

VIENNA CONFERENCE: SECOND EUROPEAN DISCUSSION FORUM
“THE REVIEW OF THE CONSUMER ACQUIS AND THE COMMON FRAME OF
REFERENCE - PROGRESS, KEY ISSUES, PERSPECTIVES”

25-26 MAY 2006

GREETING ADDRESS ON BEHALF OF COMMISSIONER MARKOS KYPRIANOU

Honourable Members, Ladies and Gentlemen,

I am pleased to convey the warmest greetings of Commissioner Kyprianou to this conference on the review of the consumer *acquis* and the Common Frame of Reference.

The Commissioner transmits his thanks to the Austrian Presidency for organising this Second European Discussion Forum, following the London conference last September. He also thanks all of you who have taken the opportunity to join in today's discussion.

Commissioner Kyprianou has asked me to share a few thoughts with you, in particular on how we, in the Commission, perceive progress and prospects of this project.

Our policy objective is to increase the overall coherence of European Contract law, in particular consumer related contract law. In this sense, let me emphasise that we see the work on the Common Frame of Reference clearly linked to the overall aim of Better Regulation. Better regulation in this context means remedying legislative inconsistencies, and removing obstacles to the internal market arising from variations between national legal systems.

We believe that the Common Frame of Reference will help to achieve this aim. It will also bring clear benefits to consumers and businesses in the internal market. By allowing for increased coherence between different pieces of EU contract law

legislation, it will contribute to reducing obstacles to trade, thus promoting trade and competitiveness within the internal market in accordance with the Lisbon goals while enlarging consumer choice.

We are pleased that the CFR process is proceeding in a more focussed manner and that “teething problems” have been overcome. Commissioner Kyprianou has been listening to the feedback from the various actors involved in this exercise and, accordingly, we have improved collaboration with researchers and the themes of the workshops have become more concrete and directly relevant to our policy aims, notably the review of the consumer policy acquis.

As regards further steps to be taken regarding the scope of the CFR, internal discussions are underway. Commissioner Kyprianou and his colleagues Mr. Frattini and Mr. McCreevy are looking into the scope of the CFR exercise and its alternative final forms.

While the final form of the CFR is still open and can only be decided at a later stage, Commissioner Kyprianou believes that the CFR will be most effective if it is binding on the Commission as well as on the European Parliament and the Council as EU legislators.

Therefore, the Commission welcomes the involvement of the European Parliament and of the Council in the CFR process. We are pleased to see that both institutions broadly support the Commission’s aims, as reflected in the recent EP resolution on this subject. The Commission also welcomes the establishment of a parliamentary project team following the CFR process. We have already participated in the first meetings and look forward to further constructive dialogue with this group. However, it is important to underline that the CFR process is not a legislative process. It is not meant to apply directly to legal transactions, but to be a toolbox to facilitate better law-making for legislators.

The Commission is committed to continuing its close co-operation with Parliament and Council and hopes that all the institutions will be able to support the CFR. In addition, we will continue our broad and in-depth consultations with stakeholders.

There are a number of milestones within this process this year:

First, the Commission will report formally, as last year, to the European Parliament and the Council with its second Annual Progress Report.

Second, the Commission will issue a Communication on the review of the acquis. This Communication will draw upon the preliminary findings of the CFR workshops related to consumer issues, as well as our other diagnostic work on the 8 Directives under review. This Communication will set out options for reform and serve as a basis for consultation.

This brings me to the questions we are here to discuss today:

- How can the CFR usefully contribute to the ongoing process of the review of the consumer acquis?
- What are the cross-cutting issues of CFR work?

Your feedback and your ideas on this are important to us. Therefore you are all invited to join actively in this debate.

Let me conclude by emphasising that Commissioner Kyprianou looks forward with great interest to the reports of this debate and wishes today's conference every success!