



# **Report on the functioning of the Consumer Rights Directive**

## **State of play and timeline for adoption**

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# Directive 2011/83/EU on consumer rights

- Transposition deadline 13 December 2013
- Applicable since 13 June 2014
- Many Member States notified the transposition measures just before the application date
- All Member States started to apply the transposition measures before the end 2014

## Important changes

- **Pre-contractual information requirements** for on premises contracts as well as for off-premises and distance contracts
- **Formal requirements** for distance and off-premises contracts
- Fully harmonised **right of withdrawal** for all distance and off-premises contracts (14 days)
- Rules for delivery and passing of risk
- Elimination of surcharges for the use of credit cards
- Ban of pre-ticked boxes for additional payments
- Specific rules for contracts for purchase of digital content

# Horizontal transposition check of national legislations

- Horizontal transposition check of national legislations on-going (certain transposition problems identified in 21 MS)
- Some issues have already been solved via structured dialogue – constructive approach of most MS
- If problems not solved, the Commission can open infringement proceedings for non-compliance of transposition measures

# Commission Report on the CRD

- **full evaluation report is planned to be adopted in first quarter of 2017**
- The CRD report will feed into a broad Fitness check of the consumer and marketing law launched in early 2016, results planned for 2017

# Report of the Commission

- Information on transposition into national laws
- Public consultation (foreseen for spring 2016)
- Study supporting the CRD Report

## **Study supporting the CRD Report**

- Timing: Contract with an external contractor will be signed soon (end April 2016)
- Duration: 6 months
- Aim: to collect practical experience with the functioning of the CRD

# Sources of information

- on-line survey of stakeholders (consumers, traders, enforcement authorities, consumer and business organisations, European consumer centres)
- Interviews with stakeholders
- Complaint database of European Consumer Centres
- Analysis of results of the CRD Sweep carried out in October 2015
- Analysis of responses to public consultation
- Mystery shopping exercise
- Behavioural experiment





# Questions?

# Thanks for your attention!