



STATUTORY INSTRUMENTS.

S.I. No. 370 of 2010

EUROPEAN COMMUNITIES (PROTECTION OF CONSUMERS IN
RESPECT OF CONTRACTS MADE BY MEANS OF DISTANCE
COMMUNICATION) (AMENDMENT) REGULATIONS 2010

(Prn. A10/1104)

EUROPEAN COMMUNITIES (PROTECTION OF CONSUMERS IN RESPECT OF CONTRACTS MADE BY MEANS OF DISTANCE COMMUNICATION) (AMENDMENT) REGULATIONS 2010

I, BATT O'KEEFFE, Minister for Enterprise, Trade and Innovation, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997¹ hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Protection of Consumers in Respect of Contracts made by Means of Distance Communication) (Amendment) Regulations 2010.

2. The European Communities (Protection of Consumers in Respect of Contracts made by Means of Distance Communication) Regulations, 2001 (S.I. No. 207 of 2001) are amended—

(a) in Regulation 3(c)(ii) by the substitution of “and 9(1)” for “and 7(1)”, and

(b) in Regulation 4(2) by the substitution of “purpose of the call shall be made explicitly clear at the beginning of any conversation with the consumer” for “purpose of the call shall be made explicitly clear”.



GIVEN under my Official Seal,
26 July 2010

BATT O'KEEFFE,
Minister for Enterprise, Trade and Innovation.

¹O.J. No. L144, 04.06.1997, p.19-27

EXPLANATORY MEMORANDUM

These amending Regulations are made in order to clarify two points which are not clear from the original Distance Selling Regulations (S.I. No. 207 of 2001). The first amendment makes it clear that certain provisions of the Directive [Directive 97/7/EC] do not apply to certain contracts (i.e. the supply of foodstuffs or other goods for everyday use and the provision of accommodation, transport or leisure services where these services are provided on a specific date or within a specific period). The second amendment makes clear that when a trader initiates a distance selling communication he/she must make clear at the beginning of the telephone conversation the purpose of the call.

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