

Mrs Meglena Kuneva  
Commissioner for Consumer Protection  
European Commission  
200 rue de la Loi  
B-1049 Brussels

8 April 2009

Dear Commissioner Kuneva,

RE: PROPOSAL FOR A DIRECTIVE ON CONSUMER RIGHTS

In the context of the ongoing discussions on the above-mentioned proposal, we would like to inform you that the undersigned organisations have decided to engage in an informal dialogue to understand each organisation's views better and try to find common ground between the interests of consumers and different kinds of enterprise.

We reiterate our support to the directive's objectives of improving the functioning of the single market by removing unjustified barriers to cross-border trade and achieving a high level of consumer protection.

We attach great importance to the legal clarity and quality of the proposal as well as to the need to know what consequences and changes it would bring about as compared with the current situation.

Against this background, we believe that there is a high degree of uncertainty about the scope and consequences of this proposal, particularly in relation to its impact on national legal orders.

In order to facilitate the legislative debate and give a better understanding of the proposal, we strongly call for clarification and further information on the following:

- The impact of full harmonisation on national legal orders, particularly as regards national civil and consumer legislation and existing related case-law.
- The precise scope of the directive with regard to the range of services and goods which are covered or excluded as well as the treatment of "mixed" contracts.
- The relationship of the proposal with existing Community legislation, particularly the unfair commercial practices directive, e-commerce directive, services directive and Rome I regulation.

Taking the above into consideration, we call on the Commission, the Parliament and the Council to make every effort to ensure that the final agreement is based on a clear and high quality piece of legislation.

We thank you in advance for providing the necessary clarification as early as possible so that the debate can move forward on a clearer basis.

The undersigned organisations will continue to contribute to that end and look forward to further contacts with you on this important proposal.

Yours sincerely,



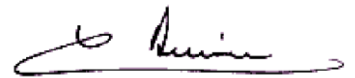
Monique Goyens  
Director General  
BEUC



Philippe de Buck  
Director General  
BUSINESSEUROPE



Andrea Benassi  
Secretary General  
UEAPME



Xavier R. Durieu  
CEO  
EuroCommerce

C.C.: Members of the Internal Market Committee of the European Parliament  
Consumer attachés of the National Permanent Representations to the EU