



**Committee on the Internal Market and Consumer Protection**

IMCO-09-103

Brussels, 26 March 2009

**OPINIONS OF NATIONAL PARLIAMENTS  
ON THE PROPOSED DIRECTIVE ON CONSUMER RIGHTS  
COM (2008) 614**

This table presents in a concise format the opinions received from National Parliaments.

**Summary**

- Positive opinions: 9
- Negative Opinion: 2
- No opinion: X

**DISCLAIMER:**

**This note is work-in-progress and will be progressively updated**

National Parliament	Chamber	Position - Scrutiny information (negative opinions are in <b>bold</b> )
BG	Narodno Sobranie	The proposal has been examined by the European Affairs Committee. Report of the European Affairs Committee adopted on 19.02.2009.
BE	Sénat / Senaat	The document has been sent to Committee on Financial and Economic Affairs and the Social Affairs Committee. There were no remarks.
	Chambre des Représentants - Kamer van volksvertegenwoordigers	
CZ	Poslanecká Sněmovna	This document was deliberated by the Committee for European Affairs on 18/12/2008 and resolution No. 343 was adopted. The proposal is in compliance with the principle of subsidiarity.  The Committee takes note of the proposal of the Directive on Consumer rights and the position of the Czech Government to it. The Government supports the proposal, but puts the accent on founding balance between consumer protection and nonburdening of the business environment and also on rigid adherence of the principle of full harmonisation.
	Senát	The Committee on EU Affairs of the Senate welcomes the proposal of the Commission and expresses its satisfaction over the fact that it is in accordance with recommendations given by the Senate in its resolution on the February 2007 Green Paper on the review of the consumer acquis.
DA	Folketinget	
DE	Bundestag	
	Bundesrat	<b>In principle, the Bundesrat welcomes the intention of legal harmonisation of cross border business in order to facilitate it and to make it more transparent. However, the streamlining of 4 instead of 8 consumer protection directives will not improve the existing situation of legal fragmentation. In addition, the full harmonisation approach will have a strong impact on the national legislation, in particular as far as civil law provisions are concerned. The EU has no competence to do so, as this is not covered by Art.95 of the Treaty. Hence, the principle of subsidiarity is violated (page 4, point 9).</b>
EE	Riigikogu	The proposal has been examined by the European Affairs Committee and the Economic Affairs Committee. Both support the position of the Estonian Government.  The Government supports the proposal and its adoption. In particular, it is in favour of applying the principle of

		<p>maximum harmonisation without exceptions provided that:</p> <p>(1) the proposal does not substantially and disproportionately decrease the current level of protection for Estonian consumers and</p> <p>(2) does not substantially contradict the general principles of Estonian private (contract) law.</p> <p>The government supports a differentiated approach, i.e. maintaining the minimum harmonisation with regard to the areas where condition (1) or (2) is met, and introducing full harmonisation in other areas.</p>
GR	Vouli Ton Ellinon	
ES	Congreso de los Diputados	
	Senado	
FR	Assemblée nationale	
	Sénat	<b>The French Senate's Commission of the European Affairs considers that the solution chosen by the European Commission to favour a total harmonization of the rules as regards the consumers' protection is not compatible with the principle of subsidiarity.</b>
IR	Tithe an Oireachtais - Dáil Éireann / Seanad Éireann	It was agreed that the proposal requires no further scrutiny, but that it be forwarded to the Joint Committee on Enterprise, Trade and Employment for information.
IT	Camera dei Deputati	
	Senato della Repubblica	On 17 December 2008 the Committee on EU affairs issued a favourable opinion with remarks.
CY	Vouli Antiprosopon	
LV	Saeima	
LT	Seimas	
LU	Chambre des Députés	
HU	Országgyűlés	
MT	Il-Kamra Tad-Deputati	
NL	Tweede Kamer	

	Eerste Kamer	On 14 November 2008, the Committee on Economic Affairs has given a favourable opinion on subsidiarity and proportionality
AU	Nationalrat	
	Bundesrat	
PL	Sejm	On 12 December 2008 the European Union Affairs Committee decided not to make any comments on the proposal for a Directive on consumer rights.
	Senate	Supports the EU proposal
PT	Assembleia da República	
RO	Camera Deputatilor	
	Senatule	
SL	Državni Svet Republike Slovenije	
	Državni Zbor Republike Slovenije	The Republic of Slovenia supports, in principle, the proposal for a Directive on consumer rights yet maintains some scrutiny and substantial reserves concerning the articles that reduce the existing level of consumer protection in Slovenia.
SK	Národná Rada Slovenskej Republiky	
FI	Eduskunta	
SE	Riksdagen	Consultation on the Proposal or a Directive of the European Parliament and of the Council on consumer rights was held in the Committee 16 of December 2008. The Chair noted that there was support for the Government's positions.
UK	House of Commons	
	House of Lords	