

ZA5782

**Flash Eurobarometer 347
(Business-to-business Alternative Dispute Resolution in the EU)**

**Country Questionnaire
Malta (English)**

FL347 - ADR - MTE

A Flash number

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FL343A

B Country

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FL343B

C Interview number

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FL343C

NACE NACE code (Sample information)

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				NACE code - 4 digits
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FL343NACE

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SIZE Size of company (Sample information)

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					Size of company
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FL343SIZE

ASK ALL

Let me start with a few basic questions regarding your company. For all questions, please limit your responses to the activities of your company in Malta only.

D2 How many employees does your company have?

(READ OUT – ONE ANSWER ONLY)

1 to 9 employees	1
10 to 49 employees	2
50 to 249 employees	3
250 employees or more	4
DK/NA	5

NEW

IF D2=5 AND SIZE=NULL THEN STOP INTERVIEW

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D3	Which of the following best describes your company? Your company...
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(READ OUT – ONE ANSWER ONLY)

Currently sells or buys cross-border to or from businesses in other EU countries	1
Is considering selling or buying cross-border to or from businesses in other EU countries in the future	2
Only sells or buys in Malta	3
Only sells or buys to/from the rest of the world	4
DK/NA	5

NEW

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D4	How long has your company been in business?
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(RECORD NUMBER OF YEARS - CODE "999" IF DON'T KNOW)

			Years
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NEW

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D5	Over the past two years, has your company's annual turnover increased, decreased or remained unchanged ?
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(ONE ANSWER ONLY)

Increased	1
Decreased	2
Remained unchanged	3
Not applicable (DO NOT READ OUT)	4
DK/NA	5

NEW

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D6	What was your turnover last year?
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(READ OUT - ONE ANSWER ONLY)

Less than 100 000 euros	1
More than 100 000 to 500 000 euros	2
More than 500 000 to 2 million euro	3
More than 2 to 10 million euro	4
More than 10 to 50 million euro	5
More than 50 million euro	6
Not applicable (DO NOT READ OUT)	7

DK/NA

8

SCR13 - FL342

Q1 Have you ever encountered a disagreement/dispute with another business (for example in relation to payment, quality of goods or services provided) ...

(READ OUT – MULTIPLE ANSWERS POSSIBLE)

Located in Malta?	1,
Located outside Malta but within the EU?	2,
Located outside Malta and outside the EU?	3,
No	4,
DK/NA	5,

NEW

IF CODE 4 or 5 IN Q1 STOP INTERVIEW

ASK Q2.1 IF “ENCOUNTERED A DISAGREEMENT/DISPUTE WITH ANOTHER BUSINESS LOCATED IN MALTA”, CODE 1 IN Q1

Q2.1 Could you please estimate how many disagreements/disputes with other businesses located in Malta you have encountered over the last 3 years?

(RECORD THE NUMBER OF DISAGREEMENTS/DISPUTES – CODE “98” IF “REFUSAL” – CODE “99” IF “DK/NA”)

Disagreements/ Disputes

NEW

ASK Q2.2 IF “ENCOUNTERED A DISAGREEMENT/DISPUTE WITH ANOTHER BUSINESS LOCATED OUTSIDE MALTA BUT WITHIN THE EU” – CODE 2 IN Q1

Q2.2 Could you please estimate how many disagreements/disputes with other businesses located outside Malta but within the European Union you have encountered over the last 3 years?

(RECORD THE NUMBER OF DISAGREEMENTS/DISPUTES – CODE “98” IF “REFUSAL” – CODE “99” IF “DK/NA”)

Disagreements/ Disputes

NEW

ASK Q2.3 IF “ENCOUNTERED A DISAGREEMENT/DISPUTE WITH ANOTHER BUSINESS LOCATED OUTSIDE MALTA AND OUTSIDE THE EU”, CODE 3 IN Q1

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Q2.3	Could you please estimate how many disagreements/disputes with other businesses located outside the European Union you have encountered over the last 3 years?
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(RECORD THE NUMBER OF DISAGREEMENTS/DISPUTES – CODE “98” IF “REFUSAL” – CODE “99” IF “DK/NA”)
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		Disagreements/ Disputes
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NEW

ASK Q3.1 IF “ENCOUNTERED A DISAGREEMENT/DISPUTE WITH ANOTHER BUSINESS LOCATED IN MALTA, CODE 1 IN Q1
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Q3.1	Could you please estimate what proportion of disagreements/disputes with other businesses located in Malta has been resolved?
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(RECORD IN PERCENTAGE– CODE “998” IF “REFUSAL” – CODE “999” IF “DK/NA”)
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		% Disagreements/ Disputes
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NEW

ASK Q3.2 IF “ENCOUNTERED A DISAGREEMENT/DISPUTE WITH ANOTHER BUSINESS LOCATED OUTSIDE MALTA BUT WITHIN THE EU” or “ENCOUNTERED A DISAGREEMENT/DISPUTE WITH ANOTHER BUSINESS LOCATED OUTSIDE MALTA AND OUTSIDE THE EU”, CODE 2 OR 3 IN Q1
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Q3.2	Could you please estimate what proportion of disagreements/disputes with other businesses located outside Malta has been resolved?
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(RECORD IN PERCENTAGE– CODE “998” IF “REFUSAL” – CODE “999” IF “DK/NA”)
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		% Disagreements/ Disputes
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NEW

Alternative Dispute Resolution (ADR) covers all dispute resolution processes that operate outside of the judicial process. ADR includes processes like mediation, arbitration and many others.
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ASK Q4 IF “ENCOUNTERED A DISAGREEMENT/DISPUTE WITH ANOTHER BUSINESS”, code 1 to 3 in Q1

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Q4 Have you ever used the following means of resolving a disagreement/dispute with another business?

(READ OUT – MULTIPLE ANSWERS POSSIBLE)

A court	1,
An ADR scheme that resulted in a binding decision (e.g. arbitration)	2,
An ADR scheme that aimed for an amicable agreement (e.g. mediation)	3,
None of the above	4,
DK/NA	5,

NEW

ASK Q5a.1 IF "HAS ENCOUNTERED A DISAGREEMENT/DISPUTE WITH ANOTHER BUSINESS ONLY IN OUR COUNTRY" AND IF "HAS USED A COURT", ONLY CODE 1 IN Q1 and CODE 1 IN Q4

Q5a.1 Over the last three years, how many times have you used a court when trying to resolve a disagreement/dispute with another business in Malta?

(RECORD IN TIMES – CODE "00" IF "NONE" CODE "98" IF "REFUSAL" – CODE "99" IF "DK/NA")

Times

NEW

ASK Q5b.1 IF "HAS ENCOUNTERED A DISAGREEMENT/DISPUTE WITH ANOTHER BUSINESS OUTSIDE OUR COUNTRY" AND IF "HAS USED A COURT", CODE 2 OR 3 IN Q1 and CODE 1 IN Q4

Q5b.1 Over the last three years, how many times have you used a court when trying to resolve a disagreement/dispute with another business outside Malta?

(RECORD IN TIMES – CODE "00" IF "NONE" CODE "98" IF "REFUSAL" – CODE "99" IF "DK/NA")

Times

NEW

ASK Q5a.2 IF "HAS ENCOUNTERED A DISAGREEMENT/DISPUTE WITH ANOTHER BUSINESS ONLY IN OUR COUNTRY" AND IF "HAS USED AN ADR SCHEME THAT RESULTED IN A BINDING DECISION", ONLY CODE 1 IN Q1 and CODE 2 IN Q4

Q5a.2 Over the last three years, how many times have you used ADR schemes resulting in binding decisions (e.g. arbitration) when trying to resolve a disagreement/dispute with another business in Malta?

(RECORD IN TIMES – CODE “00” IF “NONE” CODE “98” IF “REFUSAL” – CODE “99” IF “DK/NA”)

Times

NEW

ASK Q5b.2 IF “HAS ENCOUNTERED A DISAGREEMENT/DISPUTE WITH ANOTHER BUSINESS OUTSIDE OUR COUNTRY” AND IF “HAS USED AN ADR SCHEME THAT RESULTED IN A BINDING DECISION”, CODE 2 OR 3 IN Q1 and CODE 2 IN Q4

Q5b.2 Over the last three years, how many times have you used ADR schemes resulting in binding decisions (e.g. arbitration) when trying to resolve a disagreement/dispute with another business outside Malta?

(RECORD IN TIMES – CODE “00” IF “NONE” CODE “98” IF “REFUSAL” – CODE “99” IF “DK/NA”)

Times

NEW

ASK Q5a.3 IF “HAS ENCOUNTERED A DISAGREEMENT/DISPUTE WITH ANOTHER BUSINESS ONLY IN OUR COUNTRY” AND IF “HAS USED AN ADR SCHEME THAT AIMED FOR AN AMICABLE AGREEMENT”, ONLY CODE 1 IN Q1 and CODE 3 IN Q4

Q5a.3 Over the last three years, how many times have you used ADR schemes aiming for an amicable agreement (e.g. mediation) when trying to resolve a disagreement/dispute with another business in Malta?

(RECORD IN TIMES – CODE “00” IF “NONE” CODE “98” IF “REFUSAL” – CODE “99” IF “DK/NA”)

Times

NEW

ASK Q5b.3 IF “HAS ENCOUNTERED A DISAGREEMENT/DISPUTE WITH ANOTHER BUSINESS OUTSIDE OUR COUNTRY” AND IF “HAS USED AN ADR SCHEME THAT AIMED FOR AN AMICABLE AGREEMENT”, CODE 2 OR 3 IN Q1 and CODE 3 IN Q4

Q5b.3 Over the last three years, how many times have you used ADR schemes aiming for an amicable agreement (e.g. mediation) when trying to resolve a disagreement/dispute with another business outside Malta?

(RECORD IN TIMES – CODE “00” IF “NONE” CODE “98” IF “REFUSAL” – CODE “99” IF “DK/NA”)

Times

NEW

ASK Q6.1 IF “HAS USED COURT AS MEANS OF DISPUTE RESOLUTION”, CODE 1 IN Q4

Q6.1 Based on your experience with the court system, would you say that you were very satisfied, fairly satisfied, fairly dissatisfied or very dissatisfied with the following?

(READ OUT – ONE ANSWER ONLY)

		Very satisfied	Fairly satisfied	Fairly dissatisfied	Very dissatisfied	Neither satisfied nor dissatisfied (DO NOT READ OUT)	DK/NA

1	Duration of the procedure	1	2	3	4	5	6
2	Cost of the procedure (all included)	1	2	3	4	5	6
3	Personal efforts required	1	2	3	4	5	6
4	Ease of the procedure	1	2	3	4	5	6

NEW

ASK Q6.2 IF “HAS USED AN ADR SCHEME AS MEANS OF DISPUTE RESOLUTION”, CODES 2 OR 3 IN Q4

Q6.2 Based on your experience with the ADR scheme, would you say that you were very satisfied, fairly satisfied, fairly dissatisfied or very dissatisfied with the following?

(READ OUT – ONE ANSWER ONLY)

		Very satisfied	Fairly satisfied	Fairly dissatisfied	Very dissatisfied	Neither satisfied nor dissatisfied (DO NOT READ OUT)	DK/NA
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1	Duration of the procedure	1	2	3	4	5	6
2	Cost of the procedure (all included)	1	2	3	4	5	6
3	Personal efforts required	1	2	3	4	5	6
4	Ease of the procedure	1	2	3	4	5	6

NEW

ASK Q7.1 IF "ENCOUNTERED A DISAGREEMENT/ DISPUTE", CODE 1 TO 3 IN Q1

Q7.1: ROTATE CODES 1 to 6

Q7.1	Thinking about the last time you encountered a disagreement/dispute with another business where you did not go to court, why did you decide not to go to court?
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(READ OUT – THREE POSSIBLE ANSWERS)

The procedure would be too expensive with respect to the sum involved	1,
The procedure would take too long	2,
You did not know how to begin the procedure	3,
You did not want to ruin the business relationship with the other business	4,
You would have had to go to court in a foreign country	5,
You thought that nothing would come out of this	6,
Other (DO NOT READ OUT)	7,
None (DO NOT READ OUT)	8,
DK/NA	9,

NEW

ASK Q7.2 IF "ENCOUNTERED A DISAGREEMENT/DISPUTE" CODE 1 TO 3 IN Q1

Q7.2: ROTATE CODES 1 to 8

Q7.2	Thinking about the last time you encountered a disagreement/dispute with another business where you did not use an ADR scheme resulting in a binding decision, why did you decide not to use an ADR scheme resulting in a binding decision?
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(READ OUT – THREE POSSIBLE ANSWERS)

The procedure would be too expensive with respect to the sum involved	1,
The procedure would take too long	2,
You did not know of the existence of this procedure	3,
You did not know how to begin the procedure	4,
You did not want to ruin the business relationship with the other business	5,
The competent ADR scheme would have been in a foreign country or in a foreign language	6,
You thought that nothing would come out of this	7,
The other party did not want to participate	8,
Other (DO NOT READ OUT)	9,
None (DO NOT READ OUT)	10,
DK/NA	11,

NEW

ASK Q7.3 IF “ENCOUNTERED A DISAGREEMENT/DISPUTE”, CODE 1 TO 3 IN Q1

Q7.3: ROTATE CODES 1 to 8

Q7.3	Thinking about the last time you encountered a disagreement/dispute with another business where you did not use an ADR scheme aiming for an amicable agreement (e.g. mediation), why did you decide not to use an ADR scheme aiming for an amicable agreement?
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(READ OUT – THREE POSSIBLE ANSWERS)

The procedure would be too expensive with respect to the sum involved	1,
The procedure would take too long	2,
You did not know of the existence of this procedure	3,
You did not know how to begin the procedure	4,
You did not want to ruin the business relationship with the other business	5,
The competent ADR scheme would have been in a foreign country or in a foreign language	6,
You thought that nothing would come out of this	7,
The other party did not want to participate	8,
Other (DO NOT READ OUT)	9,
None (DO NOT READ OUT)	10,
DK/NA	11,

NEW

ASK Q8a1 IF “ENCOUNTERED A DISAGREEMENT/DISPUTE WITH A BUSINESS ONLY IN OUR COUNTRY”, ONLY CODE 1 IN Q1

NEW

ASK Q9a2 IF "ENCOUNTERED A DISAGREEMENT/DISPUTE WITH A BUSINESS ONLY IN OUR COUNTRY AND USED AN ADR SCHEME THAT RESULTED IN A BINDING DECISION", ONLY CODE 1 IN Q1 AND CODE 2 IN Q4

NEW

Q9a.2 Could you please estimate how long your last disagreement/ dispute with another business located in Malta took to be resolved using an ADR scheme that resulted in a binding decision (e.g. arbitration)?

(RECORD IN MONTHS – CODE "98" IF "REFUSAL" – CODE "99" IF "DK/NA")

Months

NEW

ASK Q9b2 IF "ENCOUNTERED A DISAGREEMENT/DISPUTE WITH A BUSINESS LOCATED OUTSIDE OUR COUNTRY AND USED AN ADR SCHEME THAT RESULTED IN A BINDING DECISION", CODE 2 OR 3 IN Q1 AND CODE 2 IN Q4

NEW

Q9b.2 Could you please estimate how long your last disagreement/ dispute with another business located outside Malta took to be resolved using an ADR scheme that resulted in a binding decision (e.g. arbitration)?

(RECORD IN MONTHS – CODE "98" IF "REFUSAL" – CODE "99" IF "DK/NA")

Months

NEW

ASK Q9a3 IF "ENCOUNTERED A DISAGREEMENT/DISPUTE WITH A BUSINESS ONLY IN OUR COUNTRY AND USED AN ADR SCHEME THAT AIMED FOR AN AMICABLE AGREEMENT", ONLY CODE 1 IN Q1 AND CODE 3 IN Q4

NEW

Q9a.3 Could you please estimate how long your last disagreement/ dispute with another business located in Malta took to be resolved using an ADR scheme that aimed for an amicable agreement (e.g. mediation)?

(RECORD IN MONTHS – CODE "98" IF "REFUSAL" – CODE "99" IF "DK/NA")

Months

NEW

ASK Q9b3 IF "ENCOUNTERED A DISAGREEMENT/DISPUTE WITH A BUSINESS LOCATED OUTSIDE OUR COUNTRY AND USED AN ADR SCHEME THAT AIMED FOR AN AMICABLE AGREEMENT", CODE 2 OR 3 IN Q1 AND CODE 3 IN Q4

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Q9b.3	Could you please estimate how long your last disagreement/ dispute with another business located outside Malta took to be resolved using an ADR scheme that aimed for an amicable agreement (e.g. mediation)?
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(RECORD IN MONTHS – CODE “98” IF “REFUSAL” – CODE “99” IF “DK/NA”)

		Months
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NEW

ASK Q10a1 IF “ENCOUNTERED A DISAGREEMENT/DISPUTE WITH A BUSINESS LOCATED ONLY IN OUR COUNTRY AND WENT TO COURT”, ONLY CODE 1 IN Q1 AND CODE 1 IN Q4

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Q10a.1	What was the total amount of money you spent, including fees for the procedure itself, travel expenses, costs of a lawyer, the last time you used a court for a problem with a business located in Malta?
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(RECORD IN EURO – CODE “9999999998” IF “REFUSAL” – CODE “9999999999” IF “DK/NA”)

										Euro
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NEW

ASK Q10b1 IF “ENCOUNTERED A DISAGREEMENT/DISPUTE WITH A BUSINESS LOCATED OUTSIDE OUR COUNTRY AND WENT TO COURT”, CODE 2 OR 3 IN Q1 AND CODE 1 IN Q4

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Q10b.1	What was the total amount of money you spent, including fees for the procedure itself, travel expenses, costs of a lawyer, the last time you used a court for a problem with a business located outside Malta?
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(RECORD IN EURO – CODE “9999999998” IF “REFUSAL” – CODE “9999999999” IF “DK/NA”)

										Euro
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NEW

ASK Q10a2 IF “ENCOUNTERED A DISAGREEMENT/DISPUTE WITH A BUSINESS LOCATED ONLY IN OUR COUNTRY AND USED AN ADR SCHEME THAT RESULTED IN A BINDING DECISION”, ONLY CODE 1 IN Q1 AND CODE 2 IN Q4
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ASK ALL

Q13: ROTATE CODES 1 to 8

Q13 When using an Alternative Dispute Resolution (ADR) scheme, what would you or do you consider as the three most important aspects? This procedure should be...

(READ OUT – THREE POSSIBLE ANSWERS)

Simple and easy to understand	1,
100% online	2,
Cheap	3,
Quick to reach a solution	4,
Conducted by an experienced arbitrator or mediator	5,
Conducted by an arbitrator or mediator who has knowledge and experience in the field of your dispute	6,
Working in Maltese	7,
Leading to a binding decision for the parties	8,
Other (DO NOT READ OUT)	9,
None (DO NOT READ OUT)	10,
DK/NA	11,

NEW

Q14: ROTATE CODES 1 to 5

Q14 What would be your preferred ways to receive information about ADR?

(READ OUT – MULTIPLE ANSWERS POSSIBLE)

Other businesses (word of mouth)	1,
Advertisement in a newspaper, on television or on the radio	2,
The Internet	3,
Information through trade organizations (e.g. newsletter)	4,
Articles in newspapers/magazines/Internet sites	5,
Other (DO NOT READ OUT)	6,
None (DO NOT READ OUT)	7,
DK/NA	8,

NEW