

**Consumer rights \*\*\*I**

**European Parliament legislative resolution of 23 June 2011 on the proposal for a directive of the European Parliament and of the Council on consumer rights (COM(2008)0614 – C6-0349/2008 – 2008/0196(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2008)0614),
  - having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0349/2008),
  - having regard to the Commission Communication to Parliament and the Council entitled ‘Consequences of the entry into force of the Treaty of Lisbon for ongoing interinstitutional decision-making procedures’ (COM(2009)0665),
  - having regard to Article 294(3) and Article 114 of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 16 July 2009<sup>1</sup>,
  - having regard to the opinion of the Committee of the Regions of 22 April 2009<sup>2</sup>,
  - having regard to the undertaking given by the Council representative by letter of 15 June 2011 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 55 of its Rules of Procedure,
  - having regard to the report of the Committee on the Internal Market and Consumer protection and the opinions of the Committee on Legal Affairs and the Committee on Economic and Monetary Affairs (A7-0038/2011),
1. Adopts its position at first reading hereinafter set out<sup>3</sup>;
  2. Approves its statement annexed to this resolution;
  3. Takes note of the joint statement by the Hungarian Presidency and the incoming Polish, Danish and Cypriot Presidencies of the Council, annexed to this resolution;

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<sup>1</sup> OJ C 317, 23.12.2009, p. 54.

<sup>2</sup> OJ C 200, 25.8.2009, p. 76.

<sup>3</sup> This position replaces the amendments adopted on 24 March 2011 (Texts adopted P7\_TA(2011)0116).

4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

**P7\_TC1-COD(2008)0196**

**Position of the European Parliament adopted at first reading on 23 June 2011 with a view to the adoption of Directive 2011/.../EU of the European Parliament and of the Council on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Directive 2011/83/EU.)*

## **ANNEX**

### **Statement by the European Parliament on correlation tables**

The European Parliament regrets that the Council was not prepared to accept the mandatory publication of correlation tables in the context of the proposal for a Directive on consumer rights. It is hereby declared that the agreement reached between the European Parliament and the Council in the trilogue of 6 June 2011 concerning this Directive does not prejudice the outcome of interinstitutional negotiations on correlation tables.

The European Parliament calls on the Commission to inform it within twelve months after adoption of this agreement in plenary and to make a report at the end of the transposition period on the practice of Member States in drawing up their own tables illustrating, as far as possible, the correlation between this Directive and the transposition measures, and to make them public.

The European Parliament welcomes the agreement reached on including in the Directive on consumer rights mandatory reporting requirements concerning those provisions of this Directive, Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council, which grant the Member States a regulatory choice (Articles 29, 32 and 33).

### **Statement by the Hungarian Presidency and the incoming Polish, Danish and Cypriot Presidencies of the Council on correlation tables**

It is hereby declared that the agreement reached between the Council and the European Parliament in the trilogue of 6 June 2011 concerning the Directive of the European Parliament and of the Council on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council does not prejudice the outcome of interinstitutional negotiations on correlation tables.