

Preface

The *Yearbook of Consumer Law* is now an established series, this being the third volume to be published. It is edited under the auspices of the Consumer Law Academic Network (CLAN), a cooperation of consumer law scholars and practitioners led by Geraint Howells (Lancaster), Annette Nordhausen (Manchester), Deborah Parry and Christian Twigg-Flesner (Hull). It contains a stimulating range of peer-reviewed scholarly articles and a selection of shorter chapters exploring current developments in a variety of jurisdictions. As has been the case with the earlier volumes, there has been no difficulty in attracting submissions of a high calibre and prospective contributors are already in contact regarding the fourth volume. The managing editorship for the 2010 *Yearbook* will be assumed by Annette Nordhausen, who was co-editor of this volume, assisted by Geraint Howells as co-editor.

As might be expected, and following the pattern of contributions in the first two volumes of the *Yearbook of Consumer Law*, the influence of Europe is a central feature of many of the contributions to this volume. It commences with a far-ranging analysis of the intrinsic, extrinsic and global problems of the development of European Consumer Law by Norbert Reich. Paul Nihoul then provides a critical analysis of the position of European consumers of telecommunications services, postal services and energy for which the EU has passed liberalisation directives. The impact of the European Union on domestic law is the subject of Paul Micallef's chapter on Consumer Law in Malta.

The focus then moves to financial regulation and control. Nicola Howell and Therese Wilson, in their chapter on the position of consumer protection and fair trading in competitive markets, use the Australian consumer credit market as a case study to assess the effectiveness of competition as a regulatory tool. Mary Donnelly follows, with an analysis of the Irish Consumer Protection Code, an innovatory measure introduced by the Irish Financial Services Regulation Authority. The regulation of unsecured credit in Japan is the subject matter of the next chapter. Many European consumer lawyers are unfamiliar with consumer protection measures in Japan. Souichirou Kozuka and Luke Nottage seek to rectify this and to reduce the considerable gap in the literature available in English on Japanese Law.

Regional developments on the theme of methods of obtaining redress for consumers and their strengths and weaknesses are examined in the final two chapters. Cristina Poncibò looks at European developments encouraging collective redress for consumers, using the Italian system as an example of their practical

application. Finally, Richard Alderman expresses concerns at the growth of arbitration as a means of dispute resolution in the United States.

It can be seen from these chapters that, whilst there may be local variations, in many different jurisdictions similar issues and concerns arise. Consumer lawyers can greatly benefit from studies conducted throughout the world and it is important that research and scholarship from a diverse variety of national perspectives is widely disseminated.

The section on current developments begins with two chapters on the implementation of the Unfair Commercial Practices Directive, which is already having a major impact on the laws of Member States of the European Union, and which has also been considered in some of the previous chapters. Alan Barron develops further some of his findings from his chapter on 'Reasonable Expectations, Good Faith and Self-Regulatory Codes' in the *Yearbook of Consumer Law 2007*, by looking at provisions in the Directive and their effects on codes of conduct in the United Kingdom. Paul Micallef then explains how the Directive has been implemented in Malta.

Recent developments in United Kingdom case law on the Consumer Credit Act 1974 are the focus of the chapter by James Ross. This is followed by Susanna Navarro, who comments on Spanish legislation affecting long term contracts. New legislation in France, aimed at developing competition for the benefit of consumers, is the subject matter of a chapter by Alexandre Regniault. Having examined passenger rights for sea and inland waterway transport in the *Yearbook of Consumer Law 2008*, Jens Karsten turns his attention to the regulation of rail passengers' rights in this volume. The final chapter, by Andrew Laidlaw, returns to the topic of methods of redress, raised in the full chapters, by discussing the scope for class actions in Europe.

The editors are grateful to everyone at Ashgate involved in producing the *Yearbook*.

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