

SME panel questionnaire on Alternative Dispute Resolution (ADR)

Alternative Dispute Resolution (ADR) covers all dispute resolution processes that operate outside of the judicial process. ADR includes processes like mediation, arbitration, conciliation and consumer complaint boards.

The European Commission is currently examining the operation of ADR schemes in Europe. We would like to know whether businesses think ADR is an effective way for resolving disputes with consumers. The Commission will take into account the views of the businesses in order to design future policies on ADR that respond to the needs of businesses as well.

This questionnaire gives you the opportunity to submit your views about ADR with the help of your local Enterprise Europe Network partner.

You are able to access the database with all the notified ADR schemes in your country on:
http://ec.europa.eu/consumers/redress_cons/adr_en.htm

We would like to thank you in advance for your valuable contribution.

Company profile

1. In which country is your company located?

2. Apart from your country, in how many countries of the European Union do you regularly sell products and services?

3. How many employees does your company have?

☐ 0-9
☐ 10-49
☐ 50-249

4. Indicate your main sector of activity:

A) Familiarity with ADR

1. Have you heard of any ADR schemes in your country?

- ☐ Yes
- ☐ No (go to question 3)

2. How did you learn about ADR?

- ☐ My company is a member of an ADR scheme.
- ☐ A consumer informed me about ADR.
- ☐ I found out from another company.
- ☐ I read it in a newspaper/magazine/website.
- ☐ Other [please specify]:
- ☐ Don't know

B) Experience with ADR

3. Did you have disputes with consumers in the past?

- ☐ Yes (go to question 3a)
- ☐ No (go to question 4)

3a. Have you ever used ADR to resolve a dispute with a consumer?

- ☐ Yes (go to question 3b)
- ☐ No (go to question 3c)
- ☐ Don't know

3b. For which type of case, have you already used ADR to resolve a dispute with a consumer?

- ☐ For a national case
- ☐ For a cross border case
- ☐ For both national and cross border cases

3c. Did you ever want to use ADR but it was not available?

- ☐ Yes (go to question 3d)
- ☐ No

3d. Please specify in which sector ADR was not available:

- ☐ Banking
- ☐ Insurance
- ☐ Investment/Securities
- ☐ Transport
- ☐ Postal services
- ☐ Package travel/tourism
- ☐ Air travel
- ☐ Telecommunications

- ☐ Energy, water supply, heating
- ☐ Non- food consumer goods
- ☐ Construction
- ☐ Other [please specify]:

[Q3e to 3h should be answered by businesses that have already used ADR]

3e. Overall, how would you rate your experience(s) of ADR?

- ☐ Excellent
- ☐ Good
- ☐ Neutral
- ☐ Poor
- ☐ Very poor
- ☐ Don't know

3f. In your experience, how do costs for ADR procedures compare with court procedures?

- ☐ ADR costs more than going to court
- ☐ ADR costs about the same as going to court
- ☐ ADR costs less than going to court
- ☐ Don't know

3g. How long did it take you, approximately, to settle your last dispute through ADR?

- ☐ Under 1 week
- ☐ Under 1 month
- ☐ Under 3 months
- ☐ Under 6 months
- ☐ Under 1 year
- ☐ More than a year

3h. Following your experience(s) with ADR, would you use it again in case of a dispute with a consumer?

- ☐ Yes
- ☐ No
- ☐ Don't know

4. If you would have to settle disputes, what would be your most preferred option to solve the issue?

- ☐ Through court (go to questions 7)
- ☐ Through ADR (go to questions 5 and 6)
- ☐ Don't know

5. In your opinion, which are the main advantages of using ADR?

- ☐ It is cheap
- ☐ It is easy to use
- ☐ The dispute is settled quickly
- ☐ It allows the business to maintain its reputation
- ☐ Don't know
- ☐ Other [please specify]:

6. What type of decision would you prefer that ADR bodies provide?

- ☐ Agreement between the parties
- ☐ Non-binding decision (e.g. recommendation)
- ☐ Binding decision for the business
- ☐ Binding decision for both parties
- ☐ Other [please specify]:
- ☐ Don't know

C) Online ADR procedures

Online ADR means that the proceeding takes place exclusively online, in specially designed online platforms and/or by electronic means (e.g. e-mails, skype).

7. Would you be willing to solve a dispute, national or cross-border, through an online ADR?

- ☐ Yes
- ☐ No
- ☐ Don't know

D) Collective ADR procedures

Collective ADR means that a dispute with more than one consumer over the same problem is solved with one common ADR proceeding.

8. Do you think collective ADR is a good way to solve disputes over the same problem with a group of consumers?

- ☐ Yes (go to questions 9)
- ☐ No (go to questions 10)
- ☐ Don't know

9. Why do you think collective ADR is a good way to solve disputes over the same problem with a group of consumers?

- ☐ Bundling makes the proceeding cheaper
- ☐ Bundling makes the proceeding quicker
- ☐ It provides the possibility to solve the dispute with many consumers in a homogeneous way.
- ☐ Don't know
- ☐ Other [please specify]:

E) ADR funding

There are various ways to fund ADR schemes. These include public and private funding (e.g. business, parties' fees) or a combination.

10. How would you be willing to contribute financially to the costs of setting-up and running an ADR?

- ☐ I am not willing to contribute financially
- ☐ Through a fee for each case my business is involved in
- ☐ Through a levy
- ☐ Through a specific tax to businesses for this purpose
- ☐ Other [please specify]
- ☐ Don't know