

INFORMATION IN ENGLISH

ABOUT THE CENTER

The National Center for Information and Arbitration of Consumer Disputes (CNIACC) aims to accompany consumer disputes through information, mediation and arbitration. The Center acts in all areas of Portugal which are not covered by other entities with competence for the extrajudicial resolution of the case.

DISPUTE RESOLUTION MECHANISMS - A BRIEF OVERVIEW

Information: All cases start in this phase. Its main objective is to allow the Center to assemble the necessary information on the dispute as well as the parties' agreement to proceed to mediation.

- If necessary, the Center contacts the claimant to ask for additional information about its city of residence or the subject-matter of the complaint. If the Center is competent to deal with the case, it contacts the trader with a brief outline of the claimant's version.

Mediation: It is the preferred means for the resolution of disputes in the Center. Mediation is a voluntary procedure where a third party (the mediator) intervenes impartially with the objective to promote the agreement between the parties. The mediator has no power to impose a solution on the parties.

- If the trader accepts the Center's intervention, mediation is conducted by the mediator and all contacts with the parties are preferentially through e-mail or telephone.

Arbitration: Arbitration is limited to cases where the mediation concludes without an agreement and one of the following conditions is met: (i) the dispute is related to essential public services and the consumer requires arbitration; (ii) the parties have concluded an arbitration agreement or (iii) the trader accepts the Center's jurisdiction to any future dispute in a given subject-matter and the consumer requires arbitration. The arbitral decision has the same effects as a judicial decision.

- After receiving both the claim and the defence, an arbitrator is appointed; the secretary of the process is responsible for notifying the parties of all requests made by the arbitrator and to relay the answer to the arbitrator and to the opposing party.