |  |  |  |
| For the economy |  |  |  |  |  |  |
| For cross border e-commerce |  |  |  |  |  |  |
| For cross border trade generally |  |  |  |  |  |  |

Please explain why/which opportunities?

|  |
| --- |
|  |

17. Can you indicate for each of the possible measures listed what would be the impact on your activities, in terms of new market opportunities as well as additional costs or burden?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Very positive | Somewhat positive | Neutral | Somewhat negative | Very negative | I don't know |
| More transparency: companies should have the obligation to make clear before the (trans)action the detailed, objective and verifiable reasons why they treat customers differently based on their residence or nationality |  |  |  |  |  |  |
| More transparency: companies should have the obligation to explain upon request the detailed, objective and verifiable reasons why they treat customers differently based on their residence or nationality |  |  |  |  |  |  |
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| Rules applicable only to online transactions |  |  |  |  |  |  |
| Rules applicable only to physical purchases and orders |  |  |  |  |  |  |
| Other impact |  |  |  |  |  |  |

Other impact

|  |
| --- |
|  |

18. If you think that EU measures in this area would impose significant additional burden on traders, which burden do you think of?

Additional administrative compliance costs
Additional costs in the area of marketing or web design
Additional personnel costs
Additional delivery costs

Other type of additional costs (please specify)

|  |
| --- |
|  |

Other type of burden (please specify)

|  |
| --- |
|  |

Thank you for your contribution