

Avalent>Õigusaktid ja kohtupraktika>Tarbijaõiguse andmebaas>Kehtetuks tunnistatud>Koduuksemüügi direktiv (85/577)

Doorstep Selling Directive (85/577)

The European Union protects consumers against dishonest business practices in connection with contracts negotiated away from business premises.

Act

Council Directive [85/577/EEC](#) of 20 December 1985 to protect the consumer in respect of contracts negotiated away from business premises.

Summary

The Directive applies to contracts between a trader and a consumer relating to the provision of goods or services concluded:

during an excursion organised by the trader away from his business premises;

during a visit by a trader to the consumer's home;

at the consumer's place of work where the visit does not take place at the express wish of the consumer.

The Directive also applies to:

contracts for the supply of goods or services other than those concerning which the consumer requested the visit, if the consumer could not have known that this supply formed part of the trader's commercial activities;

contractual or non-contractual offers by the consumer, whether they are bound or not by this offer before the conclusion of the contract.

Contracts exempt from the Directive

The Directive shall not apply to contracts relating to:

the construction, sale, or rental of, or rights relating to, immovable property. However, this Directive shall apply to the repair, delivery and incorporation of goods within immovable property;

the supply of foodstuffs, beverages or goods intended for current consumption in the household and supplied by regular roundsmen;

the supply of goods or services when the contract is concluded on the basis of a trader's catalogue which the consumer may read in the absence of the trader, if there is intended to be continuity of contact between the parties in view of the transaction, and where the consumer is informed of their rights to return the goods or to cancel the contract within a period of seven days;

insurance contracts;

contracts for securities.

Exemptions from the Directive

Member States may decide not to apply the Directive to contracts of an amount lower than a pre-determined sum. In addition, they may apply an exemption to secondary contracts which have a direct link to the main contract for the supply of goods or services.

References

Act	Date of entry into force	Final date for implementation in the Member States	Official Journal
Directive 85/577/EEC	20.1.1986	23.12.1987	OJ L 372, 31.12.1985

Related acts

Directive [2005/29/EC](#) of 11 May 2005 on unfair business-to-consumer commercial practices in the internal market and amending directives 84/450/EEC, 97/7/EC, 98/27/EC and 2002/65/EC and Regulation (EC) No 2006/2004 (Directive on unfair commercial practices) [Official Journal L 149 of 11.06.2005].

Agreement on the European Economic Area - Annex II – Technical regulations, standards, tests and certifications – List provided for by Article 23 [Official Journal L 1 of 3.1.1994].

Directive 85/577/EEC is incorporated by the Agreement on the [European Economic Area](#) (EEA). It thus applies to Iceland, Liechtenstein and Norway.

See also

The website of the European Commission's Directorate-General for [Health and Consumer Protection](#).

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