

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

1998/0325(COD) - 22/04/1999

The Committee supported moves by the Commission to establish a clear and comprehensive legal framework for the increasingly important field of electronic commerce and other information services. The Committee unanimously adopted the proposal subject to a number of amendments aimed at further clarifying the legal responsibilities of service providers, and further improve consumer protection. The Committee fully supported the main principle behind the Commission proposal, namely that information society services should, subject to a number of exceptions, comply with the legislation in the country where the service provider is established. As far as consumer issues are concerned, the Committee voted to strengthen the text as regards the practice of sending unsolicited e-mail, so called spamming. While the Commission only proposed that junk mail must be easily identified as such, the Committee went one step further and introduced an obligation for Member States to ensure that consumers can avoid receiving junk mail altogether by having themselves entered in an opt-out register. The Committee agreed in principle with the Commission's proposal to limit the liability of on-line service providers for transmitting and storing third party information, but added an obligation for these companies to keep all information necessary for tracing and identifying providers of illegal content, as long as this does not violate EU rules on data protection. It also voted to extend the list of companies subject to limitations on liability to include companies providing Internet access. The Committee agreed with the Commission that the directive should not apply at all to certain fields, such as taxation, but added that it should not apply to television and radio services either. The rapporteur for the proposal is Christine ODDY (PES, UK).