

STATUTORY INSTRUMENTS

S. I. No. 71 of 2005

**European Communities (Protection of Consumers in Respect of Contracts Made
by Means of Distance Communication) (Amendment) Regulations 2005**

PUBLISHED BY THE STATIONARY OFFICE DUBLIN
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE,
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,
Or by mail order from
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION.
51 ST STEPHENS GREEN, DUBLIN 2
(Tel: 01-6476834/35/36/37; Fax: 01 6476843)
or through any bookseller.

(Prn. A5/0192)

Price €1.27

S. I. No. 71 of 2005

European Communities (Protection of Consumers in Respect of Contracts Made by Means of Distance Communication) (Amendment) Regulations 2005

I, Micheál Martin, Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Article 18 of Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002¹, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Communities (Protection of Consumers in Respect of Contracts Made by Means of Distance Communication) (Amendment) Regulations 2005.

(2) These Regulations shall come into operation on 15 February 2005.

2. The European Communities (Protection of Consumers in Respect of Contracts Made by Means of Distance Communication) Regulations 2001 (S.I. No. 207 of 2001) are amended-

¹ OJ L271, 9.10.2002, p. 16.

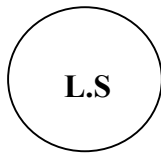
(a) in Regulation 3 -

(i) in paragraph (i) by substituting for subparagraph (I) the following:

“(I) relates to financial services to which Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002² applies,”
and

(ii) in paragraph (ii) by substituting in subparagraph (I) “by regular roundsmen, or” for “by regular roundsmen,”
and

(b) by deleting Schedule 2.



GIVEN under my Official Seal,

This 15th day of February 2005.

Minister for Enterprise,

Trade and Employment.

Explanatory Note

(This Note is not part of the Instrument and does not purport to be a legal interpretation)

Directive 97/7/EC on the protection of consumers in respect of contracts made by means of distance communication was implemented into law by way of S. I. No. 207 of 2001. This Directive excludes financial services. Directive 2002/65/EC which was implemented by the Minister for Finance in S. I. No. 853 of 2004 deals specifically with the protection of consumers in respect of contracts for financial services made by means of distance communication. This latter Directive amends Directive 97/7/EC (and consequently S. I. No. 207 of 2001) by redefining the exclusion of financial services and these regulations implement this amendment. In addition a minor drafting amendment is made to regulation 3 (ii) (I) of S. I. No. 207 of 2001.