

## A cross-border-only regulation for consumer transactions in the EU: a fresh approach to EU consumer law

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### Abstrak

[For almost three decades, the European Union (EU) has adopted measures to regulate consumer transactions within the internal market created by the EU Treaties. Existing legislation is largely based on directives harmonizing aspects of national consumer laws. This Brief argues that a more appropriate approach for EU consumer law would be legislation in the form of a regulation which is applicable to cross-border transactions only. The author considers the constitutional constraints of the EU Treaties, before examining the case for a cross-border-only measure. He argues that the cross-border approach is preferable, because it would provide clearer benefits for consumers seeking to buy goods and services across borders, while not upsetting domestic law unnecessarily, in particular in the context of e-commerce, with implications for industry, policymaking, and regional development. The Brief concludes by suggesting that a successful EU measure on cross-border consumer transactions could create a template for global initiatives for transnational consumer law., For almost three decades, the European Union (EU) has adopted measures to regulate consumer transactions within the internal market created by the EU Treaties. Existing legislation is largely based on directives harmonizing aspects of national consumer laws. This Brief argues that a more appropriate approach for EU consumer law would be legislation in the form of a regulation which is applicable to cross-border transactions only. The author considers the constitutional constraints of the EU Treaties, before examining the case for a cross-border-only measure. He argues that the cross-border approach is preferable, because it would provide clearer benefits for consumers seeking to buy goods and services across borders, while not upsetting domestic law unnecessarily, in particular in the context of e-commerce, with implications for industry, policymaking, and regional development. The Brief concludes by suggesting that a successful EU measure on cross-border consumer transactions could create a template for global initiatives for transnational consumer law.]