

**Question for oral answer O-000108/2012
to the Commission**

Rule 115

Othmar Karas, Simon Busuttil, Jean-Pierre Audy

on behalf of the PPE Group

Subject: Speeding up the fight against misleading advertisement fraud targeting SMEs

Small and medium-sized enterprises form the backbone of our internal market and the European economy. Parliament has received over 400 petitions concerning widespread misleading business practices by business directory companies. These affect thousands of mostly small businesses in the EU and have a significant financial impact. The misleading practices have taken various forms, including false invoices, business listings in web guides or on CD-ROMs, magazine advertisements and domain registration. Fake invoicing often has a cross-border dimension as the criminals often target SMEs in other countries. These criminal practices – which often go unpunished – are facilitated by the Member States' failure to prioritise the problem and their differing approaches to and legal frameworks for dealing with such fraud.

1. In its resolutions of 16 December 2008¹ and 9 June 2011² Parliament expressed concern about the problem of misleading business directories. Is the Commission prepared to take this form of crime seriously, and to make swifter progress with regard to combating it?
2. Is the Commission willing to coordinate, in close cooperation with the Member States, the setting-up of national focal points to which businesses can report misleading practices, and where they can get help and expert advice on how to tackle various forms of fraud?
3. Is the Commission willing to draft best-practice guidelines for national enforcement bodies regarding (a) the best ways to exchange information and (b) investigation and prosecution priorities, with a view to ensuring that small cases are not ignored, particularly since several small cases of a similar nature together constitute a major problem?
4. Is the Commission willing to put forward a proposal extending the scope of Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for enforcing consumer protection laws to include transactions between companies?
5. Is the Commission willing to put forward a proposal with a view to ensuring that effective action is taken against rogue companies?
6. Is the Commission willing to put forward a proposal to extend the scope of Directive 2005/29/EC by introducing a specific ban on misleading advertising practices, including misleading business directories?
7. Is the Commission willing to encourage Member States, SME organisations and other stakeholders to mount a joint European effort to combat fake invoicing, including by carrying out information campaigns, setting up blacklists and establishing overviews of national legal frameworks?

Tabled: 2.5.2012

Forwarded: 4.5.2012

Deadline for reply: 11.5.2012

¹ OJ C 45 E, 23.2.2010, p. 17.

² Texts adopted, P7_TA(2011)0269.