

Legal Literature

Legal Literature Details

Member State: Austria

Title: Consumer Rights Directive Implementation Act - Innovations regarding §§ 6b and 6c of the Consumer Protection Act

Subtitle:

Type: book chapter

URL:

Author: WENDEHORST, C.

Reference: Wendehorst in Leupold (Hrsg), Forum Verbraucherrecht 2015

Publication Year: 2015

Keywords: after-sales service, consumer rights, telephone

Directive Articles

Consumer Rights Directive, [Chapter 4, Article 21](#) Consumer Rights Directive, [Chapter 4, Article 22](#)

Headnote

This article discusses controversial questions regarding Art 21 and Art 22 Directive 2011/83 (implemented into Austrian law by §§ 6b and 6c) of the Consumer Protection Act (Konsumentenschutzgesetz - KSchG). Art 21 Directive 2011/83 (§ 6b KSchG in Austrian law) prohibits the entrepreneur to oblige the consumer to pay extra costs for contacting him by telephone, when a contract has already been concluded between them. Pursuant to Art 22 Directive 2011/83 (implemented into Austrian law by § 6c KSchG) a consumer is only obligated to pay for ancillary services if expressly agreed beforehand.

Such controversial questions concern not only the scope of the rule regarding additional costs, but the legal consequences when lacking explicit consent as well.

General Note

Related Cases

No results available