Drofaco iv

## CONTENTS

	I rejuce IX
	PART I Consumer protection strategies and mechanisms in the EU 1
1	From minimal to full to 'half' harmonisation 3
	NORBERT REICH
2	Comment: the future of EU consumer law – the end of harmonisation? 6
	CHRISTIAN TWIGG-FLESNER
3	Two levels, one standard? The multi-level regulation of consumer protection in Europe 21
	VANESSA MAK
4	A modernisation for European consumer law? 43
	CRISTINA PONCIBÒ
5	Effective enforcement of consumer law: the comeback of public law and criminal law 64
	PETER ROTT
6	E-consumers and effective protection: the online dispute resolution system 82
	IMMACULADA BARRAL-VIÑALS

 7 Unfair terms and the Draft Common Frame of Reference: the role of non-legislative harmonisation and administrative cooperation? 99

JAMES DEVENNEY AND MEL KENNY

v

vi CONTENTS Conceptualising vulnerability PART II 121 The definition of consumers in EU consumer law 8 123 BASTIAN SCHÜLLER 9 Recognising the limits of transparency in EU consumer law 143 CHRIS WILLETT AND MARTIN MORGAN-TAYLOR The best interests of the child and EU consumer law 10 and policy: a major gap between theory and practice? 164 AMANDINE GARDE 11 Protecting consumers of gambling services: some preliminary thoughts on the relationship with European consumer protection law 202 ALAN LITTLER Contextualising consumer protection PART III in the EU 237 Consumer protection and overriding mandatory rules 12 in the Rome I Regulation 239 CHRISTOPHER BISPING Determining the applicable law for breach of competition 13 claims in the Rome II Regulation and the need for effective consumer collective redress 257 LORNA GILLIES Horse sales: the problem of consumer contracts from 14 a historical perspective 282 WARREN SWAIN 15 The role of private litigation in market regulation: beyond 'legal origins' 300 AXEL HALFMEIER Advertising, free speech and the consumer 313 16 PAUL WRAGG Are consumer rights human rights? 17 336 MONIKA JAGIELSKA AND MARIUSZ JAGIELSKI

## CONTENTS

vii

- Consumer protection in a normative context: the building blocks of a consumer citizenship practice 354
  JIM DAVIES
- Recommended changes to the definitions of 'auction' and 'public auction' in the proposal for a directive on consumer rights 378

CHRISTINE RIEFA

20 Consumer law regulation in the Czech Republic in the context of EU law: theory and practice 397

blanka tomančáková

21 Resistance towards the Unfair Terms Directive in Poland: the interaction between the consumer *acquis* and a post-socialist legal culture 412

RAFAŁ MAŃKO

PART IV Conclusions 435

22 European consumer protection: theory and practice 437 MEL KENNY AND JAMES DEVENNEY

Index 450