Protection des consommateurs: régime de jouissance à temps partagé (timeshare), protection des acquéreurs

1992/0419(COD) - 20/09/1994

Delegations of the European Parliament and the Council of Ministers reached an agreement in the Conciliation Committee on the text of the Directive on time-share property (rapporteur Mrs. Annemarie KUHN (D, PES)). The EP, on amendment 4 concerning entry into force, had asked for a period of two years instead of the period of three years.The Council, however, proposed a compromise of a 30 month period for the Member States to comply with the Directive. The Parliament accepted this, both parties agreed to do their utmost to ensure that the text would be adopted and published in the OJ as soon as possible. This would mean that the date as from which member States would have to comply with the Directive would be 30 months starting from October 1st 1994 instead of January 1st 1995. During the negotiations, Am 1 and 3 were the main issue. Originally the Council did not accept amendment n° 1 of the EP on Article 5 Paragraph 1. This concerned the information which must be contained in a timeshare contract, failing which the consumer has a right to withdraw from the contract. But in the negotiations, Council accepted that the date and place a contract is signed must be included. For timeshare property under construction, it also accepted that information must be included on the state of advancement of the construction. It could not accept that a reasonable deadline for the completion of the property should be included in the contract, and proposed that a reasonable estimation of the completion would be sufficient. Parliament accepted this compromise. If none of the above information is included in timeshare contracts, consumers will now have right, to cancel the contract in each case. The EP delegation accepted the Council's reluctance to agree with Amendment 3.