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Fairness and transparency in commercial practices, including consumer rights and guarantees related to selling goods and services

Heruntergeladen am 18.06.2025

<https://fimportal.de/xzufi-services/102837986/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99154052000000
Leistungsbezeichnung I	Fairness and transparency in commercial practices, including consumer rights and guarantees related to selling goods and services
Leistungsbezeichnung II	Commercial practices, including consumer rights and guarantees when selling goods and services
Typisierung	11 - SDG: Allgemeine Rechte und Pflichten
Quellredaktion	Bund
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	

Modul	Sachverhalt
Leistungstyp	Leistungsobjekt
Leistungsgruppierung	SDG allgemeine Rechte und Pflichten (154)
Verrichtungskennung	
SDG-Informationsbereich	Fairness und Transparenz von Geschäftspraktiken, einschließlich Verbraucherrechte und Garantien im Zusammenhang mit dem Verkauf von Waren und Dienstleistungen
Lagen Portalverbund	Anlagenbetrieb und -prüfung (2120100), Verbraucherschutz (2140100), Messen, Straßenfeste und Sonderveranstaltungen (2150100), Sonderöffnungszeiten und -genehmigungen (2150200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	12.12.2022
Fachlich freigegeben durch	Federal Ministry for Economic Affairs and Climate Action
Handlungsgrundlage	• Fair Consumer Contracts Act (• Laws governing the right of withdrawal (• Act on the placing on the market, return and environmentally sound disposal of electrical and electronic equipment (• Act on the placing on the market, return and environmentally sound disposal of batteries and accumulators (https://www.gesetze-im-internet.de/battg/BJNR158210009.html https://www.gesetze-im-internet.de/bgb/_312g.html https://bgbli.de/xaver/bgbli/start.xav#_bgbli_/*%5B@attr_id='bgbli121s3433.pdf'%5D_1665762987434 https://bgbli.de/xaver/bgbli/start.xav#_bgbli_/*%5B@attr_id='bgbli121s3433.pdf'%5D_1665762987434 https://www.gesetze-im-internet.de/elektrog_2015/ https://www.gesetze-im-internet.de/elektrog_2015/ https://www.gesetze-im-internet.de/bgb/_312g.html https://www.gesetze-im-internet.de/battg/BJNR158210009.html
Teaser	If you want to set up a business in Germany, you must

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comply with certain rules and requirements. This section provides information on the obligations concerning fairness and transparency.

Volltext

When you set up a business, you should ensure fairness and transparency.

- Creating the impression that consumers cannot leave the shop or sales area until a contract of sale is signed.
- Conducting personal visits to a consumers home and ignoring the consumers request to leave or not to return.

- Incorrectly claiming to be a signatory to a
- Describing a product as free, free of charge, without charge or similar if the consumer has to pay some costs, other than costs that are unavoidable.

Consumer rights of withdrawal are primarily governed by the

Modern methods of selling goods and services involve the risk that consumers will be caught off guard when the contract is concluded. They may not be sufficiently informed of the content and meaning of the contract.

Therefore, in the case of special forms of sale, i.e. consumer contracts concluded off-premises, also known as

Under EU law, standard contract terms used by traders must be fair. If certain terms in a contract are unfair, they are not binding on the consumer and the trader cannot rely on them. More detailed information on unfair contract terms can be found

Any products may be made available to others by economic operators, such as manufacturers, authorised representatives, importers or traders. In order to do so, they must be safe and comply with the relevant legal requirements when used for their intended purpose. EU law requires that certain products, such as machines, toys and electrical appliances, be labelled with the

With this CE mark, manufacturers and their authorised representatives declare that the product has been manufactured in accordance with the applicable EU health and safety requirements. The CE mark must be:

- clearly visible
- legible
- permanently attached to the product

On 1 March 2022, rules aiming to ensure fairer

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consumer contracts (

- consumers can terminate
- a

<https://www.gesetze-im-internet.de/bgb/>
https://bmj.de/SharedDocs/Downloads/DE/Gesetzgebung/BGBl/Bgbl_Faire_Verbrauchervertraege.pdf?__blob=publicationFile&v=3
https://www.gesetze-im-internet.de/elektrog_2015/
https://europa.eu/youreurope/citizens/consumers/unfair-treatment/unfair-contract-terms/index_en.htm
https://www.gesetze-im-internet.de/englisch_bgb/index.html
<https://www.gesetze-im-internet.de/battg/BJNR158210009.html>
https://bmj.de/SharedDocs/Downloads/DE/Gesetzgebung/BGBl/Bgbl_Faire_Verbrauchervertraege.pdf?__blob=publicationFile&v=3
https://www.gesetze-im-internet.de/elektrog_2015/
<https://www.gesetze-im-internet.de/battg/BJNR158210009.html>

Erforderliche Unterlagen
Voraussetzungen
Kosten
Verfahrensablauf
Bearbeitungsdauer
Frist
weiterführende Informationen

Information about unfair contract terms on the
https://europa.eu/youreurope/citizens/consumers/unfair-treatment/unfair-contract-terms/index_en.htm
https://europa.eu/youreurope/citizens/consumers/unfair-treatment/unfair-contract-terms/index_de.htm

Hinweise
Rechtsbehelf
Kurztext
Ansprechpunkt

Modul	Sachverhalt
Zuständige Stelle	
Formulare	
Ursprungsportal	Fairness and transparency in commercial practices, including consumer rights and guarantees related to selling goods and services, Fairness und Transparenz von Geschäftspraktiken, einschließlich Verbraucherrechte und Garantien im Zusammenhang mit dem Verkauf von Waren und Dienstleistungen