

Unofficial English translation

Luxemburg

Notification Art. 33 CRD

National provisions going beyond Art. 5(1) to (3) and Art. 7(1) of Directive 1999/44/EC on certain aspects of the sale of consumer goods and associated guarantees

Consumer Code

Art. L. 212-6, subparagraph 2:

a second two-year time-limit for bringing an action to enforce a guarantee; it runs from when the consumer reported the non-compliance of the goods to the trader.

This two-year time-limit for taking legal action may be interrupted by talks between the consumer and the trader, or by any judicial investigation such as an interlocutory summons or an expert report (subparagraph 3).

Art. L. 212-6, subparagraph 4:

A new time-limit of one year for bringing an action to enforce a guarantee starts to run from the end of the judicial investigation or the interruption of the talks.

Art. L. 212-6, last subparagraph:

in the case of second-hand goods, the trader and the consumer may agree, by an individually negotiated written contractual term, to reduce the duration of the legal guarantee from two years to a minimum of one year.

With regard to cars, this reduction in the duration of the statutory guarantee is valid only if the vehicle sold second hand was put into circulation more than a year previously.