

# Consumer recommendations

CROSS-BORDER CAR PURCHASES

# What to look out for when you're bargain hunting

These consumer recommendations are part of the ECC-Net joint project 2015  
on cross-border car purchase and registration.

Help and advice  
for consumers  
in Europe



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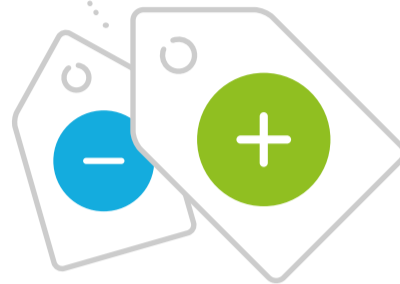




## Where can I find general information on cross-border car purchases?

Check the [> website of your local ECC](#). If they can't give you the information you're looking for, they will most certainly be able to tell you where you can find it.

You can also refer to or seek advice from [Your Europe](#).



# Compare prices thoroughly

In general, you should conduct your own research by checking with different dealers and consulting manufacturer adverts and information online. **The standard equipment and technical features of a car may not be the same on all national markets. You should thus be very thorough when comparing** the price of a particular model in different countries so as to be sure that you are comparing cars with the same equipment and interiors.

Do not only consider the price of the car, but all **additional costs** that may be applicable in your country such as taxes for registering or owning a car, VAT for a new car, environmental taxes, badges, etc..

Do not forget that you may need transit plates and a valid insurance to bring the car back to your residence country.



## Is the offer available throughout the EU?

**Offers made in one Member State are sometimes not open to consumers from another.** This may relate to the purchase itself or accessory services such as commercial warranties. Check with the seller. **EU law prohibits unjustified discrimination based on nationality or place of residence.** However, **legitimate reasons as to why offers might differ from country to country do exist.** They include costs incurred due to distance or characteristics of the service, differing market conditions, issues with competitors' pricing or risks linked to differences between national rules. If you have the impression that you are being discriminated against with regard to price or availability of offers based on your country of residence, do not hesitate to contact your consumer contact point:

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**guides/bodies\_designated\_en.pdf\***

> [link to the European Consumer Centres Network](http://ec.europa.eu/DocsRoom/documents/12235/attachments/1/translations/en/renditions/native): <http://ec.europa.eu/DocsRoom/documents/12235/attachments/1/translations/en/renditions/native>

> [link to the „Service Directive“ 2006/123/EC](http://ec.europa.eu/growth/single-market/services/services-directive/in-practice/index_en.htm): [http://ec.europa.eu/growth/single-market/services/services-directive/in-practice/index\\_en.htm](http://ec.europa.eu/growth/single-market/services/services-directive/in-practice/index_en.htm)



## Find out about the seller

Before investing in a car,  
be as certain as you can that the seller is legitimate.

- **Check the legal existence of the trader** in public company registers or those of chambers of commerce or courts. **Most official company registers provide basic services for consumers free of charge.** When buying on the Internet, you should look for all information indicating the identity of the company/seller: name of the company and its directors, headquarters or office address, telephone numbers, etc..
- Check that the website indicates the **general terms and conditions** and requirements such as **legal guarantees and withdrawal/cooling off rights** and that these are worded correctly, with no spelling mistakes, etc.



For distance and off-premises contracts, you have the right to a cooling off period of at least 14 days from delivery, unless the car has been specifically designed/customised or had specific options and accessories integrated by the trader.



The date on which a website was set up and registered with the domain registry can be significant. **The newer the website and the more complaints made about it, the more careful you should be.** If you are used to researching on the Internet, use history search engines to check how and when websites have been updated, or to verify that the pictures published have not been taken from other websites.

- **Look out for fraudsters** using details and sometimes even mirror websites of legitimate companies, false addresses, P.O. boxes or several websites (one for the alleged selling company, one for the alleged shipping company, etc.). **If the seller uses services from a third party, you should be as thorough when checking this third party as when checking the seller.**
- Once you have the address details, publicly available maps on the Internet allow you to **locate the address**. If it seems to be in a residential area, be very vigilant.
- **Check the reputation** of the seller online or on **publicly available lists** such as those of out of court dispute resolution bodies to see if they are blacklisted. Even though not all countries have legislation on consumer reviews yet, and there might be some false reviews, they allow you to get an overall picture. You can also contact **consumer protection bodies** to see if they have received complaints against the trader.
- Do not hesitate to call the company to get an idea of its customer service standards.
- **Document the pre-purchase process by printing or saving the main documents such as order confirmation, invoice, general terms and conditions, e-mail exchanges, etc..**



## Check the details of the car

To get a clear idea about the seller, ask them to send you all the details of the car: serial number, photocopy of proof of ownership, odometer reading and purchase invoice. **Avoid any seller that answers these questions superficially and evasively.**

## Before buying a car abroad, check that the car is sold with all the original papers

Ask the seller for the service book, history of the car and if all registration papers are available. Do not accept them to be sent only at a later date.



## Work out the car's real value

When you go bargain hunting in another EU Member State, **make sure you get a good deal, not only in terms of price, but also in terms of quality.** Adverts often give a very low price or, if the price is close to the market average, it often includes free transport of the car to the consumer and back to the seller if the consumer does not like it. As the cost of the latter tends to be significant, such offers might appear attractive but you are probably not getting the full story.

**Check the real value of the car, especially for second-hand cars. If the offer seems too good to be true, it probably is!** In most countries, you will have to consult private websites, automobile clubs or dealership federations for an evaluation. Evaluations on private websites may not always be accurate as they take into account only general information about the car (brand, model, fuel type, production year).

**Some are very detailed however, with information about the history of a car from production year and country to date of first registration, inspections and repairs, insurance and whether a car has been registered as stolen.** Some of these private initiatives have become reference points for professionals such as producers, distributors, notaries, lawyers, bailiffs, insurers, the police and tax authorities.



**Public bodies also offer possibilities for checks.** For example, the Estonian Road Administration has an online service offering background checks on vehicles. The Swedish Transport Agency (Transportstyrelsen) also provides an online service for background checks on vehicles.

**To get precise information on the car you wish to purchase, you may consider carrying out certain checks of your own. However, the seller will have to agree to this and you might have to pay.**

As cars usually have to pass a vehicle inspection, check with the seller when the last inspection took place and when the next is due. The legal timeframe in which a car has to pass a vehicle inspection varies between Member States. However Directive 2009/40/EC sets minimum requirements: Passenger cars must at least be tested 4 years after their first registration date and every 2 years thereafter.

**Finding out if the car passed its previous vehicle inspection and about the conditions of the inspection might give you an idea of its current state, at least as regards whether or not it is roadworthy.** However, passing an inspection does not necessarily mean that the car is in good condition. Also, the elements listed on and the details of the technical inspection certificate vary considerably. Whereas, for example, an Austrian certificate provides information on things not directly covered by the tests, such as a thorough description of the external condition of the car (scratches, etc.), a German certificate gives little more than the results of the tests and is very short.



## Check if the car is stolen

**Some Member States have publicly available lists of stolen cars which can be accessed by consumers.**

In others, only authorities can access registration data, so private initiatives have been undertaken to draw up lists of stolen cars. They might not always be completely accurate but can give a first indication that something is wrong, leading to further checks....



## Check payment methods

When enquiring about payment methods, be careful if the seller tries to dissuade you from using your regular bank account.

ECCs usually advise you not to make prepayments by cash transfer, especially if you have never met the seller and haven't seen or inspected the car.

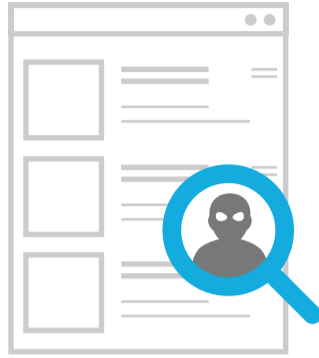
**ECCs advise the utmost vigilance before validating a payment** and often recommend using credit cards, which give you better protection especially under the chargeback scheme.

**If in doubt, don't buy as protection in fraud cases is very limited!** If no chargeback mechanisms are available, the money you pay will almost certainly be lost.



## Don't sign a contract you do not understand.

Carefully read through the contract: every word counts! Some traders try to exclude for example legal guarantee rights by claiming that the contract is a business-to-business contract or that the car is sold „without guarantees“.



## Recurrent car purchase frauds registered by the ECC-Net

The following types of case can be found all over the EU in various forms. Many online intermediary platforms specialising in cars have issued warnings on their sites to prevent fraud. In several countries, criminal proceedings are ongoing to try to trace the perpetrators.

**Be aware that the people running intermediary websites never contact the consumer to intervene in a transaction. They do not recommend specific payment methods, nor do they try to talk you into a sale.**



## Sale of a non-existent vehicle



An advertisement for an attractive vehicle at a bargain price is placed on an intermediary platform and quickly finds a buyer. The interested party is immediately informed that the seller and the vehicle are not located nearby and it will therefore be difficult to make an appointment for the sale.

To „reserve“ the vehicle and prove the buyer’s interest, the seller requires payment of a deposit. In all such cases, the buyer is invited to use a cash transfer service or a bank transfer to send money to an account based in another country and generally opened in the name of a private person or a „false company“. Cash transfer services allow money to be withdrawn anonymously and are therefore extremely risky if the consumer does not know the recipient.

To reassure the buyer, the scammers might send falsified emails suggesting that the intermediary platform recommends such a method of payment, or guarantees a refund of the amount paid in the event of a problem. These messages look just like the messages an intermediary would send, but they do not come from the intermediary as the platform operators never intervene directly in a sale. Very often, the consumer is redirected to the website of a fake third party or transport company which might offer to help with the transfer of the car to the consumer’s country. Again, fake emails are sent to the buyer to strengthen trust.

Finally, fake sellers do not hesitate to send their victims copies of stolen identity cards or family photos collected on the internet.

Once the transfer is made, the sale never happens and the seller disappears.





## A false promise of a purchase



The principle is inverted for this type of scam. An individual advertises a car on the Internet and is quickly contacted by an interested buyer who does not live in the seller's country.

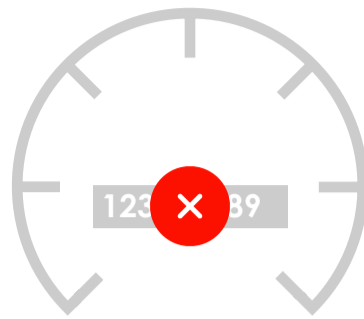
Payment must therefore be made at a distance, but this is not a problem for the buyer who writes a (stolen) cheque issued by a foreign bank to the seller. The value of the cheque exceeds the price of the car, usually by several thousand euros. The fake buyer explains that the additional amount should be used to pay for a service facilitating the transaction (mechanical expert, carrier, agent to make the purchase on behalf of the buyer).

Once the value of the cheque is credited to the account of the seller, the scammer asks the seller to pay a (false) company for the aforementioned service(s) by cash transfer. The recipient of the payment is actually an accomplice, or even the fake buyer in person.

Some days later, the seller's bank discovers that the cheque is stolen, but it is already too late.



As the seller, you should only accept bank cheques for the correct amount. Deliver the car 2 to 3 weeks after cashing the cheque so that the bank can verify the transaction. If in doubt, ask for a copy of the buyer's identity card or passport, certified by the embassy or consulate.



# Clocking

**Clocking involves winding back the odometer on a car to increase its apparent value. It is easy to do with mechanical or digital tools widely available via e-commerce.** Clocking is not illegal in Cyprus, Latvia and Portugal.

In other countries, in order to make a claim you will usually have to start criminal proceedings which are complex, costly and long, especially in a cross-border context. You will also have to provide factual evidence of the fraud, of the intent of the seller to provide false information, etc.. If the applicable law provides for it, cancellation of the contract may need to be pronounced by the courts in a civil procedure.

Besides the price manipulation, clocking puts the safety of road users at risk as the more wear and tear on a car, the higher the risk of a breakdown or accident. It therefore makes sense to **check, as far as possible, the real mileage of a car before buying**. The owner's manual or service book can give an indication regarding mileage and age of the car at the time of various checks and services.

Currently, it is quite difficult for consumers to find this information and in most cases you would have to perform a check of the car. However, before purchase the seller has to agree to any such check. Only in five countries does it seem possible to find mileage information before buying.

**In Belgium and the Netherlands, consumers can consult a “Car-Pass” or “NAP document” indicating the mileage of the car at different dates.** In Belgium, if the Car-Pass is not provided, the consumer can ask for cancellation of the sale. In the UK, consumers can check the mileage using the M.O.T. scheme records: > [check-mot-history-vehicle](#)



On the website of the Swedish Transport Agency, consumers can find the date of the last approved technical inspection and mileage at that time.

In Hungary, it is also possible to check certain details of the car pre-purchase. To use the service it is necessary to register on a central website and details can be accessed for a fee (HUF 275 (~EUR 1)/vehicle but a minimum of HUF 625 (~EUR 2) is due). Registered users can get access to information such as the licence plate number, the make of the vehicle, mileage and whether the car is allowed to be driven on the road. They can also check whether several other types of detail in the vehicle documents match with those in the registry (number of the registration certificate, year of manufacture, date of the first registration, weight, fuel type). Payment can be made online with a bank card and the result is made available in PDF format.



# Cloning

**Cloning entails giving a car the identity of another, already registered, car using either the plate or identification number.** In some cases, the registration plate number is an invention and doesn't correspond to that of another registered vehicle. Consumers may be alerted to this when car shopping by prices which are substantially lower than those for comparable models, inconsistencies in the vehicle history report, mistakes in the vehicle papers, signs of tampering with registration plates, etc..

Unfortunately, consumers often only realise that they have fallen victim to cloning fraud after purchase, when they receive notices about unpaid parking tickets or speeding offences. If you receive any such notice, contest it by providing a copy of your vehicle registration papers and your identification. Show that you couldn't have been at the place where the offence was committed with a statement from your employer, bank slips, train or plane tickets or any other document. As soon as the second notice arrives, think about getting the plates changed. Usually, you will need to file a complaint with the police or the prosecutor. You may also report the matter to the vehicle registration authority.



# If the seller uses a marketplace

or other intermediary website, can you start proceedings against the intermediary for fraud?

**According to the terms and conditions of intermediary websites, they do not usually bear any responsibility for the adverts published and only facilitate sales.** They are not responsible for data, images, advertising or information placed on the website provided by advertisers unless the advert is illegal or the website operator does not comply with national legislation. Intermediaries usually cooperate with judicial authorities or police on request and if privacy and data protection issues have been settled by a judge.

**As the contract is signed by the buyer and the seller, recourse is only possible against the seller.** However, if you suspect fraud, report it to the website operators who may then prevent the seller from posting further adverts. If the intermediary fails to act, future victims may be able to argue that they were negligent in failing to remove adverts placed by a particular seller despite previous complaints of fraud. However, solid evidence will be necessary.



If you cannot reach an amicable solution with a seller based in another EU Member State, Iceland or Norway, contact your

> [European Consumer Centre](#).





## To whom should you report fraud?

In your home country, you should contact the police station or the public prosecutor's office.

In the seller's country, if you are not able to be there, you can often send a recorded delivery letter to the nearest police station to where the seller is located.

**Police forces in several countries have cyber crime units to whom you can report online scams. For further information, check the country fact sheets on purchases.**

It may be useful to check Internet forums or discussion groups to see if there is an opportunity to submit numerous complaints about fraudulent practices to the same police station or public prosecutor's office. This will help to stress the extent of the fraud to the authorities.

**If you have been the victim of a fraud, quickly check with your bank or credit card issuer whether any guarantees are foreseen in the contract.**

> [link to country fact sheets](http://www.europe-consommateurs.eu/en/consumer-topics/on-the-road/buying-a-car/cross-border-car-purchase-and-registration/): [www.europe-consommateurs.eu/en/consumer-topics/on-the-road/buying-a-car/cross-border-car-purchase-and-registration/](http://www.europe-consommateurs.eu/en/consumer-topics/on-the-road/buying-a-car/cross-border-car-purchase-and-registration/)

> [link to the European Consumer Centres](http://ec.europa.eu/consumers/solving_consumer_disputes/non-judicial_redress/ecc-net/index_en.htm): [http://ec.europa.eu/consumers/solving\\_consumer\\_disputes/non-judicial\\_redress/ecc-net/index\\_en.htm](http://ec.europa.eu/consumers/solving_consumer_disputes/non-judicial_redress/ecc-net/index_en.htm)

# For more detailed country-specific information

concerning the purchase of a car in another EU Member State and its  
registration in your home country, consult > [the country fact sheets](#)

or the website of > [your local ECC](#)



> [link to country fact sheets](https://www.europe-consommateurs.eu/en/consumer-topics/on-the-road/buying-a-car/cross-border-car-purchase-and-registration/): <https://www.europe-consommateurs.eu/en/consumer-topics/on-the-road/buying-a-car/cross-border-car-purchase-and-registration/>

> [link to European Consumer Centre](http://ec.europa.eu/consumers/solving_consumer_disputes/non-judicial_redress/ecc-net/index_en.htm): [http://ec.europa.eu/consumers/solving\\_consumer\\_disputes/non-judicial\\_redress/ecc-net/index\\_en.htm](http://ec.europa.eu/consumers/solving_consumer_disputes/non-judicial_redress/ecc-net/index_en.htm)

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