



The European Consumers' Organisation

COMMUNIQUE DE PRESSE
PRESS RELEASE

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EU Contract law - MEPs on the wrong track

The European Parliament votes this week Wednesday 8 on a report by MEP Diana Wallis (UK) supporting the European Commission's proposal for a European contract law system.

The future European 'Optional Instrument' or '28th Regime'¹, aims to establish a separate European system for contract law, as distinct from national law, which would govern day to day consumer contracts. Major concerns are held not only by consumer organisations, but by many stakeholders ranging from SMEs, major business representatives, to national law societies.

Fundamental flaws in the concept of an Optional Instrument for b2c contracts² include the following:

- The Commission's own EU-wide statistics found 79% of traders say the same legal rules across the EU would make little or no difference to boosting their cross border trade.
- 'Optional' is not at all accurate: the business decides whether to use it or not, thereby deciding on the level of protection that the consumer would benefit from and putting the consumer in a 'take it or leave it' situation.
- This instrument would create more complexity and daily confusion instead of more confidence and legal certainty not only for consumers but also for SMEs. It is unrealistic for consumers to make an informed choice between two legal systems (national and EU).

Monique Goyens, Director General of the European Consumers' Organisation (BEUC) commented:

"Vice President Reding's ambition runs contrary to what consumers and SMEs want and expect the Commission to do to promote e-commerce. Instead, she pushes for high flying academic ideas which will not provide practical benefits to European citizens and contradict the Commission's own statistics."

"The stakeholders most concerned by this initiative, European consumers, SMEs and legal practitioners are aligned against it and have written jointly to MEPs asking them not to support it. An Optional Instrument will not help facilitating b2c cross-border transactions, but instead complicate them; in addition there is a clear risk that consumer protection standards will be weakened in many Member States."

ENDS

Please find attached the joint letter to MEPs

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Want to know more about BEUC? Visit www.beuc.eu

 [EC register for interest representatives: identification number 9505781573-45](#) 

¹ As in a European legal system to supplement those of the 27 Member States

² "b2c" is short form for 'business to consumer' as opposed to 'b2b' (business to business) contracts.