

Legal Literature

Legal Literature Details

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Directive Articles

Unfair Commercial Practices Directive, [Whereas, \(7\)](#) Unfair Commercial Practices Directive, [Chapter 2, Article 5, 2.](#) Unfair Commercial Practices Directive, [Chapter 2, Article 5, 3.](#) Unfair Commercial Practices Directive, [Chapter 2, Article 5, 4.](#) Unfair Commercial Practices Directive, [Chapter 2, Section 1, Article 6](#) Unfair Commercial Practices Directive, [Chapter 2, Section 1, Article 7](#) Unfair Commercial Practices Directive, [Chapter 2, Section 2, Article 8](#) Unfair Commercial Practices Directive, [Chapter 2, Section 2, Article 9](#)

Headnote

The article examines the concept of fairness in the EU as a fundamental condition for assessing commercial activity under the Unfair Commercial Practices Directive (UCPD) and the Law of Unfair Business-to-Consumer Commercial Practices. This article analyzes the provisions of the UCPD and the doctrine of the scholars of foreign countries in order to establish the economic based fairness doctrine in the EU unfair commercial practices law. The author maintains that in order to make the regulation of unfair commercial practices clear and effective, it is essential to formulate a common concept of fairness among all the EU Member States, avoiding moral-based notions of fairness which differ in every EU Member State. The maintenance of the division between the trade-based and moral-based concepts of fairness shall assure the legal clarity while assessing commercial activity. The approximation of the assessment of the regulation of commercial activity at the EU level, would lead to legal, economic and social stability in the trade relations among EU Member States, to a better implementation of the principle of legal expectations in the EU law of protection from unfair competition and the EU law of consumer protection.³

General Note

Related Cases

No results available