



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Message 301

Communication from the Commission - TRIS/(2024) 2092

Directive (EU) 2015/1535

Notification: 2024/0410/DK

Request for supplementary information from the Commission.

Request for supplementary information - Demande d'informations complémentaires - Žádost o doplňující informace - Ersuchen um ergänzende Informationen - Искане за допълнителна информация - Žádost o dodatečné informácie - Anmodning om supplerende oplysninger - Αίτηση συμπληρωματικών πληροφοριών - Solicitud de información complementaria - Lisateabe edastamise palve - Lisätietopyyntö - Zahtjev za dodatne informacije - Kiegészítő információkérése - Domanda di informazioni complementari - Prašymas pateikti papildomos informacijos - Papildu informācijas pieprasījums - Talba għal tagħrif addizzjonali - Verzoek om aanvullende inlichtingen - Prośba o uzupełnienie informacji - Pedido de informações complementares - Solicitare de informații suplimentare - Žiadosť o ďalšie informácie - Zahteva za dodatne informacije - Begäran om kompletterande upplysningar - Iarraidh ar fhaisnéis fhorlíontach

MSG: 20242092.EN

1. MSG 301 IND 2024 0410 DK EN 22-10-2024 02-08-2024 COM INFOSUP COM 22-10-2024

2. Commission

3. DG GROW/E/3 - N105 04/63

4. 2024/0410/DK - SERV - INFORMATION SOCIETY SERVICES

5.

6. Within the framework of the notification procedure under Directive (EU) 2015/1535 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, the Danish authorities notified to the Commission on 22 July 2024 the draft “Draft Act on trade in second-hand goods and pawnbroking activities” (hereinafter, the “notified draft”).

In order to allow the Commission services to complete their analysis under the relevant provisions of EU law, the Danish authorities are kindly invited to reply to the following request for supplementary information:

1. The Danish authorities are kindly invited to clarify whether the provisions in the notified draft are intended to apply to providers of information society services as per the meaning of Directive 2000/31/EC.

In the affirmative, the Commission services would like to receive further information on:

- a) what would be, in view of the Danish authorities, the interplay between the notified draft and Article 4 of Directive 2000/31/EC;
- b) whether the notified draft would apply to providers of information society services established in the territory of other Member States than Denmark;
- c) what would be the obligations applicable to those service providers resulting from the notified draft;
- d) whether the Danish authorities have identified those providers or what would be the basis for identifying them;
- e) how do the Danish authorities intend to comply with the requirements set out in Article 3(4) of Directive 2000/31/EC, in particular in view of the CJEU judgement in case C-376/22.

The Danish authorities are kindly invited to reply by 16 august 2024.

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