

**ZA4534**

**Flash Eurobarometer 186  
Business attitudes towards cross-border sales and  
consumer protection**

**Country Specific Questionnaire  
Malta (English)**

# FL186

## Final Questionnaire for Flash Eurobarometer 2006: B2C Cross Border Trade

### INTRODUCTION / RESPONDENT SELECTION / SCHEDULING

IF THERE IS NO NAME GIVEN IN THE SAMPLE,  
INTERVIEWER READ

May I please speak to that decision-maker at your company who is responsible for company sales or marketing decisions, including the legal aspects?

INTERVIEWER: IF THE CONTACT PERSON IS NOT GIVEN IN THE SAMPLE, TRY TO REACH THE MAIN DECISION-MAKER! THESE ARE: THE MANAGING DIRECTOR, THE MARKETING MANAGER OR OTHER RESPONSIBLE LEADER RESPONSIBLE FOR SALES INCLUDING LEGAL ASPECTS)..

00 - Eligible respondent on the phone ..... SKIP SC1

01 - ..... SKIP SC1

: .....

02 - ()

03 - Respondent not available now or later, other eligible respondent possible

04 - Person is not competent

05 - -

: .....

06 - Person is not available during the fieldwork, no other person is available

07 - Refused by the respondent -

08 -

09 -

10 -

IF SC0=1

:

()

SC1. This survey is part of a EU-wide study that collects the opinion of company decision-makers' on cross-border retail activities towards consumers, and more specifically on the laws on consumer contracts and their role in cross-border retailing. The survey takes about 10 minutes to complete. The confidentiality of your answers will be maintained. Can you please help me with your answers?

01 -

02 -

:-----

03 - Respondent not available now or later, other eligible respondent possible  
(NAME SCREEN)

04 - Person is not competent in those issues (NAME SCREEN)

:-----

04 - Person is not available during the fieldwork, no other person is available

05 - Refused by the respondent

06 -

07 -

08 -

SC3.

1 -

2 - marketing manager

3 - principal legal adviser

4 - other decision maker responsible for company sales

Can you please give me the phone number, where you want me to call you back?

: \_\_\_\_\_

: \_\_\_\_\_

: \_\_\_\_\_

()

INTRO FOR THE NEXT CALL BACK

- 1 -
- 2 -

: \_\_\_\_\_  
\_\_\_\_\_  
:  
\_\_\_\_\_

What time should I call back to speak to the decision maker? ()

## DEMOS / SCREENERS

D1. Let me start with a few basic questions regarding your company. How many employees do you have in your company?

- Less than 10.....0
- 10-49.....1
- 50-249.....2
- 250-499.....3
- 500 or more.....4
- [DK/NA].....9

IF LESS THAN 10 THANK AND TERMINATE

D2. Does your company sell directly to final consumers, meaning the general public?

- yes .....1
- no .....2
- [DK/NA].....9

IF NOT "YES" THANK AND TERMINATE

D3 Your company is : ...

(READ OUT – ONE ANSWER ONLY)

- An independent company..... 1
- The mother company of a multinational group ..... 2
- A member of a multinational group permitted by the mother company to sell to consumers living in other EU countries..... 3
- A member of a multinational group NOT permitted by the mother company to sell to consumers living in other EU countries..... 4
- [DK/NA] ..... 9

IF Q1 = 4, THANK AND TERMINATE

D4. Including Malta, in how many EU countries do you have subsidiaries or retail outlets?

- WRITE IN: .....countries (1 - 25)
- [DK/NA] ..... 99

D5. NOT TO BE ASKED, RECORD FROM DATABASE  
NACE code of the main activity of company

D6. NOT TO BE ASKED, RECORD FROM DATABASE  
NUTS region of company (NUTS 2 level)

**MAIN INTERVIEW**

Q1. Do you use any of the following sales channels for retail?

(MULTIPLE ANSWERS)

- yes..... 1
- no ..... 2
- [DK/NA] ..... 9
  
- a) e-commerce / Internet ..... 1 2 9
- b) mail order ..... 1 2 9
- c) telesales / call-center ..... 1 2 9
- d) sales through representatives visiting consumers in their homes ..... 1 2 9
- e) direct retail sale (i.e. shops)..... 1 2 9

- NEW, 3 QU -

Q2. Including Malta, to how many EU countries do you actively market/advertise to final consumers?

(READ OUT- ONE ANSWER ONLY)

- WRITE IN .....countries (1 - 25)
- [DK/NA] ..... 99

- 1 QU -

Q3. Can you estimate what percentage of your total marketing and advertising budget is given to encouraging consumers from other EU countries to buy from you? This time “buying” might be either by phone, post, e-commerce, home-visit or even by coming to your country.

IF D4 > 0

Can you estimate what percentage of your total marketing and advertising budget is given to encouraging consumers from other EU countries where you do not have outlets to buy from you? This time “buying” might be either by phone, post, e-commerce, home-visit or even by coming to your country.

- .....%
- [NOT APPLICABLE]..... 998
- [DK/NA] ..... 999

- 1 QU -

ASK IF Q1 e) = 1

Q4. Of your RETAIL SALES IN SHOPS, can you estimate the percentage of sales which are made to consumers living in other EU countries, who are on holidays or on a shopping trip?

- .....%
- [NOT APPLICABLE - No retail sales in shops]..... 998
- [DK/NA] ..... 999

- 1 QU -

Q5. In how many EU languages are you currently prepared to carry out transactions with consumers?

(READ OUT- ONE ANSWER ONLY)

- in Maltese language only.....	01
- WRITE IN: .....languages (02 -98)	
- [DK/NA].....	99

- 1 QU -

## I CROSS BORDER SALES

In our definition, a cross-border sale is a sale by phone, post or e-commerce or by a home visit to a final consumer (i.e. general public) resident in a different country of the European Union from the country of the seller. The origin of the products sold is not relevant. What matters is that the final customer is resident in a different country of the EU from the seller when the transaction takes place. Sales in shops to people from another EU country, who are on holidays or on a shopping trip do not qualify as a cross-border sale.

- 0,5 QU -

Q6. To how many EU countries do you currently make cross-border sales to final consumers?

(READ OUT- ONE ANSWER ONLY)

- I sell only to consumers in Malta ..... 00
- WRITE IN: .....countries (01 - 24)
- [DK/NA] ..... 99

- 1 QU -

Q7. Would you say that the internet and eCommerce has made cross-border sales to final consumers more interesting for your company?

- yes, much more interesting ..... 1
- yes, somewhat more interesting ..... 2
- has no impact ..... 3
- no, has made it less interesting ..... 4
- [DK/NA] ..... 9

- 1 QU -

ROTATE Q8-Q11

ASK IF Q1 a) = 1 & (Q6 > 0 & Q6 < 99).

Q8. Of your total E-COMMERCE/INTERNET SALES, can you estimate the percentage to consumers living in other EU countries?

- .....%
- [NOT APPLICABLE - No internet sales] ..... 998
- [DK/NA] ..... 999

- 1 QU -

ASK IF Q1 b) OR c) = 1 & (Q6 > 0 & Q6 < 99)

Q9. Of your total MAIL ORDER SALES or TELEPHONE SALES, can you estimate the percentage made to consumers living in other EU countries?

- .....%
- [NOT APPLICABLE - No mail order or telesales] ..... 998
- [DK/NA] ..... 999

- 1 QU -

ASK IF Q1 d) = 1 & (Q6 > 0 & Q6 < 99)

Q10. Of the total sales made BY YOUR REPRESENTATIVES visiting consumers in their homes, can you estimate the percentage made by your representatives visiting consumers in other EU countries?

- .....%



- [NOT APPLICABLE - No sales by representatives] .....	998
- [DK/NA] .....	999

- 1 QU -

ASK IF Q1 a) OR b) OR c) OR d) = 1 & (Q6 > 0 & Q6 < 99)

Q11. Now, summing up, can you estimate what percentage of your total sales to final consumers by phone, post, e-commerce and home-visit are cross-border sales to EU countries?

- .....%

- [NOT APPLICABLE - No remote sales to consumers located in a different country]

..... 998

- [DK/NA] ..... 999

- 1 QU -

ASK IF Q1 a) OR b) OR c) OR d) = 1

Q12. And can you estimate what percentage of your total sales to final consumers by phone, post, e-commerce and home-visit are cross-border sales to NON-EU countries?

- .....%

- [NOT APPLICABLE - No remote sales to consumers located outside the EU] 998

- [DK/NA] ..... 999

- 1 QU -

## II. OBSTACLES TO B2C CROSS BORDER TRADE

Q13.

[IF Q6=0 READ]

You previously stated that you sell to Maltese consumers only. I would now ask your opinion on problems you, as an entrepreneur, might face when marketing or selling cross-border.

[IF Q6>1 & Q6< 99 READ]

On the basis of your experience in selling or marketing cross-border I would like to know your opinion on the importance of some legal differences concerning consumer protection in the EU.

[READ ALL]

If you market to consumers living in other EU countries by phone, post, e-commerce or home visit, you have to comply with certain legal provisions regulating consumer transactions of the consumer's country. These provisions may differ from Maltese laws and may trigger extra compliance costs, including costs of acquiring relevant legal advice, changing marketing material or contracts, or in the event of non-compliance, possibly litigation costs.

I will now present you some of these legal differences. How important do you think these are as an obstacle to cross-border sales? In order to avoid misunderstanding, I will provide short explanations for each of the factors.

(READ OUT– ONE ANSWER ONLY – ROTATE A-G)

- Very important obstacle .....1
- Fairly important obstacle .....2
- Not an important obstacle .....3
- Not at all an obstacle .....4
- [No interest in cross-border sales at all] .....8
- [DK/NA].....9

A – Differences in length of cooling off periods

..... 1 2 3 4 9

When selling goods to consumers by phone, post, e-commerce or in the home, the consumer is entitled to change his mind and withdraw from the contract within a certain time. Consumers from some countries have a longer time to return the goods to you than from others ranging from seven (7) working days to fourteen (14) calendar days.

B – Differences in information to be provided to the consumer

..... 1 2 3 4 9

When selling to consumers by phone, post, e-commerce or in the home, you have to provide the consumer with certain information prior to or at the time of the conclusion of the contract. The content, (e.g. always providing your address) the timing and the format of the information may need to be changed by you according to the country of the consumer.

C – Differences in case of failure to provide information

..... 1 2 3 4 9

The consequences you face for failing to comply with information requirements is regulated differently across the EU. In some countries the consumer may have contractual remedies (e.g. they may be entitled to terminate the contract with

you), whereas consumers from other EU countries may have no such rights

D – Differences in the way consumers may exercise their right of withdrawal

..... 1 2 3 4 9

In some countries, consumers may choose the way to notify you (e.g. by sending an email or simply by returning the good), whereas in others they are obliged to use a certain procedure such as registered mail.

E– Differences in the treatment of costs of return

..... 1 2 3 4 9

Depending on the country, you are permitted to require consumers to pay some charges in the event of cancellation (e.g. the cost of returning the goods), whereas in others you are not.

F – Differences in the definition of delivery

..... 1 2 3 4 9

Depending on the country, the good is considered to have been delivered to consumers at different moments (e.g. when the goods are physically handed over to the consumer or when they are put at his disposal at your place of business). These differences may have consequences for you in determining who bears responsibility for deterioration or damage to the goods.

G – Differences between Member States in their legislation regarding goods not in conformity with the consumer contract

..... 1 2 3 4 9

For example, consumers in some EU countries have more time than in other to demand that you either repair, replace or reduce the price of a good not in conformity.

- 3.5 QU + 7 X 0,5 QU for the explanations: 8 QU –

Q14. Overall how do you rate the possible extra compliance costs for cross-border sales, arising from the different national laws regulating transactions with consumers in other EU countries?

(READ OUT– ONE ANSWER ONLY)

- Very high ..... 4
- Rather high..... 3
- Rather low ..... 2
- Negligible ..... 1
- [DK/NA] ..... 9

- 1 QU –

Q15.

[IF Q6=0

I would now ask your opinion on other obstacles that you, as an entrepreneur, might face when marketing or selling cross-border in the EU.]

[IF Q6>=1

On the basis of your experience in selling or marketing cross-border I would like to know your opinion on the importance of some other practical obstacles

Please tell me how important do you think these obstacles are to cross-border sales.

(READ OUT– ONE ANSWER PER LINE ONLY)

- Very important..... 1
  - Fairly important .....2
  - Fairly unimportant .....3
  - Not important at all.....4
  - [No interest in cross-border sales at all] ....8
  - [DK/NA].....9
- a) Extra costs of compliance with different national fiscal regulations (VAT rules, etc.) ..... 1 2 3 4 9
  - b) Extra costs of compliance with different national laws regulating consumer transactions..... 1 2 3 4 9
  - c) Extra costs arising from cross-border delivery ..... 1 2 3 4 9
  - d) Greater difficulty in resolving complaints and conflicts cross-border..... 1 2 3 4 9
  - e) Higher risk of fraud and non-payments in cross-border sales ..... 1 2 3 4 9
  - f) Greater difficulty in ensuring an efficient after-sales service ..... 1 2 3 4 9
  - g) Costs arising from language differences ..... 1 2 3 4 9

- 4 QU –

**III. MEASURES TO FACILITATE B2C CROSS BORDER TRADE**

Q16 If the provisions of the laws regulating transactions with consumers were the same throughout the 25 member states of the EU do you think that ...

(READ OUT– ONE ANSWER PER LINE ONLY)

- Increase a lot ..... 4
- Increase a little.....3
- Decrease a little .....2
- Decrease a lot.....1
- [Would not change].....8
- [DK/NA].....9

A. the proportion of your cross-border sales would ..... 1 2 3 4 9

B. the proportion of your internet sales would ..... 1 2 3 4 9

C. the proportion of your marketing budget for cross-border sales would .... 1 2 3 4 9

- 2 QU –

Q17 To how many EU countries are you prepared to make cross-border sales to final consumers?

(READ OUT– ONE ANSWER ONLY)

- none, I am only prepared to sell to consumers in Malta..... 1
- one country ..... 2
- two to three EU countries ..... 3
- four to ten EU countries..... 4
- more than ten EU countries..... 5
- [DK/NA] ..... 9

- 1 QU –

Q18 Do you know where you can find relevant information about regulation on consumer protection in other EU countries?

(READ OUT – ONE ANSWER ONLY)

- yes..... 1
- no ..... 2
- [European Consumer Centre] ..... 7
- [Euro Info Centre]..... 8
- [DK/NA] ..... 9

- 1QU –

Q19 I will ask you now about disputes with consumers in Malta, and regardless if it is a cross-border or a normal sales situation. Have you already used Alternative Dispute Resolution (ADR) mechanisms (i.e. arbitrators, ombudsmen, conciliation bodies, other out-of-court dispute resolution bodies) to settle disputes with consumers?

(READ OUT – ONE ANSWER ONLY)

- No, and I do not know any of those mechanisms ..... 1

- No, but I know some out of-court dispute resolution mechanism .....	2
- Yes, I have used out-of-court dispute resolution mechanism ....	3
- Yes, I regularly use those mechanisms.....	4
- [DK/NA] .....	9

- 1QU -