



Council of the European Union  
General Secretariat

Brussels, 30 June 2016

CM 3369/16

JAI  
JUSTCIV  
CONSOM  
DIGIT  
AUDIO  
CODEC

## COMMUNICATION

### **NOTICE OF MEETING AND PROVISIONAL AGENDA**

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Contact: fernando.paulinopereira@consilium.europa.eu

barbara.makal@consilium.europa.eu

Tel./Fax: +32.2-281.66.21/63.54

+32.2-281.37.63/63.54

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Subject: Working Party on Civil Law Matters (Contract Law)

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Date: 12 and 13 July 2016

Time: 10.00, 9.30

Venue: COUNCIL

JUSTUS LIPSIUS BUILDING

Rue de la Loi 175, 1048 BRUSSELS

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1. Adoption of the agenda
2. Proposal for a Directive on certain aspects concerning contracts for the supply of digital content  
15251/15 JUSTCIV 290 CONSOM 220 DIGIT 116 AUDIO 40 CODEC 1731  
+ ADD 1 + ADD 2
  - Examination of a revised text  
10231/16 JUSTCIV 173 CONSOM 149 DIGIT 73 AUDIO 79 CODEC 883
    - (a) Presentation and preliminary exchange of views on Articles 15 and 16

- (b) In-depth discussion:
- (i) Subject matter (Article 1)
  - (ii) Definition of 'digital content'/'digital facility' (Articles 2(1) and 2(1a));
  - (iii) Other definitions related to the scope: 'supplier' (Article 2(3)), 'consumer' (Article 2(4)); 'price' (Article 2(6)); 'digital environment' (Article 2(8)); 'durable medium' (Article 2(11)) and 'tangible medium' (Article 2(12))
  - (iv) Scope (Articles 3(1), 2(6a), 2(6b), 2(7) and 3(4))
  - (v) Demarcation between digital content and goods; Embedded software; bundle contracts (Articles 3(3), 3(3a) and 3(6))
  - (vi) Exclusions from the scope (Article 3(5))
  - (vii) Scope of the exemption of general contract law (Article 3(9))
  - (viii) Supply of digital content /digital facility (Article 5)
  - (ix) Conformity criteria (Articles 6 and 6a)

### 3. Any other business

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NB: Council documents are available on Extranet. A limited stock of documents produced immediately prior to the meeting will be available in the meeting room. Room attendants will provide copies on request at the earliest opportunity.

NB: Delegates requiring day badges to attend meetings should consult document 14387/1/12 REV 1 on how to obtain them.