



Notification Number: 2015/630/F

Article 21 of the Digital Republic Bill

Date received : 12/11/2015
End of Standstill : 15/02/2016 (14/03/2016)
Issue of detailed opinion by : Commission

Message

Message 002

Communication from the Commission - TRIS/(2015) 03513
Directive (EU) 2015/1535
Translation of the message 001
Notification: 2015/0630/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: 201503513.EN)

1. Structured Information Line

MSG 002 IND 2015 0630 F EN 12-11-2015 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

Ministère de l'économie, de l'industrie et du numérique
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4. Notification Number

2015/0630/F - SERV

5. Title

Article 21 of the Digital Republic Bill

6. Products Concerned

Information Society Services (online opinion sites)

7. Notification Under Another Act

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8. Main Content

Article 21 of the Digital Republic Bill introduces a regulation for online opinions, which are today one of the main sources of user information.

Article 21 amends the French Consumer Code (Article L. 111-5-3) with the introduction of a provision requiring websites posting online opinions to indicate explicitly whether the opinions published have been subject to a checking process. It specifies that if the site makes such checks, it is obliged to specify clearly the main methods used. Making this information available in advance will thus enable consumers to assess for themselves the extent to which they should trust the opinions made available to them and, by extension, the website publishing them.

9. Brief Statement of Grounds

Online opinions are playing an ever more important part in electronic commerce. According to a Nielsen survey of 2013, 80 % of online purchasers declared that they had taken consumer opinions into account during the course of purchasing a product or service and 68 % of respondents trusted the opinions posted by other consumers. According to the OpinionWay 2014 C2C barometer, 74 % of internet users had moreover declined to make their purchase due to negative opinions posted about the item or service in question.

Surveys on this topic, conducted by the Directorate General for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF), revealed the development of a practice known as false consumer opinions, whereby a professional could directly or indirectly influence consumers' appreciation of a product or service, regardless of whether or not the professional was responsible for sales of that product or service; this might clearly have not-insignificant consequences in terms of fair competition between professionals.

In order to improve transparency and access to information for internet users, Article 21 provides that any website collecting and publishing opinions shall indicate whether it has implemented a checking process for submitted opinions and, if so, describe the process that has been implemented.

10. Reference Documents - Basic Texts

No basic text(s) available



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

Yes

16. TBT and SPS aspects

TBT aspect

No - the draft is neither a technical provision nor a conformity assessment procedure.

SPS aspect

No - the draft is neither a sanitary nor phytosanitary measure.

European Commission

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