

Legal Literature

Legal Literature Details

Member State: Portugal

Title: The General Clause of the unfair commercial practices of companies towards consumers

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Directive Articles

Unfair Commercial Practices Directive, [Chapter 1, Article 2, \(a\)](#) Unfair Commercial Practices Directive, [Chapter 1, Article 2, \(e\)](#) Unfair Commercial Practices Directive, [Chapter 1, Article 2, \(h\)](#) Unfair Commercial Practices Directive, [Chapter 2, Article 5, 1.](#) Unfair Commercial Practices Directive, [Chapter 2, Article 5, 2., \(b\)](#) 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 discusses the general unfair commercial practices clause set down in Article 5 (1) of the UCP Directive and Article 5 of the national transposition of the UCP Directive (Decree-Law 57/2008, of 26 March 2008). To this end, the author analyses the requirements of said clause (i.e. professional diligence, the average consumer) as well as it questions on what constitutes “materially distortions or materially distorting the economic behavior with regard to a product of the average consumer”.

The author underlines the importance to understand these concepts in practical situations in order to ensure the best possible application of the rules laid down in the Directive.

General Note

Related Cases

No results available