

## **UNOFFICIAL TRANSLATION**

### Communication in accordance with Article 29 (1) of the Directive:

*The Act transposing the Consumer Rights Directive and amending the law regulating housing/estate agencies makes use of the possibility provided for in Article 3(4) of the Directive not to apply the Directive, or not to maintain or introduce corresponding national provisions, to off-premises contracts for which the payment to be made by the consumer does not exceed EUR 50. However, in accordance with the second sentence of Article 3(4), use will be made of this possibility below a lower threshold of EUR 40. In addition, the implementing Act restricts the exception to contracts where payment is made immediately upon completion of the contract.*

*Pursuant to Section 312(2) No 12 of the German Civil Code, as amended, the special provisions regarding contracts concluded off-premises do not apply for the time being to the above-mentioned contracts. This concerns in particular the rules on specific information requirements, the obligation on the trader to make a copy or confirmation of the contract available to the consumer, and the rules on the right of withdrawal, viz. the provisions transposing Article 6, Article 7(2) and Articles 9-16 of the Directive into national law. Likewise, the provision restricting payment for use of a customer service hotline as set out in Article 21 of the Directive does not apply. On the other hand, these transactions are still subject, inter alia, to the general provisions on disclosure obligations in the case of commercial telephone calls, consumers' right to terminate the contract if delivery is not on time, the limitation of charges for the use of certain means of payment, the passing of risk and the particular requirements regarding consent to additional payments, viz. the provisions transposing Article 8(5) and Articles 18-20 and 22 of the Directive.*