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NOTE

From:	Delegation of Slovenia
To:	Working Party on Consumer Protection and Information (Attachés) Working Party on Consumer Protection and Information

Subject:	Directive on financial services contracts concluded at a distance - Comments from Slovenia
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Proposal for a Directive of the European Parliament and of the Council amending Directive 2011/83/EU concerning financial services contracts concluded at a distance and repealing Directive 2002/65/EC – SI COMMENTS

Slovenia thanks the Commission and the Czech Presidency for the opportunity to comment the Proposal.

Additionally to the replies sent on the Questionnaire and comments in 3 Column table we would like to point out the following:

- **Connection with the Consumer Credit Directive (CCD)**

This Directive is now under trialogues therefore we would suggest not to rush with the DMFS but first to finish the negotiations with the Parliament on CCD and after that align the provisions of the DMFS with the ones of the CCD.

- **Level of Harmonisation**

The DMFSD gave Member States the possibility to go beyond the level of consumer protection established at EU level by introducing national provisions. Several Member States have used this option, which means that the Commission proposal to introduce maximum harmonisation of the DMFS would reduce consumer protection in several Member States. As already mentioned at WP, it is necessary to decide on the level of harmonization first and then work on finding compromise solutions on other questions.

- **Consistency with other existing sectoral acts- Correlation table**

In order to gain a better overall view of the changes the Proposal would bring about, we suggest to draft a correlation table between the Proposal and Union existing sectoral acts concerning financial services. The table should preferably cover all provisions of the Proposal, highlighting their eventual overlaps between the Proposal and the EU sectoral acts. Such a table would be very helpful in identifying the effects of full harmonisation and identify the existing financial services that we are discussing since the DMFS should act as a safety net.

- **Support to DE non paper on withdrawal button**

SI supports the proposal set in DE non paper on withdrawal button. SI like DE proposes a single withdrawal button for the entire CRD Directive. Placing the proposed provisions on the withdrawal button to the general chapter of the CRD would ensure that consumers can benefit from them for all distance contracts for the provision of goods and services falling in the scope of the CRD and adding a withdrawal button for all goods and services. However, the question raised at WP meeting regarding the application of the button when consumer is using an application has to be further discussed and resolved.