

The EC publishes guidelines on the Consumer Rights Directive

On 13 June 2014, Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights (the “**Consumer Rights Directive**” or “**Directive**”) became applicable. In view of facilitating the effective application of the Directive, the Directorate-General Justice of the European Commission has issued a guidance document (the “**Guidance**”) offering suggestions for the interpretation of the Directive’s key concepts and provisions (click [here](#) to view).

The Guidance is not legally binding and any authoritative interpretation of the Directive’s provisions is acknowledged to remain within the sole competence of the Court of Justice of the European Union. The Guidance does, however, offer practical examples with respect to specific legal matters addressed by the Directive, such as what information needs to be provided to consumers prior to any sale, or how the 14 days’ term of withdrawal from the contract available to consumers is calculated.

The Guidance also provides a detailed model which may be used by traders for displaying consumer information in relation to digital products offered for sale online. This is intended to promote compliance by traders with the information requirements in the Directive regarding this type of product, while simultaneously establishing uniform and easily comparable methods for providing information.

According to the European Commission, it is intended that the Guidance be updated as further needed in order to reflect the issues which may arise in practice based on actual application of the Directive.

At a glance, the Guidance seems to represent a useful tool for companies caught by the provisions of the Directive, who will be able to use it as a reference for conducting their business in line with such provisions.

For information regarding the main novelties introduced by the Directive and its transposition into Romanian legislation, please refer to our article of 19 June 2014 (click [here](#) to view).

For further information, please contact:

Ana-Maria Nistor
Bucharest
[+40 21 407 3872](tel:+40214073872)

Ioana Barbu
Bucharest
[+40 21 407 3850](tel:+40214073850)