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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	SWD(2023) 908 final
Subject:	COMMISSION STAFF WORKING DOCUMENT IMPLEMENTATION PLAN Accompanying the document Proposal for a Directive of the European Parliament and of the Council amending Directive (EU) 2015/2302 to make the protection of travellers more effective and to simplify and clarify certain aspects of the Directive

Delegations will find attached document SWD(2023) 908 final.

Encl.: SWD(2023) 908 final



EUROPEAN
COMMISSION

Brussels, 29.11.2023
SWD(2023) 908 final

COMMISSION STAFF WORKING DOCUMENT

IMPLEMENTATION PLAN

Accompanying the document

**Proposal for a Directive of the European Parliament and of the Council
amending Directive (EU) 2015/2302 to make the protection of travellers more effective
and to simplify and clarify certain aspects of the Directive**

{ COM(2023) 905 final } - { SEC(2023) 540 final } - { SWD(2023) 905 final } -
{ SWD(2023) 906 final } - { SWD(2023) 907 final }

Implementation Plan¹

Accompanying the Proposal for Directive of the European Parliament and of the Council amending Directive (EU) 2015/2302 to make the protection of travellers more effective and to simplify and clarify certain aspects of the Directive

1. Contact point:

The responsible Commission service is Unit B.2 - Consumer Law - in DG Justice. Mailbox: JUST-B2-COMMUNICATION@ec.europa.eu

Information on its activities is available at:

http://ec.europa.eu/justice/consumer-marketing/index_en.htm

2. Deliverables and implementation challenges

Given the existing transposition of Directive (EU) 2015/2302, Member States will be able to build on their current legislation to a very large extent. However, the proposed Directive will bring changes in some specific respects. Therefore, Member States will have to pay particular attention that all required changes are incorporated and that their legislation is compatible with the new Directive. While the Directive will not require the setting-up of new structures, the implementation of the amendments will be a good opportunity for the Member States to assess whether the existing structures are adequate to guarantee its proper enforcement, as well as for cross-border cooperation, including the proper operation of the mutual recognition mechanism for insolvency protection in Article 18 of the Directive.

3. Support Actions

3.1. Envisaged Commission actions

Building on experience with regard to the transposition of other consumer protection directives, most recently in relation to Directive (EU) 2019/2161 on better enforcement and modernisation of Union consumer protection rules and Directive (EU) 2020/1828 on representative actions, the following Commission actions are envisaged.

- The Commission will use the existing network of experts from the Member States (Expert group on consumer and marketing law) to exchange information and discuss problems with the Member States in relation to the transposition of the Directive, with regular meetings and the possibility to discuss questions outside meetings. The responsible Commission service is Unit B.2. - Consumer Law - in DG Justice and Mailbox JUST-B2-COMMUNICATION@ec.europa.eu.

¹ This Implementation Plan is provided for information purposes only. It does not legally bind the Commission on whether the identified actions will be pursued or on the form in which they will be pursued.

- In this connection the Commission will, where appropriate, also place relevant information in a dedicated area of the following website http://ec.europa.eu/justice/consumer-marketing/index_en.htm.
- In addition to multilateral meetings within the network, the Commission will, where appropriate, organise bilateral meetings or exchanges with particular Member States.
- The Commission is ready to contribute to information campaigns by the Member States.

4.1. Required Member State actions

- Informing the Commission about any potential implementation problems as soon as they are identified in the negotiation and transposition phase
- Consulting the Commission on draft transposition measures
- Ensuring that the necessary structures are in place and sufficient resources are made available for the enforcement of the Directive and the operation of the mutual recognition mechanism
- Awareness-raising among the target groups, including possibly information campaigns and the preparation of 'explanatory documents'

5. Implementation plan

Implementation challenge	Action	Timing
<i>Correct and effective transposition</i>	<i>Member States should inform the Commission of any potential problem related to the implementation</i>	<i>Before adoption and during the transposition phase</i>
	<i>The Commission will use the existing network of national experts to exchange information and discuss problems in relation to the transposition of the Directive, with regular meetings and the possibility to discuss questions outside meetings. Where appropriate, information will be placed on the relevant Commission website.</i>	<i>As soon as the proposal is adopted and until the transposition process has been completed.</i>
	<i>Where appropriate, bilateral meetings and exchanges with individual Member</i>	<i>As soon as the proposal is adopted and until the transposition process has</i>

	<i>States.</i>	<i>been completed.</i>
	<i>Member States should consult the Commission on draft transposition measures.</i>	<i>During the transposition phase.</i>
<i>Effective application</i>	<i>Member States should ensure that they have in place the structures necessary for the enforcement of the Directive and the operation of the mutual recognition mechanism and make sufficient resources available.</i>	<i>During the transposition phase and during the application of the Directive.</i>
<i>Information of travellers and traders</i>	<i>Member States – supported by the Commission – should make target-groups aware of the new rules and should possibly prepare explanatory documents.</i>	<i>During the transposition phase, in particular, in relation to traders and especially for travellers/consumers around the time of the entry into force of the new rules</i>