



Notification Number: 2011/450/F

## Article 9 (II bis) of the draft law reinforcing consumer rights, protection and information

Date received : 29/08/2011

End of Standstill : 30/11/2011

### Message

Message 002

Communication from the Commission - SG(2011) D/52056

Directive 98/34/EC

Translation of the message 001

Notification: 2011/0450/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201102056.EN)

#### 1. Structured Information Line

MSG 002 IND 2011 0450 F EN 29-08-2011 F NOTIF

#### 2. Member State

F

#### 3. Department Responsible

Délégué interministériel aux normes – SQUALPI – Bâtiment Le Bervil - 12, rue Villiot –  
75572 PARIS Cedex 12

d9834.france@finances.gouv.fr

tél : 01 53 44 98 24

#### 3. Originating Department

Service des technologies de l'information et de la communication

– DGCIS / STIC – Bâtiment Le Bervil - 12, rue Villiot – 75572 PARIS Cedex 12

chantal.rubin@finances.gouv.fr

tél : 01 53 44 90 40



#### **4. Notification Number**

2011/0450/F - H00

#### **5. Title**

Article 9 (II bis) of the draft law reinforcing consumer rights, protection and information

#### **6. Products Concerned**

Electronic equipment and media subject to the private copying levy

#### **7. Notification Under Another Act**

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#### **8. Main Content**

The provisions of Article 9 II bis of the draft law reinforcing consumer rights, protection and information is intended to inform consumers of the value and principles of the private copying levy applicable to certain electronic media and equipment. It specifies that, when such equipment is put on sale, the consumer shall be informed of the value of the private copying levy and provided with an explanatory notice. Non-compliance with this information rule shall be punishable with a fine. The practical application methods for the system shall be specified by decree.

#### **9. Brief Statement of Grounds**

The "Digital France 2012" plan adopted in late 2008 by the French authorities was intended to improve the information provided to end consumers on the principles underlying the private copying levy, as well as making the corresponding amount more transparent. Consumer electronics currently account for a significant and increasing proportion of household budgets.

Within the context of the draft law reinforcing consumer rights and information, and in order to raise public awareness of the issue of protecting intellectual property, it is appropriate to introduce this special information system which concerns consumer goods (mobile telephones, memory cards, USB keys, decoders, tablets, etc.).

#### **10. Reference Documents - Basic Texts**

Reference texts: This legislative provision will be included in the reference code for private copying: Articles L. 311-1 et seq. of the Intellectual Property Code establish the basic framework of the private copying levy system in France.

The departments in charge of consumer affairs shall be responsible for monitoring compliance with this information obligation, and sanctioning non-compliance, as part of the powers conferred to them in general by Article L. 141-1 of the Consumer Code.

#### **11. Invocation of the Emergency Procedure**

No



**12. Grounds for the Emergency**

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**13. Confidentiality**

No

**14. Fiscal measures**

No

**15. Impact assessment**

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**16. TBT and SPS aspects**

TBT relevance

No - The draft is neither a technical regulation nor a conformity assessment.

SPS relevance

No - The draft is not a sanitary or phytosanitary measure.

Catherine Day  
Secrétaire général  
Commission européenne

Point de contact Directive 98/34  
Fax: (32-2) 296 76 60  
email: [dir83-189-central@ec.europa.eu](mailto:dir83-189-central@ec.europa.eu)