## Basic information

| | |
|---|---|
| **2021/0171(COD)**<br><br>COD - Ordinary legislative procedure (ex-codecision procedure)<br>Directive | Procedure completed |
| Consumer credits<br><br>Repealing Directive 2008/48 2002/0222(COD)<br><br>**Subject**<br><br>1.20.09 Protection of privacy and data protection<br>2.50.04 Banks and credit<br>4.60.06 Consumers' economic and legal interests<br><br>**Legislative priorities**<br><br>Joint Declaration 2021<br>Joint Declaration 2022 | |

## Key players

### European Parliament

| Committee responsible | Rapporteur | Appointed |
|---|---|---|
| IMCO Internal Market and Consumer Protection | KONEČNÁ Kateřina (The Left) | 14/07/2021 |
| | Shadow rapporteur<br><br>SOKOL Tomislav (EPP)<br><br>LEITÃO-MARQUES Maria-Manuel (S&D)<br><br>YON-COURTIN Stéphanie (Renew)<br><br>GALLÉE Malte (Greens /EFA)<br><br>JURZYCA Eugen (ECR)<br><br>BASSO Alessandra (ID) | |

| Committee for opinion | Rapporteur for opinion | Appointed |
|---|---|---|
| ECON Economic and Monetary Affairs | BELKA Marek (S&D) | 01/09/2021 |

### Council of the European Union

### European Commission

| Commission DG | Commissioner |
|---|---|
| Justice and Consumers | REYNDERS Didier |

| |
|---|
| European Economic and Social Committee |

## Key events

| Date | Event | Reference | Summary |
|---|---|---|---|
| 30/06/2021 | Legislative proposal published | COM(2021)0347 | Summary |
| 08/07/2021 | Committee referral announced in Parliament, 1st reading | | |
| 12/07/2022 | Vote in committee, 1st reading | | |
| 12/07/2022 | Committee decision to open interinstitutional negotiations with report adopted in committee | | |
| 05/09/2022 | Committee report tabled for plenary, 1st reading | A9-0212/2022 | Summary |
| 12/09/2022 | Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72) | | |
| 14/09/2022 | Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 72) | | |
| 23/05/2023 | Approval in committee of the text agreed at 1st reading interinstitutional negotiations | GEDA/A/(2023)003048<br>PE746.917 | |
| 11/09/2023 | Debate in Parliament | | |
| 12/09/2023 | Decision by Parliament, 1st reading | T9-0304/2023 | Summary |
| 12/09/2023 | Results of vote in Parliament | | |
| 09/10/2023 | Act adopted by Council after Parliament's 1st reading | | |
| 18/10/2023 | Final act signed | | |
| 30/10/2023 | Final act published in Official Journal | | |

## Technical information

| | |
|---|---|
| **Procedure reference** | 2021/0171(COD) |
| **Procedure type** | COD - Ordinary legislative procedure (ex-codecision procedure) |
| **Procedure subtype** | Legislation |
| **Legislative instrument** | Directive |
| **Amendments and repeals** | Repealing Directive 2008/48 2002/0222(COD) |
| **Other legal basis** | Rules of Procedure EP 165 |
| **Mandatory consultation of other institutions** | European Economic and Social Committee |
| **Stage reached in procedure** | Procedure completed |
| **Committee dossier** | IMCO/9/06432 |

## Documentation gateway

**European Parliament**

| Document type | Committee | Reference | Date | Summary |
|---|---|---|---|---|
| Committee draft report | | PE696.560 | 31/01/2022 | |
| Amendments tabled in committee | | PE719.857 | 15/03/2022 | |
| Amendments tabled in committee | | PE729.905 | 15/03/2022 | |
| Amendments tabled in committee | | PE729.906 | 15/03/2022 | |
| Committee opinion | ECON | PE704.756 | 04/05/2022 | |
| Amendments tabled in committee | | PE732.820 | 12/07/2022 | |
| Committee report tabled for plenary, 1st reading/single reading | | A9-0212/2022 | 05/09/2022 | Summary |
| Text agreed during interinstitutional negotiations | | PE746.917 | 26/04/2023 | |
| Text adopted by Parliament, 1st reading/single reading | | T9-0304/2023 | 12/09/2023 | Summary |

**Council of the EU**

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Coreper letter confirming interinstitutional agreement | GEDA/A/(2023)003048 | 26/04/2023 | |
| Draft final act | 00022/2023/LEX | 18/10/2023 | |

**European Commission**

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Legislative proposal | COM(2021)0347 | 30/06/2021 | Summary |
| Document attached to the procedure | SEC(2021)0281 | 01/07/2021 | |
| Document attached to the procedure | SWD(2021)0170 | 01/07/2021 | |
| Document attached to the procedure | SWD(2021)0171 | 01/07/2021 | |
| Commission response to text adopted in plenary | SP(2023)525 | 19/12/2023 | |

**National parliaments**

| Document type | Parliament /Chamber | Reference | Date | Summary |
|---|---|---|---|---|
| Contribution | PT_PARLIAMENT | COM(2021)0347 | 01/10/2021 | |
| Contribution | ES_PARLIAMENT | COM(2021)0347 | 05/10/2021 | |
| Contribution | ES_PARLIAMENT | SWD(2021)0170 | 05/10/2021 | |
| Contribution | ES_PARLIAMENT | SWD(2021)0171 | 05/10/2021 | |
| Contribution | CZ_SENATE | COM(2021)0347 | 10/11/2021 | |

**Other institutions and bodies**

| Institution/body | Document type | Reference | Date | Summary |
|---|---|---|---|---|
| EDPS | Document attached to the procedure | N9-0060/2021<br>OJ C 403 06.10.2021, p. 0005 | 26/08/2021 | |
| EESC | Economic and Social Committee: opinion, report | CES3601/2021 | 20/10/2021 | |

| Additional information | | |
|---|---|---|
| **Source** | **Document** | **Date** |
| European Parliament | Briefing | 26/04/2023 |
| European Commission | EUR-Lex | |

## Meetings with interest representatives published in line with the Rules of Procedure

### Rapporteurs, Shadow Rapporteurs and Committee Chairs

| Transparency | | | | |
|---|---|---|---|---|
| **Name** | **Role** | **Committee** | **Date** | **Interest representatives** |
| BASSO Alessandra | Shadow rapporteur | IMCO | 25/10/2022 | Associazione Bancaria Italiana |
| GALLÉE Malte | Shadow rapporteur | IMCO | 14/10/2022 | Verband der Privaten Bausparkassen e.V.<br>391944723267-45 |
| GALLÉE Malte | Shadow rapporteur | IMCO | 06/10/2022 | Digital Lending Association |
| MACMANUS Chris | Shadow rapporteur for opinion | ECON | 15/06/2022 | Klarna Bank AB |
| GALLÉE Malte | Shadow rapporteur | IMCO | 13/05/2022 | European Federation of Building Societies<br>Verband der Privaten Bausparkassen e.V.<br>33192023937-30<br>391944723267-45 |
| LEITÃO-MARQUES Maria-Manuel | Shadow rapporteur | IMCO | 12/05/2022 | ACCIS |
| PIETIKÄINEN Sirpa | Shadow rapporteur for opinion | ECON | 12/05/2022 | Kaupan liitto ry - Finnish Commerce Federation |
| YON-COURTIN Stéphanie | Shadow rapporteur | IMCO | 11/05/2022 | Tinka Holding B.V. |
| GALLÉE Malte | Shadow rapporteur | IMCO | 06/05/2022 | WWF European Policy Programme<br>1414929419-24 |
| JURZYCA Eugen | Shadow rapporteur | IMCO | 28/04/2022 | Združenie podnikateľov Slovenska<br>Asociácia leasingových spoločností SR<br>Česká leasingová a finanční asociace |
| GALLÉE Malte | Shadow rapporteur | IMCO | 27/04/2022 | Financial Inclusion Europe<br>629549344049-02 |
| GALLÉE Malte | Shadow rapporteur | IMCO | 22/04/2022 | EOS Holding GmbH<br>Federation of European National Collection Associations<br>Finance Watch<br>Financial Inclusion Europe<br>Intrum |

| | | | | |
|---|---|---|---|---|
| | | | | 69597322458-18<br>965972738742-83<br>629549344049-02<br>37943526882-24<br>423430433865-84 |
| BELKA Marek | Rapporteur for opinion | ECON | 12/04/2022 | Allegro sp. z o.o.<br>Polish Bank Association |

### Other Members

| Transparency | | |
|---|---|---|
| **Name** | **Date** | **Interest representatives** |
| MALDONADO LÓPEZ Adriana | 07/02/2023 | CaixaBank, S.A. |
| DE MEO Salvatore | 11/05/2022 | UniCredit |
| BOYER Gilles | 21/04/2022 | International Personal Finance plc |
| DE MEO Salvatore | 12/01/2022 | Intesa Sanpaolo |

| Final act | |
|---|---|
| Directive 2023/2225<br>OJ L 000 30.10.2023, p. 0000 | Summary |
| Corrigendum to final act 32023L2225R(03)<br>OJ OJ L 22.09.2026 | |

# Consumer credits

2021/0171(COD) - 30/06/2021 - Legislative proposal

PURPOSE: to establish common rules on certain aspects of the laws, regulations and administrative provisions of the Member States concerning consumer credits.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: Directive 2008/48/EC of the European Parliament and of the Council lays down rules at Union level concerning consumer credit agreements and crowdfunding credit services for consumers. The REFIT evaluation of the Directive showed that Directive 2008/48/EC has been partially effective in ensuring high standards of consumer protection and in fostering the development of an internal market for credit and that these objectives remain relevant.

Since the adoption of the 2008 directive, the **digital transformation has led to significant changes to the consumer credit market**, both on the supply side and on the demand side, such as the emergence of new products and the evolution of consumer behaviour and preferences.

New market players, such as peer-to-peer lending platforms, are offering credit agreements in different forms. New products, such as short-term high-cost loans, have emerged. Digitalisation has also brought new ways of disclosing information digitally and assessing the creditworthiness of consumers using automated decision-making systems and non-traditional data.

The COVID-19 crisis and the resulting confinement measures have also disrupted the EU economy and had a major impact on the credit market and consumers, especially vulnerable ones, making many EU households more financially vulnerable. These developments have increased legal uncertainty as to the application of Directive 2008/48/EC to these new products.

In order to improve the functioning of the internal market for consumer credit, the Commission considers it necessary to provide for an EU-wide harmonised framework in a number of key areas.

IMPACT ASSESSMENT: the preferred option is to amend the Directive to include new provisions, in line with the EU acquis.

The quantified measures under the preferred option would entail a reduction in consumer detriment of around EUR 2 billion in the period 2021-2030.

The impact on society is also deemed very positive, thanks to measures preventing and addressing over-indebtedness, thereby improving social inclusion. Per EUR 1 spent on debt advice, this is expected to provide between EUR 1.4-5.3 in equivalent benefits, mainly by way of the social costs of over-indebtedness being avoided.

CONTENT: the proposed directive aims to harmonise aspects of the laws, regulations and administrative provisions of the Member States concerning certain credit agreements for consumers and crowdfunding credit services.

The proposed directive will replace the 2008 directive while retaining many of its elements. In particular, it includes the following measures:

- extending the scope of the directive to cover loans below EUR 200, interest-free credit, all overdraft facilities and leasing agreements, as well as credit agreements concluded through via peer-to-peer lending platforms;

- adaptation of information requirements to ensure that they are appropriate for digital devices;

- obligation to provide free information to consumers and to ensure that consumers legally resident in the EU are not discriminated against on the basis of their nationality or place of residence when applying for a credit agreement;

- the obligation for creditors, credit intermediaries or providers of crowdfunding credit services to ensure that clear and comprehensible general information is available at all times;

- providing adequate explanations to consumers and reducing the amount of information to be provided to consumers in advertising, focusing on essential information where the medium used to communicate the information to be included in the advertisement does not allow it to be viewed, e.g. in the case of radio advertising;

- providing more details on when and how to present pre-contractual information to consumers so that this presentation is more effective;

- ban on practices that exploit consumer behaviour, such as tying, pre-ticked boxes or unsolicited credit sales;

- introduction of standards for advisory services and the obligation to provide information that matches the borrower's profile;

- helping consumers facing financial difficulties through repayment measures and debt advisory services;

- establishment of conduct of business rules and obligation upon credit providers and credit intermediaries to ensure that staff members have the proper set of skills and knowledge;

- a requirement for Member States to set caps on interest rates, the annual percentage rate of charge or the total cost of the credit;

- reference to the fact that credit assessments should be carried out on the basis of necessary, sufficient and proportionate information on the economic and financial situation;

- obligation for Member States to promote financial education and to adopt measures to encourage creditors to encourage reasonable forbearance before enforcement proceedings are initiated;

- introduction of the 4% rule (minimum level of the maximum fine) for penalties set out in the general directive (EU) 2019/2161 for cross-border wide-spread infringements.

# Consumer credits

2021/0171(COD) - 05/09/2022 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Internal Market and Consumer Protection adopted the report by Kateřina KONEČNÁ (GUE/NGL, CZ) on the proposal for a directive of the European Parliament and of the Council on consumer credits.

The committee recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

***Subject matter***

The directive should cover credit agreements of up to EUR 150 000, with the actual upper limit to be determined by the relevant national authorities based on the particular economic situation in a Member State.

The directive should not apply to: (i) **leasing agreements** where there is no obligation to purchase the object of the agreement; (ii) **deferred debit cards** provided by a credit institution with a maximum monthly amount allowed to be repaid within one month without interest provided that they are granted to consumers only after assessing their ability to repay and after ensuring that the consumer has received the required pre-contractual information.

For credit agreements where the total amount of credit is **less than EUR 200** or where the credit is granted without interest and without other charges or is to be repaid within three months and only incurs negligible charges, Member States should be able to exclude the application of certain provisions of the directive relating to information requirements and early repayment.

*Consumer credit products that support the digital and green transition*

Member States should encourage creditors or, where applicable, credit intermediaries or providers of crowdfunding credit services to develop and offer consumer credit products that support the digital and green transition.

By 12 months after the date of transposition, the Commission should submit a report to the European Parliament and to the Council to assess the types of measures, tools and initiatives taken by Member States.

*Advertising*

To reduce instances of mis-selling of consumer credit to consumers, credit advertising should contain, in all cases, a **clear and prominent warning** to make consumers aware that borrowing money costs money.

Advertising should not incite overindebted consumers to seek credit, specify that other credit agreements have little or no influence on the assessment of a credit application or suggest that success or social achievement can be acquired by obtaining credits.

Member States may prohibit advertising for consumer credit products which: (a) highlights the ease or speed with which credit can be obtained; (b) states that a promotion is conditional upon taking up credit; (c) offers 'grace periods' of more than three months for the repayment of credit instalments.

*Clear information for the consumer*

Basic information should be provided to consumers to enable them to compare different offers. This information should be given in a **clear, concise and visible way**. Standardised information should be provided upfront, visibly and in an attractive form. Consumers should be able to see all essential information at a glance, **even on a mobile phone screen**. They should also receive a reminder within one to seven days after the conclusion of the credit agreement that they have the right to withdraw from the credit agreement or the contract for the provision of participatory credit services.

*Pre-contractual information*

The pre-contractual information should contain a comprehensive **repayment schedule** containing all payments and repayments over the duration of the contract.

The pre-contractual information should provide the consumer with the following precontractual information **at the beginning of the Standard European Consumer Credit Information form, noticeably separated from the rest of the pre-contractual information provided on the same form**: (a) the borrowing rate, or all borrowing rates if different borrowing rates apply in different circumstances; in the case of

credits with a variable borrowing rate, a simulation of the impact on the cost of the credit of reasonable upward changes in the borrowing rate; (b) a warning and explanations regarding the consequences of missing or late payments including related costs; (c) information about the right of withdrawal and (d) information about early repayment.

*Creditworthiness assessment*

Members introduced **further requirements** to assess the creditworthiness of people taking out a loan before it is granted, including requiring information on a consumer's current obligations or cost of living expenses.

An amendment specifies that personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation and **data collected from social networks** should not be processed or used to perform.

In addition, Member States should: (i) ensure that the **right to be forgotten** is provided to all Union patients as from 10 years after the end of their treatment, and as from five years after the end of treatment for patients whose diagnosis was made before the age of 18; (ii) ensure

equal access to credit to all persons cured of relevant communicable and noncommunicable diseases.

The European Banking Authority (EBA) should develop **guidelines** detailing how creditors and providers of crowdfunding credit services are to perform the creditworthiness assessment and on product governance. Those guidelines should specify the type of data recommended to perform the creditworthiness assessment.

*Debt collection*

Members proposed changes to ease the burden on people who have difficulty repaying their loans. Member States should prohibit practices such as intimidating consumers, presenting false or misleading legal information and making excessive calls or sending excessive messages.

*Penalties*

Members proposed setting the maximum fine for large-scale EU-wide infringements at a level of at least **6%** (instead of 4%) of the annual turnover of the creditor, the credit intermediary or the provider of crowdfunding credit services in all Member States concerned.

# Consumer credits

2021/0171(COD) - 30/10/2023 - Final act

PURPOSE: to enhance the protection of European consumers applying for credit, taking into account market developments resulting from the digital transition and the objective of facilitating the cross-border provision of credit.

LEGISLATIVE ACT: Directive (EU) 2023/2225 of the European Parliament and of the Council on credit agreements for consumers and repealing Directive 2008/48/EC.

CONTENT: the Directive lays down a common framework for harmonisation of certain aspects of the laws, regulations and administrative provisions of the Member States concerning credit agreements for consumers. The revised legislation repeals and replaces the existing 2008 directive on consumer credit agreements.

*Scope of application*

The Directive will apply to credit agreements. Its scope is extended to loans below EUR 200 and buy-now-pay-later products. The Directive will not apply to credit agreements the purpose of which is to acquire or retain property rights in land or in an existing or projected building, including premises used for trade, business or a profession or credit agreements involving a total amount of credit of more than EUR 100 000.

Member States may exempt from the credit agreements in the form of deferred debit cards provided by a credit or payment institution.

*Credit information*

The Directive ensures that credit information, such as the total cost of credit, is presented in a **clear and comprehensible manner** and is suitable for digital devices. All advertising and commercial communications relating to credit agreements must be **fair, clear and not misleading**. Member States will require that advertising concerning credit agreements include a clear and prominent warning to make consumers aware that borrowing costs money, using the wording ‘Caution! Borrowing money costs money’ or an equivalent wording.

Creditors must:

- ensure the **permanent availability**, on paper or on another durable medium chosen by the consumer, of clear and comprehensible general information on credit agreements;

- provide the consumer with clear and comprehensible **pre-contractual information** needed to compare different offers and make an informed decision. Pre-contractual information will be provided to the consumer in good time before he or she is bound by a credit agreement, including where means of distance communication are used;

- provide **adequate explanations** to the consumer on the proposed credit agreements and any ancillary services that make it possible for the consumer to assess whether the proposed credit agreements and ancillary services are adapted to the consumer’s needs and financial situation. Such explanations shall be provided free of charge.

*Obligation to assess the creditworthiness of the consumer*

The Directive requires lenders to assess whether consumers can repay their credit, so that they are **protected from over-indebtedness**.

The assessment of creditworthiness will be carried out on the basis of relevant and accurate information on the consumer’s income and expenses and other financial and economic circumstances which is necessary and proportionate to the nature, duration, value and risks of the credit for the consumer. This information does not have to include the **special categories of data** referred to in the General Data Protection Regulation. **Social networks** are not considered an external source for the purposes of the Directive.

Whenever the creditworthiness assessment involves automated processing, the consumer should have the right to obtain **human intervention** on the part of the creditor.

Member States will also have to ensure that **independent debt advisory services** are available to consumers experiencing difficulties in meeting their financial commitments, and that only limited fees are payable for these services.

*Right of withdrawal and right to be forgotten for cancer survivors*

The Directive gives consumers the right to cancel a credit agreement within **14 days**. Member States must ensure that consumers have the right to **early repayment** at all times.

Moreover, personal data concerning consumers’ diagnoses of oncological diseases are not used for the purpose of an insurance policy related to a credit agreement after a period of time determined by the Member States, not exceeding 15 years following the end of the consumers’ medical treatment.

ENTRY INTO FORCE: 20.11.2023.

TRANSPOSITION: 20.11.2025.

APPLICATION: from 20.11.2026.

# Consumer credits

2021/0171(COD) - 12/09/2023 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 608 votes to 8, with 15 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on consumer credits.

Parliament's position adopted at first reading following the ordinary legislative procedure amended the Commission proposal as follows:

*Scope*

This Directive lays down a common framework for harmonisation of certain aspects of the laws, regulations and administrative provisions of the Member States concerning credit agreements for consumers. The Directive applies to credit agreements. It does not however apply to the following:

- credit agreements the purpose of which is to acquire or retain property rights in land or in an existing or projected building, including premises used for trade, business or a profession;

- credit agreements involving a total amount of credit of **more than EUR 100 000**;

- hiring or leasing agreements where an obligation or an option to purchase the object of the agreement is not laid down either in the agreement itself or in any separate agreement;

- deferred payments whereby: (i) a supplier of goods or a provider of services, without a third party offering credit, gives the consumer time to pay for the goods or services supplied by that supplier or provider; (ii) the purchase price is to be paid free of interest and without any other charges and with only limited charges payable by the consumer for late payments imposed in accordance with national law; and (iii) the payment is to be entirely executed within 50 days of the delivery of the good or service.

Credits the purpose of which is the renovation of a residential immovable property involving a total amount above EUR 100 000, and which are not secured either by a mortgage, or by another comparable security commonly used in a Member State on immovable property or by a right related to immovable property should not be excluded from the scope of this Directive.

*Advertising*

In order to reduce instances of mis-selling of credit to consumers who are not able to afford it and to promote sustainable lending, advertising of credit agreements should contain, in all cases, a **clear and prominent warning** to make consumers aware that **borrowing money costs money**. To ensure a higher level of consumer protection, certain advertisements, such as those encouraging consumers to seek credit by suggesting that credit would improve their financial situation or specifying that registered credit in databases have little or no influence on the assessment of a credit application, should be prohibited. Member States should also be allowed to prohibit advertisements that they deem to be risky for consumers, such as those that highlight the ease or speed with which credit can be obtained

Member States should ensure that clear and comprehensible general information about credit agreements is made available to consumers by creditors or, where applicable, by credit intermediaries, at all times on paper or on another durable medium chosen by the consumer.

General information about credit agreements which is made available by creditors or, where applicable, by credit intermediaries at their premises shall be made available to consumers at least on paper.

*Pre-contractual information*

The pre-contractual information should be communicated by means of the '**Standard European Consumer Credit Information**' form set out in Annex I to the directive. To help consumers understand and compare the different offers, the main elements of the credit should be prominently displayed on the first page of this form, enabling consumers to grasp all the essential information at a glance, even on the screen of a mobile phone.

If all the main elements cannot be displayed prominently on one page, they should be displayed in the first part of the form on a maximum of two pages. In this case, the following information will be presented on the first page of the form:

- the identity of the creditor as well as, where applicable, of the credit intermediary involved;

- the total amount of credit;

- the duration of the credit agreement;

- the borrowing rate, or all borrowing rates if different borrowing rates apply in different circumstances;

- the annual percentage rate of charge and the total amount payable by the consumer;

- in the case of a credit in the form of deferred payment for specific goods or services and in the case of linked credit agreements, the specific goods or services and their cash price;

- the costs in the case of late payments.

*Tying and bundling practices*

Member States should allow bundling practices but should prohibit tying practices. Member States may allow creditors to require the consumer to hold a relevant insurance policy related to the credit agreement, taking into account proportionality considerations.

The amended text stipulated that Member States should require that personal data concerning **consumers' diagnoses of oncological diseases** are not used for the purpose of an insurance policy related to a credit agreement after a period of time determined by the Member States, not exceeding 15 years following the end of the consumers' medical treatment.

For consumers to have additional time to compare insurance offers related to credit agreements before purchasing an insurance policy, Member States should require that consumers are given **at least three days** to compare insurance offers related to credit agreements without such offers being changed, and consumers should be informed thereof. Consumers may conclude an insurance policy prior to the expiry of that three-day period if they explicitly so request.

***Creditworthiness assessment***

The creditworthiness assessment should be based on relevant and accurate information relating to the consumer's income and expenditure and other economic and financial criteria that are necessary and proportionate to the nature, duration and value of the credit and the risks it presents to the consumer. That information may include evidence of income or other sources of repayment, information on financial assets and liabilities, or information on other financial commitments. That information should not include **special categories of data** referred to in the General Data Protection Regulation. **Social networks** are not considered an external source for the purposes of the Directive.

***Debt advisory services***

Member States should ensure that independent debt advisory services are made available to consumers who experience or might experience difficulties in meeting their financial commitments, with only limited charges payable for such services. This requires creditors to put in place processes and policies for the early detection of consumers experiencing financial difficulties.

Creditors should ensure that creditors refer consumers who experience difficulties in meeting their financial commitments to debt advisory services easily accessible to the consumer.