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# Geoblocking

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## What does the Geoblocking Regulation provide?

The Geoblocking Regulation has been in force across the EU since December 3, 2018, and it prohibits any discrimination against consumers based on their nationality or place of residence when making cross-border online purchases.

In Luxembourg, the applicable law is the law of June 26, 2019, concerning certain application modalities and the sanction of Regulation (EU) 2018/302 of the European Parliament and of the Council of February 28, 2018, aimed at countering unjustified geoblocking and other forms of discrimination based on nationality, residence, or establishment of customers within the internal market, and amending Regulations (EC) No. 2006/2004 and (EU) 2017/2394 and Directive 2009/22/EC.

## How does the Geoblocking Regulation govern access to products and services?

The regulation outlines specific situations where there is no justified reason for blocking or other forms of justified discrimination based on nationality, residence, or establishment. In these situations, consumers from another Member State have the same access to products and services as local consumers. These situations include:

- The sale of products without postal delivery
- The sale of electronically provided services
- The sale of services provided in a specific physical location.

## What are the exceptions to the Geoblocking Regulation?

The regulation does not apply to certain products and services, such as:

- Financial services
- Audiovisual content
- Transport services.

## How does the Regulation affect access to online interfaces?

The regulation stipulates that the seller cannot redirect the consumer to a version of the seller's website different from the one the consumer initially wanted to access, unless the consumer explicitly consents to be redirected. This allows the consumer to compare prices across different sites.

When a consumer wants to purchase a product from a seller who does not deliver to their country of origin, the seller must sell the desired product under the same conditions as to a local consumer if:

- The consumer arranges for the product to be delivered to an address in an EU Member State where the seller offers delivery
- The consumer or a transport company mandated by them collects the goods from a location where the seller offers collection under their general terms. This could be a relay point or the seller's warehouse.

## How does the Regulation combat discrimination for payment-related reasons?

Traders can still decide which payment methods they wish to accept. However, the regulation contains provisions against discrimination based on the consumer's nationality or residence, the establishment of their bank or another service provider, or the location where their credit card was issued.

Differentiated treatment is prohibited if:

- The payment is made by bank transfer or with a credit card generally accepted by the seller
- Authentication requirements are met
- The payment is made in a currency accepted by the trader

## What provisions does the Regulation make for consumers in the event of a dispute with a professional?

Each Member State designates one or more bodies responsible for providing practical assistance to consumers in the event of a dispute related to geoblocking between a consumer and a professional.

Several Member States have designated European Consumer Centres for this purpose. In Luxembourg, the law of June 26, 2019, has designated the European Consumer Centre Luxembourg as the “geoblocking” contact point.



## Contactez-nous

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