

**Question for written answer E-002844/2021
to the Commission**

Rule 138

Tomislav Sokol (PPE)

Subject: Directive on unfair terms in consumer contracts

The Directive on unfair terms in consumer contracts was adopted in 1993, when digital services had not yet been developed and digital service providers as we know them today did not yet exist. Directive 99/13/EEC is a legal act adopted for the needs of a non-digital society, and at its core it is an minimum harmonisation instrument, which is why it has been implemented differently across the Member States. This does not help to bring about legal certainty or ensure consumer protection. Given the ongoing reform of the digital sector:

1. Does the Commission feel that the Directive on unfair terms in consumer contracts offers sufficient protection to European consumers when they conclude contracts with digital service providers online?
2. Does the Commission plan to propose an amendment to that Directive by listing contractual provisions which would in all circumstances be considered unfair (the so-called blacklist)?