

## EU Consumer Rights Directive (CRD) 2011/83/EU

Standard Note: 2014051201  
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Section: Regulated Affairs

### Italian Implementation with specific reference to “Article 21 - Communication by telephone”

*Article 21 - Communication by telephone: member States shall ensure that where the trader operates a telephone line for the purpose of contacting him by telephone in relation to the contract concluded, the consumer, when contacting the trader is not bound to pay more than the basic rate.”*

The directive “2011/83/UE” is recognized in Italy by the “DECRETO LEGISLATIVO: Attuazione della direttiva 2011/83/UE sui diritti dei consumatori, recante modifica delle direttive 93/13/CEE e 1999/44/CE e che abroga le direttive 85/577/CEE e 97/7/CE.”. You can find in the following link:

<http://www.governo.it/Governo/Provvedimenti/dettaglio.asp?d=73975>

### Detailed information related to this law in Italy

The transposition of the Directive in Italy is quite simple. Practically any type of telephone service post-sale that is to be paid after the purchase of a good or service, must be performed only on numbers with a basic charging rate that in Italy have been equated to the local geographic numbers, mobile numbers or even on Toll-free numbers without limitation of access between callers from fixed or mobile.

For after-sales service we can understand everything related to the operation of the product or service purchased, such as the reporting of product malfunctions under warranty, the possibility of exercising the right of withdrawal, the reporting of an error in an invoice in the case of services related to gas, water, electricity etc..

If the after-sales service relates to the provision of advice, for example, to explain to the end customer as you use the product purchased, it can be done without problems through a number that does not fall within the concept of numbering in the base rate. Of course, if a user were to call this type of service requesting a repair under warranty, the operator has to provide the number of support basic rate without delay and expect the customer to seek its assistance through the said number.

Member States are required to apply the provisions of the CRD **to all contracts between traders and consumers, but with some exceptions.**

In the following sectors application of the CRD is discretionary:

- financial services,
- gambling,
- healthcare by regulated professionals,
- social services,
- package travel,
- timeshare,
- property transactions, and
- most aspects of passenger transport.