UNDERSTANDING THE FITNESS CHECK

CONSUMER LEGISLATION IN THE EU

A common EU legislative framework sets the standards of Consumer protection and marketing across the European Union. Six key pieces of legislation are currently undergoing a Fitness Check.

The report from the European Commission (Staff Working Document) on the results of the Fitness Check analysing all information gathered during the process will provide the basis for any future policy considerations in relation to EU consumer legislation and policy.

The Fitness Check is an evidence-based evaluation on how these six consumer and marketing Directives work for consumers and businesses.

The Fitness Check will evaluate how this EU legislation performs according to these 5 key criteria.

- **Effectiveness**: Have the objectives of the legislation been achieved?
- **Relevance**: Does EU legislation address the main problems that consumers are facing today?
- **EU added value**: Did EU action provide clear added value?
- **Efficiency**: What were the costs and the benefits involved?
- **Coherence**: Is the EU consumer legislation complementing or contradicting other policy and legislation?

**MAIN INPUTS INTO THE PROCESS**
- Stakeholder consultation
- Public consultation
- Legal analysis

**KEY ASPECTS OF EUROPE’S CONSUMER LEGISLATION THAT WILL BE EVALUATED**
- Experience of implementation in EU Member States
- Successes and challenges
- Costs and benefits
- Views of key stakeholder groups
- Opportunities for improving implementation and reducing administrative burden without compromising the Directives' objectives

**WHAT IS A FITNESS CHECK?**

It is a comprehensive, evidence-based policy evaluation assessing whether EU legislation is “fit for purpose”.

It provides a basis for future policy considerations.

A Fitness Check is part of the regular EU policy cycle.

**Unfair Commercial Practices Directive**
- 2005

**Misleading and Comparative Advertising Directive**
- 2006

**Unfair Contract Terms Directive**
- 1993

**Price Indication Directive**
- 1998

**Sales and Guarantee Directive**
- 1999

**Injunctions Directive**
- 2009

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