

Case law**Case Details**

National ID: Forbrugerombudsmandens afgørelse i sag 08/02972

Member State: Denmark

Common Name: The Consumer Ombudsman's decision in case 08/02972

Decision type: Administrative decision, first degree

Decision date: 18/06/2008

Court: The Consumer Ombudsman

Subject:

Plaintiff: Unknown

Defendant: Unknown

Keywords: consumer, information requirements, invitation to purchase

Directive Articles

Unfair Commercial Practices Directive, [Chapter 2, Section 1, Article 7, 4., \(c\)](#)

Headnote

(1) A fee that depends on the price of the product cannot reasonably be calculated in advance.

(2) A trader is required to inform the customer of a fee that cannot reasonably be calculated in advance in conjunction with the price information.

Facts

A trader charged a handling fee of 49 kr. on all orders under the amount of 500 kr. The trader informed the customers of this handling fee in the terms and conditions as well as on the order page itself.

Legal issue

The Consumer Ombudsman stated that a handling fee that depends on the price of the product could not reasonably be calculated in advance and that the law required the trader to inform the customer of the possibility of the customer being charged a handling fee in conjunction with the price information.

Decision

(1) Can a fee that depends on the price of the product reasonably be calculated in advance?

(2) Is a trader required to inform the customers of the possibility of the trader charging a fee that cannot reasonably be calculated in advance in conjunction with the price of the item ?

URL: <http://www.forbrugerombudsmanden.dk/Find-sager/Markedsfoeringsloven/Sager-efter-markedsfoeringsloven/koebsopfordring/prisoplinternetbutik>

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Result

The trader had to provide information on the possibility of the customer being charged a handling fee in conjunction with the price of the product.