[CZ] Transposition of the Distance Marketing Directive

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Directive 97/7/EC on the protection of consumers in respect of distance contracts was transposed into the law of the Czech Republic by the Amendment of the Civil Code Articles 52 - 57 in Part Five of the Code, entitled Consumer Contracts.

The provisions of the Civil Code give legal protection to consumers who purchase goods and services by means of a distance communication - that is, where the consumer and the supplier do not have face to face contact. The regulation therefore covers, among others, the sale of goods via e-mail, but also sales effected by teleshopping.

The consumer shall be offered information about the goods and services before the contract is concluded. Hence, suppliers must provide consumers in particular with information concerning the supplier's identity and address, a description of the goods or services, their price including all taxes, the arrangements for payment, delivery and performance, and the existence of the consumers right to cancel the contract.

The consumer may withdraw from the contract within a period of fourteen days without giving any reason. The period shall begin on the day on which the consumer receives the goods. If the supplier has failed to provide the required information, the period shall be 3 months. If the information referred to above is supplied within the three-month period, the 14 days period referred to above shall begin as from that moment.

There are situations where Articles 52-57 of the Civil Code do not apply. For example, they are not applicable to financial services, to contracts for the supply of food, beverages or other goods intended for every day consumption and supplied to the consumer's residence, contracts concluded by means of vending machines, contracts concluded at auctions, contracts for the sale of land and contracts for the provision of accommodation, transport, catering or leisure services, where the supplier undertakes to provide these services on a specific date or within a specific period.

The Amendment enters into force on 1 January 2001.

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Zákon c.367 ze dne 14. září 2000, kter ´ym se mení zákon c. 40/1964 Sb., obcansk ´y zákoník, ve znení pozdejsích predpis° u a nekteré dalsí zákony

Act No. 367 of 14 September 2000 amending the Civil Code and some other Acts

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