

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

1998/0325(COD) - 29/02/2000 - Commission communication on Council's position

The proposed Directive aims at ensuring that Information Society services can benefit from the Internal Market principles of free movement of services and freedom of establishment and that the service providers can provide their services throughout the European Union without legal frontiers. The Commission is satisfied that the common position has incorporated the amendments of the European Parliament which have been accepted by the Commission and have been incorporated in the Commission's amended proposal. Moreover, the Commission is satisfied that the Council's common position maintains the overall balance of the proposal and fully preserves its Internal Market approach, which has been unequivocally supported by the European Parliament at the first reading. In particular, the Council, in line with the European Parliament's approach, decided against adding significant new general derogations to the Internal Market approach. Most of the changes introduced by the Council in comparison with the Commission's amended proposal, are of a clarifying nature and either do not - or at least not significantly - change the substance of the amended proposal and its overall balance, which takes account of all the various interests involved. The most significant changes concern the complete deletion of comitology in all relevant areas and the treatment of electronic contracts where the clarification of the moment of contract formation has been deleted. In order to facilitate rapid adoption of the Directive, which is a matter of urgency, the Commission has accepted these changes to its amended proposal. In conclusion, the Commission welcomes the adoption of the common position on the Proposed Directive of the European Parliament and of the Council on certain legal aspects of Information Society services, in particular electronic commerce, in the Internal Market which should allow a rapid adoption and implementation of the proposal and the establishment of a fully workable Internal Market for Information Society services.