
Parliament boosts consumer rights online and offline

- Clearer rights when buying digital content or goods cross-border
- Ensuring remedies for consumers in case of defects
- Smart goods (e.g. smart fridges or connected watches) covered

New rules to better protect consumers whether they buy a product over the internet, in a local store or download music or games were approved by Parliament on Tuesday.

The new EU laws - on digital content and on the sales of goods - harmonise key contractual rights, such as the remedies available to consumers and the ways to use those remedies. They are part of the Digital Single Market strategy, which aims to ensure better access for consumers and businesses to online goods and services across Europe.

Better protection when downloading music, videos, apps...

Under the first EU-wide “digital content” rules, people who buy or download music, apps, games or use cloud services or social media platforms will be better protected if a trader fails to supply the content or service or provides a defective one. These consumer protection rights will apply in an equal manner to consumers who provide data in exchange for such content or a service and to “paying” consumers alike.

The text lays down that, if it is not possible to fix defective digital content or a service in a reasonable amount of time, the consumer is entitled to a price reduction or a full reimbursement within 14 days. If a defect appears within one year of the date of supply, it is presumed that it existed already, without the consumer needing to prove it (reversal of the burden of proof). For continuous supplies, the burden of proof remains with the trader throughout the contract.

The guarantee period for one-off supplies cannot be shorter than two years. For continuous supplies, it should apply throughout the duration of the contract.

For more information see this [press release](#) and the [text approved](#) (598 to 34, with 26 abstentions).

... and when buying a product on- or offline

The directive on the sales of goods applies to both online and offline (face-to-face) sales, e.g., whether a consumer buys a household appliance, a toy or a computer via the internet or over the counter in a local store.

The trader will be liable if a defect appears within two years from the time the consumer received the product (member states may, however, introduce or maintain a longer legal guarantee period in their national laws, in order to keep the same level of consumer protection already granted in some countries). The reversed burden of proof would be of one year in the consumers' favour. Member states are allowed to extend this to two years.

Goods with digital elements (e.g. "smart" fridges, smartphones and TVs or connected watches) are also covered by this directive. Consumers buying these products will be entitled to receive the necessary updates during "a period of time the consumer may reasonably expect", based on the type and purpose of the goods and digital elements.

For more information see this [press release](#) and the [text approved](#) (629 to 29, with 6 abstentions).

Next steps

The two directives will now be submitted for formal approval to EU Ministers. They will enter into force 20 days after their publication in the EU Official Journal and will need to be implemented by member states two and a half years after that, at the latest.

Further information

[Video recording of the debate in plenary \(26.03.2019\)](#)

[EP Research briefing: Digital content](#)

[EP Research briefing: Sales of goods](#)

[Procedure file: Digital content](#)

[Procedure file: Sales of goods](#)

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