

Electronic commerce in the internal market: legal aspects, protection of consumer

1998/0325(COD) - 21/11/2003 - Follow-up document

The European Commission's report provides the first assessment of the transposition and application of Directive 2000/31/EC on electronic commerce and its impact. It is based both on the Commission's experience and on feedback received from Member States, industry, professional and consumer associations and other interested parties of their experience with the Directive. In view of the short period of time since the adoption and transposition of the Directive, such experience is necessarily limited. However, it shows that the Directive has had a substantial and positive effect on e-commerce within Europe. Together with the Directive on transparency for information society services, which establishes a mechanism allowing the Commission to assess draft national legislation as to its compatibility with Community law, it creates a straightforward Internal Market framework which allows e-commerce to grow across national borders. With the new legal framework for e-commerce created by the Directive being in the process of being put into place in all Member States, it is now necessary to collect information and gain experience on how the new framework works in practice. To this end, the Commission has launched an open consultation on legal problems in e-business with a view to collecting feedback and practical experience from the market and to identifying remaining practical barriers or new legal problems encountered by enterprises when doing e-business. The analysis to date has not shown a need to adapt the Directive as yet and, given the lack of practical experience, a revision of the Directive would in any event be premature. However, e-commerce is a quickly evolving area, in which legal, technical, and economic developments need to be constantly monitored and analysed.