

**Question for written answer E-002957/2017
to the Commission**
Rule 130
Cora van Nieuwenhuizen (ALDE)

Subject: Online auctions and the right of withdrawal II

The Consumer Rights Directive (2011/83/EU) institutionalises the 'right of withdrawal for distance and off-premises contracts', which does not apply to 'public auctions' but does apply to online auctions. In its answer to Written Question P-002682/2016, the Commission pointed out that the rationale of applying this 'right of withdrawal' that applies to online auctions is to increase consumer trust in this e-commerce channel and to remedy the information deficit for consumers who are unable to physically inspect and test goods before sale (Recital 37, Consumer Rights Directive).

1. Is the Commission aware that the definition of public auction outlined in the directive makes reference to consumers 'attending the auction', and not to inspecting goods?
2. Does the Commission agree, that at auctions where consumers are unable to actually physically inspect and test goods but can attend the auction in person, other circumstances may mitigate the effects of an information deficit, such as the fact that auctions are controlled processes and goods are inspected, for instance by auctioneers?
3. In the light of this, does the Commission agree that in the event that online auctions make special arrangements, not only is it the case that the information deficit may be remedied, but those online auctions may also be exempted from the right of withdrawal?