

A COMPARISON OF CONSUMER PROTECTION REGULATION IN
THREE DEMOCRATIC COUNTRIES:
AUSTRALIA, SWEDEN, AND THE UNITED STATES

By

ALAYNA GRACE PAYNE

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Approved By:
Professor Andrew Shepherd
College of Law

Abstract. Consumer protection law is a broad body of law aimed at protecting consumers from the various harms that may be posed by certain business practices. When drafting and enforcing consumer protection law, states must balance the rights and interests not only of the consumer, but also of the business. Thus, how a country structures its consumer protection laws, policies and implementation can often reflect, in part, how a country has chosen to balance those interests. While several countries do not have any consumer protection measures or agencies in place, this paper takes particular interest in countries that do have substantive laws and institutions responsible for the protection of consumer rights. More specifically, this paper compares similarities and differences across four elements of different countries' consumer protection law and regulation measures: enforcement/regulatory institutions; provision of educational resources to consumers; forum for consumer complaints and disputes; timely and speedy resolution for such disputes. As all of the countries being compared are member states of the UN, these broad but important elements of consumer protection standards provide a clear baseline for comparison. The intent of this paper is to identify and compare the consumer protection laws and policies within countries.

Introduction

Corporations have the ability to pursue a broad range of private interests in ways that can greatly impact individuals and their families and countries. Depending on the nature of those interests, the average consumer can be exposed to risks involved with defective products, deceptive marketing practices, and other potential sources of harm. At the same time, businesses provide significant economic support and resources for a country. States, therefore, have strong interests both in protecting consumers from serious harm and in regulating trade and competition so as not to stifle businesses' ability to make meaningful contributions to the country and its consumers. Thus, how a country structures its consumer protection laws, policies and implementation can often reflect, in part, how a country has chosen to balance those interests.

While several countries do not have any consumer protection measures or agencies in place, this paper takes particular interest in countries that do have substantive laws and institutions responsible for the protection of consumer rights. More specifically, this paper examines the similarities and differences between four elements of different countries' consumer protection laws and enforcement measures. Each country has its own consumer protection laws and mechanisms for enforcing those laws, and this paper compares the substantive differences between the consumer protection laws implemented by various economically and democratically prosperous countries.

The intent of this paper is to identify some of the subtle differences between different countries' consumer protection regulation strategies. By doing so, one can develop a more

detailed understanding of ways to effectively enforce consumer rights. Additionally, analyzing the differences can point out to individuals and regulators some of the regulation methods that are commonly taken for granted.

Method

Scope of the Law

Though consumer protection laws and policies often vary between individual states, this paper focuses on national rather than subnational laws so as not to get lost in the vast variability between states. Furthermore, not all countries share the same theoretical interpretation of federalism. While one federation may delegate substantial regulatory power to federal and state agencies, another federation may empower only the federal agency to exercise regulatory oversight. As a result, comparing subnational law and enforcement agencies that do not share a theoretical framework would not be useful to the intent of this paper. While there may be potentially conflicting regulations between localized regions, by studying the laws at the national level--and assuming that there is not *substantial* variability between state and national regulation--the comparison of enforcement strategies yields a more clear and observable baseline comparison.

Countries Being Compared

This paper will compare the consumer protection laws and enforcement strategies of the following countries: Australia, Sweden, and the United States. All three countries being compared rank high on the democracy index.¹ The countries also all share similar socioeconomic indicators. Comparing only democracies, as opposed to mixing in other regime types like autocracies, ensures that variability between countries is not a result of underlying ulterior motives. As previously stated, the purpose of this paper is to compare countries' attempts to safeguard consumer rights. Including other regime types in the comparative analysis would likely bring other unwanted factors that could detract attention from the initial purpose.

Similarly, comparing countries with a similar democratic and socioeconomic rank ensures that variability among the countries' consumer protection laws is not due to indiscernible

¹ Economic Intelligence Unit. "Democracy Index 2021." *Economic Intelligence Unit*, 40, 54, 62. 2022.

effects of having a weak implementation system. Countries with more economic resources tend to be better equipped to devote resources to implementing their regulatory goals than countries with fewer resources. Additionally, while not all democracies share the same consumer protection standards or laws, democracies tend to have more provisions and agencies dedicated to consumer rights than other regime types.² These two factors, democracy and socioeconomics, are important to establishing a concise comparative baseline; if a country has robust consumer protection laws and policies without the financial backing to be able to implement such protections, understanding the regulatory mechanisms and strategies becomes unclear.

Elements of Consumer Protection Being Compared

The following four elements of consumer protection law being compared are taken from the 2015 United Nations Conference on Trade and Development guidelines: **1) regulation/enforcement of consumer protection laws; 2) provision of educational resources to consumers; 3) forum for consumer complaints and disputes; and 4) timely and speedy resolution for such disputes.**³ These guidelines are useful because they are specific enough to encompass important interests and protections for consumers, but they are general enough to give agencies the freedom to choose how exactly to implement them. Also, because all of the countries being compared are member states to the UN, these broad elements of consumer protection standards provide a broad baseline for comparison.

Limitations of the Method

Institutional mechanisms of regulation and enforcement of law do not by themselves provide sufficient perspective into the consumer laws and policies. Depending on the larger system in which those agencies operate, the policy goals of the agency can be largely determined by other branches of government. This means that laws themselves do not demonstrate how a government agency chooses to enforce those laws. There are multiple factors at play within a country that contribute to the overall performance of its legal system.

However, though agencies do usually operate under the auspice of other, higher branches or institutions, the responsibility they have is still a significant one. Government agencies are

² <https://unctad.org/topic/competition-and-consumer-protection/consumer-protection-map>

³ United Nations Conference on Trade and Development. "United Nations Guidelines for Consumer Protection." *Unctad.Org*, 10, 11. United Nations, 2015.

often responsible for interpreting and applying the law. They therefore play an important role in determining how the actors they regulate are affected by the law which they are tasked with enforcing. Similarly, the resources that institutions provide shape how consumers and businesses engage with the legal and bureaucratic systems, settle disputes, and get to know their rights under the law. Analyzing elements of consumer protection law at the institutional level does not provide the entire view of consumer protection law and enforcement, but doing so calls attention to important aspects of regulation that would otherwise go unnoticed.

Another limitation arises from the method of examining consumer protection as a whole rather than within a specific category; as there are many facets of consumer protection law, regulation of such an expansive field is typically not uniform. However, by conducting a comparative analysis of institutional factors which contribute to the overall enforcement and regulation of consumer protection, this limitation can be, at least partially, mitigated.

Findings

Australia

Regulation/Enforcement of Consumer Protection Laws

Australia's primary consumer protection law is established by the Australian Consumer Law (ACL) of 2011, which is set out in the Competition and Consumer Act (CCA) of 2010.⁴ The ACL is the uniform consumer protection law for all of Australia, including its states and territories. There are eight state (6) and territory (2) agencies and two commonwealth agencies responsible for the administration and enforcement of consumer protection affairs. Each state and territory also have a varying number of other bureaucratic institutions designed to assist with the responsibilities.

The Australian Competition and Consumer Commission (ACCC), formed in 1995, is the national regulator for "competition, consumer, fair trading and product safety" but does not handle financial services.⁵ The ACCC regulates 15 industries, including Agriculture, Telecommunications and Internet, and Energy. The Australian Securities and Investment

⁴ *Enforcement and Effectiveness of Consumer Law. Ius Comparatum*, 77. Springer International Publishing, 2018. <https://doi.org/10.1007/978-3-319-78431-1>.

⁵ <https://www.accc.gov.au/>

Commission (ASIC) regulates under the same provisions as the ACCC but does so for financial services. Both are responsible for enforcing the CCA, in which the ACL is embedded. Other independent agencies, such as the Office of the Information Commissioner, are tasked with more specific areas of consumer protection. However, the regulatory mechanisms of Australia's consumer protection laws have very recently experienced a major structural change. For this reason, it is necessary to provide some background on this shift before focusing on the current state of consumer protection oversight.

The Council of Australian Government (COAG), established in 1992, created the Ministerial Council on Consumer Affairs (MCCA) in 1992. After a reform of the ministerial council system, COAG changed the MCCA to the Legislative and Governance Forum on Consumer Affairs Forum (CAF) in 2011.⁶ The CAF was established to “manage ongoing legislative and governance functions” that were not being managed by other functions within COAG.⁷ The Forum also administered and enforced the ACL. The CAF also had oversight of the important shared responsibilities of the ministers who were responsible for the consumer policy in their respective state or territory. These ministers met twice a year in the forum to discuss and resolve issues and developments in the realm of consumer affairs and fair trading. Though each state and territory already had its own Constitution and its own consumer protection laws, these CAF meetings created consistency in the laws and policies across the states and territories.⁸

In 2013, however, COAG reorganized its priorities and decided that CAF would carry out its duties outside of the authority and guidance of COAG. Later, in May 2020, the Prime Minister of Australia announced that the COAG would cease and would be permanently replaced by the National Cabinet. The stated purpose of the National Cabinet is to focus on Australia's coronavirus response strategy, and more specifically, to create new jobs.⁹ In October 2020, after a review of the COAG councils and ministerial forums, the National Cabinet acted on its plan to reduce the number of ministerial forums.¹⁰ One of the forums disbanded was the CAF, which ceased operations in its current form as of February 2021.¹¹

⁶ <https://consumer.gov.au/consumer-affairs-forum>

⁷ *Id.*

⁸ *Enforcement and Effectiveness* at 76.

⁹ <https://www.abc.net.au/news/2020-05-29/coag-scrapped-national-cabinet-here-to-say-coronavirus-update/12300636>

¹⁰ <https://consumer.gov.au/consumer-affairs-forum>

¹¹ *Id.*

Provision of Educational Resources to Consumers

Both Commonwealth agencies provide educational resources for individuals to learn of their rights as consumers. On the ACCC website, for example, one can find both general and specific guidelines about business standards, including what constitutes unfair or misleading business practices. The ACCC also provides an ACL guideline that provides information about consumer guarantees and rights, where those rights do and do not apply, compensation for certain ACL violations, etc. Similar guidelines for consumer and business rights education are present on the ASIC website. Additionally, the ACCC will accept reports from consumers regarding concerns the consumer has about a particular business' practices.¹³ While, again, the ACCC does not provide legal advice, the agency can provide information to the consumer about what their rights are in that specific case.¹⁴

Because of the multi-regulator system in Australia, knowing where to direct one's claim can be difficult for a consumer. As a result, resources such as telephone hotlines and websites are designed to direct consumers to the correct place to make a complaint. This system of directing has reportedly been received with a high degree of consumer satisfaction.¹⁵

Forum for consumer complaints and disputes

Australia does not have any single forum through which they can file a claim against a business for violating their rights. The ACCC does not offer legal advice, nor does it resolve disputes between private citizens and businesses.¹⁶ However, the ACCC (as well as the ASIC) does have broad authority to intervene in any proceedings under the ACL, though its resources for taking court actions, especially those involving the ACL, are very constrained.¹⁷ The ACCC considers several factors before deciding to pursue court action under the ACL, including: the

¹³ <https://www.accc.gov.au/about-us/accc-role-and-structure/service-charter/what-we-can-and-cant-do-for-consumers>

¹⁴ *Id.*

¹⁵ *Enforcement and Effectiveness* at 83.

¹⁶ <https://www.accc.gov.au/consumers/buying-products-and-services/consumer-rights-and-guarantees>

¹⁷ *Enforcement and Effectiveness* at 82.

degree of harm to the public; unconscionability; the impact of harm to small businesses; and vulnerability of the consumer. While the ACCC and ASIC do have the authority to intervene in disputes, forums for filing complaints and initiating disputes at the private citizen level are best undertaken at the state level.

Each state and territory have its own consumer protection law and enforcement system. In addition to state agencies, the court system can also be involved in settling consumer disputes. Depending on each jurisdiction's standing requirements, a consumer dispute may be heard in a State local or Magistrates court or the Federal court.¹⁸

Timely and Speedy Resolution for Disputes

Australia does not have a national database that contains analytical data of consumer complaints "for the purposes of identifying trends, patterns and issues of concern."¹⁹ Consumer complaints are also not made available to the public.²⁰ The lack of information regarding consumer complaints makes it difficult to determine whether these complaints and disputes were handled in a timely and speedy fashion.

However, there is information about the dispute resolution processes that occur through ombudsmen, tribunals, and courts. Ombudsmen are neutral organizations that receive complaints and resolve disputes on a wide variety of topics, including consumer protection matters.²¹ They operate within multiple industries and provide their services to private individuals and businesses free of charge.²² Data has tended to show that ombudsmen resolve matters rather quickly, as the vast majority of their cases are resolved within six months.²³ However, many people who may benefit from the assistance of ombudsmen are unaware of their services.²⁴

Tribunals are another resource for consumer dispute resolution that have been shown to resolve matters relatively quickly, though in slower time than ombudsmen.²⁵ However, there have been concerns about developments within the tribunal system that appear to reduce the

¹⁸ *Id.* at 86.

¹⁹ *Id.* at 83.

²⁰ Commission, Australia. Productivity. *Access to Justice Arrangements: Inquiry Report*, 14. 2014.

²¹ *Id.* at 314.

²² *Id.* at 311.

²³ *Id.* at 11.

²⁴ *Id.*

²⁵ *Id.* at 125.

timeliness of resolutions. Specifically, there are concerns about increases in legalistic formalities and in the presence of lawyers creating more procedural barriers that ultimately delay resolution.²⁶ There are additional concerns that these same developments have led to a more adversarial tone to process of resolution that also delays resolution.²⁷

Finally, the court system is available (with many restrictions) to consumers seeking to issue and resolve a complaint, though the element of timeliness varies by court. Lower courts (magistrates' courts and the Federal Circuit Court) resolve a majority of their cases within six months, while higher courts (the Supreme Court and the Federal Court) typically take about 12 months to resolve complaints.²⁸ The resolution timeline difference is due partially to the difference in complexity of cases, but also may be due to differences in "court practices, procedures and rules, and the relative availability of resources."²⁹

Sweden

Regulation/Enforcement of Consumer Protection Laws

The KOV is given its regulatory authority by the 2009 Ordinance with instructions for the Swedish Consumer Agency, most recently amended in 2022.³⁰ Though Sweden does not have an overarching consumer protection law or code, there are legislative acts dealing with consumer interests and protections that KOV and other, smaller consumer protection ministries are tasked with enforcing.³¹ For example, acts such the Consumer Contract Terms Act and the Electronic Commerce Act are examples of legislation that address certain consumer interests rather than broadly applicable protections.³²

The primary institution for implementing and enforcing consumer law and policy in Sweden is the Swedish Consumer Agency (Konsumentverket; "KOV") with the Consumer Ombudsman (Konsumentombudsmannen; "KO"). The KO was established in 1971, and the

²⁶ *Id.* at 364.

²⁷ *Id.* at 14.

²⁸ *Id.* at 125.

²⁹ *Id.*

³⁰ Ministry of Finance KO. "Ordinance (2009:607) with Instructions for the Swedish Consumer Agency." In <https://lagen.nu/2009:607>, 2009. <https://lagen.nu/2009:607>.

³¹ *Effectiveness and Enforcement* at 618.

³² *Id.*

KOV in 1973.³³ In 1976, the KOV and the KO merged, with the KO becoming the head of the Agency.³⁴

Apart from KOV, the primary consumer protection authority, there are multiple bureaus and regulators for different sectors within Sweden. Each regulator operates under a legislative act, some of which overlap with others. The Financial Supervisory Authority (FI), for example, oversees financial markets and companies within them. FI gets its regulatory authority under the Marketing Act, an act under which the KOV gets some of its regulatory authority as well.³⁵ There are other sector regulators for the communications, real estate, electricity markets among others. Though each regulator operates in different capacities and with different responsibilities, each shares the task of protecting consumer rights within their respective sector.³⁶

Provision of educational resources to consumers

The 2009 Ordinance under which KOV operates mandates the Agency to "support, with [inter alia] education and information, consumer activities in the municipalities" in consumer protection and consumer legislation matters.³⁷ Accordingly, the KOV provides ways for consumers to get advice and learn about their rights, primarily through its "Hallå konsument" (Hello Consumer) service. Hello Consumer is a free service through which consumers can ask questions regarding the purchase of a variety of goods or services.³⁸ Hello Consumer cannot offer legal representation or file a complaint on behalf of a consumer, but the service does provide consumers with information about how to file complaints against a business.³⁹

Other consumer protection agencies and bureaus also supply consumers with resources to learn their rights within a particular sector.

Forum for consumer complaints and disputes

There is no single public institution in Sweden designed to handle individual consumer complaints or disputes with businesses. Private complaints are mostly handled by the Public

³³ *Effectiveness and Enforcement* at 615.

³⁴ Hereinafter, the merged agency will be referred to as either KOV or the Agency.

³⁵ Finansinspektionen (FI) [Swedish Financial Supervisory Authority]. "Equity Index Bonds - an Evaluation of the New Prospectus Rules." *Www.Fi.Se*, 620. Finansinspektionen (FI), 2006.

³⁶ *Effectiveness and Enforcement* at 620-21.

³⁷ Ordinance (2009:607)

³⁸ <https://www.hallakonsument.se/en/articles/about-halla-konsument/>

³⁹ *Id.*

Board for Consumer Complaints (also known as the ARN), but many others are handled by agencies regulating specific sector markets, some of which were mentioned earlier.

Most disputes between private consumers and businesses are resolved by way of Alternative Dispute Resolutions (ADRs).⁴⁰ The ARN is the primary public institution for handling ADRs from a variety of divisions, including general, housing, and banking. There are a few barriers that restrict which types of disputes can be handled by the ARN, including value thresholds and jurisdictional restrictions.⁴¹ Furthermore, the ARN does not handle complaints unless the consumer has already tried to resolve the matter with the trader with which there is a problem.⁴²

The other institutional means of dispute resolution for consumers is that of the KOV, specifically the office of the ombudsman (KO). Consumers can apply for KO support via mail. If the KO decides to resolve the complaint, the KO will represent the consumer in court or in front of the appropriate Enforcement Authority. The KO does not accept every complaint it is asked to resolve; in fact, the KO dismisses most of the applications it receives.⁴³ According to the KOV website, a dispute must either "clarify the legal situation within a certain area," or "concern a great number of consumers" for the KO to lend its support in a consumer dispute.⁴⁴

Finally, consumers can try to resolve a dispute through court action. The Market Court was founded in 1971 as a specialized court that could examine cases under a number of market law and consumer law statutes.⁴⁵ Most cases involving collective consumer interests were handled by the Court until 2016 when the Court was closed. Its powers were then transferred to two courts, the Patent and Market Court and the Patent and Market Court of Appeals. General courts can also hear cases involving individual consumer rights, sometimes utilizing a small claims procedure.⁴⁶

Timely and speedy resolution for such disputes

⁴⁰ Lindblom, Per. "ADR – The Opiate of the Legal System?" *European Review of Private Law* 16, no. Issue 1 (February 1, 2008): 63–93 at 88. <https://doi.org/10.54648/erpl2008004>.

⁴¹ *Effectiveness and Enforcement* at 632.

⁴² *Id.*

⁴³ *Id.* at 630.

⁴⁴ <https://www.konsumentverket.se/languages/english-engelska/this-is-how-you-apply-for-ko-support/>

⁴⁵ *Effectiveness and Enforcement* at 615.

⁴⁶ *Id.* at 627-28.

The KO accepts only a small number of cases. Thus, the relative efficiency with which the KO typically resolves disputes may largely be due to its small caseload.

The ARN process is supposedly characterized by "flexibility, voluntary participation, swiftness and influence by the parties." ⁴⁷ In practice, the ARN procedures function relatively rapidly. ⁴⁸ Thus, while the resolutions provided through the dispute process are not legally binding, the ARN has been described as a 'clearing house' for consumer disputes. ⁴⁹

Before 2016, the Market Court functioned as a court of first and last instance, which facilitated a speedy form of dispute resolution. However, the transformation of the specialized court may result in decreased speed and simplicity of the Market Court procedure. Additionally, because the Court was a court of first and last instance, the change may also affect the expediency of the Court's final injunctions. ⁵⁰

The United States (U.S.)

Regulation/Enforcement of Consumer Protection Laws

The Federal Trade Commission (FTC) is the primary federal institution responsible for consumer protection in the U.S. The FTC gets its regulatory authority from the FTC Act, first enacted in 1914. ⁵¹ Operating within the Commission, the Bureau of Consumer Protection (BCP), under Section 5(a) of the Act, is responsible for regulating "unfair or deceptive acts or practices in or affecting commerce." ⁵² The BCP carries out the Section 5 mandate in eight divisions, including the divisions of advertising practices and marketing practices.

Other federal agencies, such as the Consumer Product Safety Commission (CPSC), are tasked with consumer protection within specific sectors of consumer safety.

Provision of educational resources to consumers

The FTC's website provides resources mainly about avoiding scams and fraud, though there are some resources that explain consumer rights under specific rules established by the

⁴⁷ *ADR – The Opiate of the Legal System?* at 88.

⁴⁸ *Effectiveness and Enforcement* at 64.

⁴⁹ *Id.* at 634.

⁵⁰ *Id.* at 625.

⁵¹ 63 Cong. Ch. 311

⁵² 15 USCS § 45

FTC. The Commission also runs a website called "Consumer.gov" that provides educational resources to consumers about money and credit management and scams.⁵³

Other federal agencies provide similar resources for the industry they regulate. The CPSC, for example, has a Consumer Ombudsman to which consumers can approach with specific questions or concerns relating to a business' goods or services.

Forum for consumer complaints and disputes

Arbitration is a widespread form of dispute resolution in the U.S. In fact, arbitration agreements are included in millions of transactions between consumers and companies.⁵⁴ Arbitration is a form of conflict resolution in which both parties agree to settle a dispute in a hearing before a neutral third party.⁵⁵ Courts have the authority to, and are often required to, enforce the settlement reached during the arbitral hearing.⁵⁶

The FTC allows consumers to file complaints of fraudulent practices, scams, or otherwise poor practices against businesses. The complaint then goes through the FTC's Consumer Sentinel Network, a consumer complaint report database to which federal, state, and local law enforcement has access. Though the FTC does not resolve private disputes, the Commission does use consumer complaint reports to "spot trends, educate the public, and share data about what is happening" in a particular community.⁵⁷ Furthermore, the FTC can conduct an investigation into a business' practices based on a consumer complaint. If a violation occurs and the FTC believes that enforcement against the violating party is in the public interest, the Commission may issue a complaint. After the complaint is lodged, a hearing before an administrative judge will take place. If the judge finds that a violation has indeed occurred, the judge may recommend a cease-and-desist order. An injunctive order is the primary tool the FTC uses to stop business practices which pose harm to consumers.⁵⁸

⁵³ <https://consumer.gov/>

⁵⁴ Szalai, Imre Stephen. "The Prevalence of Consumer Arbitration Agreements by America's Top Companies." *UC Davis Law Review Online*, 238. UC Davis Law, no. 52:233 (February 2019).

⁵⁵ *Id.* at 235.

⁵⁶ *Id.* at 236.

⁵⁷ <https://reportfraud.ftc.gov/#/faq> (under "What happens to my report?")

⁵⁸ "Consumer Protection in the United States: An Overview," n.d. https://h2o.law.harvard.edu/text_blocks/183.

Finally, individual consumers can also use courts, at the federal and state level, as tools to resolve disputes with businesses. While state consumer protection laws are unique to the individual state, they often derive much of their laws and standards from the rules enforced by the FTC.⁵⁹

Timely and Speedy Resolution for Disputes

Arbitration is known to be an effective means of dispute resolution in many instances, though it has also been cited as allowing businesses to have an unfair advantage over the consumer. An 2021 FTC performance report indicates that the percentage of redress cases in which money was to be distributed to consumers within six months following the resolution was 100%.⁶⁰

Discussion

Enforcement/Regulation

One regulatory feature that all three countries have in common is a multi-regulator system for the enforcement of consumer protection laws. However, while each country has a regulatory body that oversees broad consumer-related matters, the ways in which responsibility is divided differs. For example, one striking difference is that Australia's overarching consumer protection law applies both at the federal and state level. Though Australian states have their own consumer agencies and laws, they all still must enforce the ACL. This is opposed to the U.S. where the overarching consumer protection law at the federal level is not necessarily binding for states, though states do voluntarily enact some federal standards.

Another striking difference is that Sweden does not have an overarching consumer protection law, as its primary consumer protection agency enforces multiple acts with specific consumer interests. In fact, the legislative style of Swedish consumer law is quite concise and straightforward. Their laws avoid excessively long and detailed provisions, a style which contrasts starkly with many other countries, including others in the EU.

⁵⁹ *Id.*

⁶⁰ “Federal Trade Commission Annual Performance Report for Fiscal Year 2021 and Annual Performance Plan for Fiscal Years 2022 to 2023.” *Ftc.Gov*. United States Federal Trade Commission, 13. 2021. https://www.ftc.gov/system/files/ftc_gov/pdf/21apr_22-23app.pdf.

The differences both in the division of responsibility between institutions and in the style of legislative authority provide key insight into how legislation itself ought to be written. Sweden's consumer protection regulation system is generally effective, so its legislative style cuts through an assumption that the language of law and policy must inevitably be overly exact.

Provision of Educational Resources

Each country's primary consumer protection agency has differing topics of focus for educational materials. The focus is dependent upon the particular industries regulated by the agency. Additionally, while Australia's ACCC and Sweden's KOV focus a great deal on providing information about consumers' rights, the U.S.' FTC focuses far more on providing instructions on how to avoid fraud, scams, and other unfavorable harms due to bad business practices. "Educational resources," therefore, is a term that does not have a universally followed meaning. Each agency has its own enforcement priorities that ultimately shape the type of information it provides to consumers.

Another interesting difference is that Sweden's 2009 Ordinance is the only authority-bestowing government act between the three countries that mandates agencies to provide educational materials to consumers. Nevertheless, the ACCC and the FTC both still provide such materials. That education is a tool for the adequate protection of consumers is supported by the three agencies' provision of informative resources.

Forum for Complaints

All three countries' consumer dispute resolutions systems are similar in that individual disputes are best handled at the local level. However, while neither the FTC nor the ACCC can resolve private actions, they both have intervened in court actions where they have determined that the violation at issue affects the public interest. Furthermore, the head of the KOV is an ombudsman who represents individual consumer actions, though rarely. Sweden is also the only one of the three countries that has courts specialized to hear cases dealing with consumer protection issues. While disputes between consumers and businesses are generally handled at the local level, the role of the judiciary and other conflict resolution forums can play a unique role in settling certain disputes.

Another difference is that the KOV and the FTC make their consumer complaint reports public, as opposed to Australia, which does not. As a result, in Australia there have been

difficulties with isolating data specific to consumer complaints, and thus, difficulties noting statistical trends affecting the general Australian consumer community. This difficulty speaks to an important use for and consequence of publicly available consumer complaint report information.

Timeliness of Dispute Resolution

There do not appear to be major differences in timeliness of dispute resolution between the three countries. However, this is likely due to the high variability that comes with settling each case. Each country also has dispute resolution mechanisms that work more efficiently than its others, and the most efficient means of resolution all appear to be those at the local level.

Conclusion

The most notable differences between the three countries' consumer protection system are those within the institutional enforcement/regulation category. Each country has a system in which there are multiple regulators at the federal and state level in charge of protecting consumers' interests. However, though the primary consumer agencies (e.g. the FTC and the ACCC) shared similar responsibilities, they differed in the extent to which they would engage in certain enforcement activities, such as court action. Similarly, while each primary federal agency provided educational resources to consumers, the topics covered in those resources were not the same. For example, the ACCC's and the KOV's resources focused on informing consumers of their rights when using certain goods or services, while the FTC's resources focused on avoidance of getting scammed, defrauded or misled.

Another important feature of consumer protection is having forums in which consumers can not only complain about but also resolve disputes with businesses. In each country there are widespread, structured dispute resolution systems, like Alternative Dispute Resolution, which favor localized resolution. Sweden, however, has courts specifically designed to resolve consumer-business disputes expeditiously.

The variability of methods used by countries in enforcing their laws allows one to analyze some of the aspects of regulation commonly taken as a given rather than as a purposeful means of regulation. Accordingly, learning about the different strategies employed to protect consumers may be used to inform and strengthen future regulatory strategies in another country.

These elements do not indicate whether one country's system works more effectively than that of another's, but they certainly shed light on the nuances in the enforcement and regulation of consumer protection law.