

Unfair Commercial Practices Directive (2005/29) - Austria

National Law

General Civil Law Act

Adoption date for national laws: Sat Jun 01 00:00:00 CET 1811

In force date: Wed Jan 01 00:00:00 CET 1812

Civil Code

Adoption date for national laws: Tue Jun 11 00:00:00 CET 1811

In force date: Wed Jan 01 00:00:00 CET 1812

Consumer Protection Act

Adoption date for national laws: Thu Mar 08 00:00:00 CET 1979

In force date: Mon Oct 01 00:00:00 CET 1979

Consumer Protection Act

Adoption date for national laws: Thu Mar 08 00:00:00 CET 1979

In force date: Fri Jan 01 00:00:00 CET 9999

Federal Act Against Unfair Competition of 1984 - UWG

Adoption date for national laws: Thu Nov 22 00:00:00 CET 1984

In force date: Fri Nov 23 00:00:00 CET 1984

Federal Act on Price Labelling (Price Labelling Act - PrAG)

Adoption date for national laws: Thu Mar 19 00:00:00 CET 1992

In force date: Mon Jun 01 00:00:00 CEST 1992

Regulation of the Federal Minister of economic affairs on provisions regarding the practice of the travel agency profession

Adoption date for national laws: Thu Nov 19 00:00:00 CET 1998

In force date: Fri Nov 20 00:00:00 CET 1998

Regulation of the Federal Minister of economic affairs on the implementation of Article 7 of Council Directive of June 13, 1990 on package travel (90/314 /EEC) into Austrian law (Travel agency insurance regulation)

Adoption date for national laws: Tue Sep 14 00:00:00 CEST 1999

In force date: Wed Sep 15 00:00:00 CEST 1999

Federal Act amending the Federal Act on Price Indications (Price Indications Act - PrAG) and the Federal Act Against Unfair Competition 1984

Adoption date for national laws: Tue Jul 11 00:00:00 CEST 2000

In force date: Fri Sep 01 00:00:00 CEST 2000

Federal Act amending the General Civil Law Act, the Consumer Protection Act and the Insurance Contract Act (Warranty Law Amendment Act)

Adoption date for national laws: Tue May 08 00:00:00 CEST 2001

In force date: Tue Jan 01 00:00:00 CET 2002

Federal Act on cooperation of authorities regarding consumer protection (Consumer Authorities Cooperation Act - VBKG)

Adoption date for national laws: Fri Aug 11 00:00:00 CEST 2006

In force date: Fri Dec 29 00:00:00 CET 2006

Federal Act amending the Federal Act Against Unfair Competition 1984 - UWG (UWG-Amendment 2007)

Adoption date for national laws: Tue Nov 13 00:00:00 CET 2007

In force date: Wed Dec 12 00:00:00 CET 2007

Federal Act amending the 1984 Federal Act against Unfair Competition

Adoption date for national laws: Tue Nov 13 00:00:00 CET 2007

In force date: Wed Dec 12 00:00:00 CET 2007

PDF: [Austria UCP BMWA-EN_en.pdf](#)

Federal Act on consumer protection in connection with timeshare contracts and long-term holiday product contracts (Timeshare Act 2011)

Adoption date for national laws: Tue Feb 15 00:00:00 CET 2011

In force date: Wed Feb 23 00:00:00 CET 2011

Federal Act amending the General Civil Law Act, the Consumer Protection Act and the Consumer Authorities Cooperation Act and enacting the Federal Act on Distance and Off-Premises Contracts (Distance and Off-Premises Contracts Act) (Consumer Rights Directive Implementation Act)

Adoption date for national laws: Mon May 26 00:00:00 CEST 2014

In force date: Fri Jun 13 00:00:00 CEST 2014

Federal Act on Distance and Off-Premises Contracts

Adoption date for national laws: Mon May 26 00:00:00 CEST 2014

In force date: Fri Jun 13 00:00:00 CEST 2014

Act against unfair commercial practices

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Sun Jan 01 00:00:00 CET 1984

Price Indication Act

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Mon Jun 01 00:00:00 CEST 1992

Timeshare Act

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Tue Apr 01 00:00:00 CEST 1997

Regulation on travel agencies implementing Art. 7 Package Travel Directive

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Wed Sep 15 00:00:00 CEST 1999

Regulation on travel agencies

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Fri Nov 20 00:00:00 CET 1998

Timeshare Act 2011

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Tue Feb 15 00:00:00 CET 2011

Enforcement System

No results available

Cases

4 Ob 126/16g

National ID: [4 Ob 126/16g](#)

Common Name: 4 Ob 126/16g

Directive Part: Annex I, 28. Chapter 2, Article 5, 1.

Decision type: Supreme court decision

Decision date: Wed Jun 15 00:00:00 CEST 2016

4 Ob 133/16m

National ID: [4 Ob 133/16m](#)

Common Name: 4 Ob 133/16m

Directive Part: Chapter 2, Article 5, 1.

Decision type: Supreme court decision

Decision date: Tue Aug 30 00:00:00 CEST 2016

4Ob171/12v

National ID: [4Ob171/12v](#)

Common Name: 4Ob171/12v

Directive Part: Chapter 2, Section 1, Article 6, 1., (c) Chapter 2, Section 1, Article 6, 1., (b) Chapter 2, Section 1, Article 6, 1., (f)

Decision type: Supreme court decision

Decision date: Tue Mar 19 00:00:00 CET 2013

4 Ob 209/14k

National ID: [4 Ob 209/14k](#)

Common Name: 4 Ob 209/14k

Directive Part: Chapter 2, Article 5

Decision type: Supreme court decision

Decision date: Tue Dec 16 00:00:00 CET 2014

4 Ob 42/14a

National ID: [4 Ob 42/14a](#)

Common Name: 4 Ob 42/14a

Directive Part: Chapter 2, Article 5

Decision type: Supreme court decision

Decision date: Tue May 20 00:00:00 CEST 2014

4 Ob 60/16a

National ID: [4 Ob 60/16a](#)

Common Name: 4 Ob 60/16a

Directive Part: Chapter 2, Section 1, Article 6, 1. Chapter 2, Article 5, 1.

Decision type: Supreme court decision

Decision date: Mon Sep 26 00:00:00 CEST 2016

4 Ob 62/14t

National ID: [4 Ob 62/14t](#)

Common Name: 4 Ob 62/14t

Directive Part: Chapter 2

Decision type: Supreme court decision

Decision date: Wed Sep 17 00:00:00 CEST 2014

4 Ob 75/16g

National ID: [4 Ob 75/16g](#)

Common Name: 4 Ob 75/16g

Directive Part: Chapter 2, Section 2, Article 8

Decision type: Supreme court decision

Decision date: Wed Apr 20 00:00:00 CEST 2016

4 Ob 99/09a

National ID: [4 Ob 99/09a](#)

Common Name: 4 Ob 99/09a

Directive Part: Article 4, 2. Chapter 2, Article 5

Decision type: Supreme court decision

Decision date: Tue Feb 23 00:00:00 CET 2010

4 Ob 26/09s

National ID: [4 Ob 26/09s](#)

Common Name: Bonusprogramm

Directive Part: Annex I, 14.

Decision type: Supreme court decision

Decision date: Tue Jun 09 00:00:00 CEST 2009

17 Ob 7/09t

National ID: [17 Ob 7/09t](#)

Common Name: Das blaue Wunder

Directive Part: Chapter 2, Section 1, Article 6, 2., (a) Annex I, 13.

Decision type: Supreme court decision

Decision date: Tue May 12 00:00:00 CEST 2009

4Ob1/13w

National ID: [4Ob1/13w](#)

Common Name: Feier der Westbahn

Directive Part: Chapter 2, Article 5, 2., (a) Chapter 2, Article 5, 1.

Decision type: Supreme court decision

Decision date: Tue Feb 12 00:00:00 CET 2013

4 Ob 95/09p

National ID: [4 Ob 95/09p](#)

Common Name: Friedrich M.

Directive Part: Annex I, 31.

Decision type: Supreme court decision

Decision date: Tue Jul 14 00:00:00 CEST 2009

4 Ob 208/10g

National ID: [4 Ob 208/10g](#)

Common Name: Fußballer des Jahres IV.

Directive Part: Chapter 2, Article 5, 4.

Decision type: Supreme court decision

Decision date: Tue Feb 15 00:00:00 CET 2011

4 Ob 121/10p

National ID: [4 Ob 121/10p](#)

Common Name: Kassentarif

Directive Part: Annex I, 10.

Decision type: Supreme court decision

Decision date: Tue Jul 13 00:00:00 CEST 2010

4 Ob 225/07b

National ID: [4 Ob 225/07b](#)

Common Name: link

Directive Part: Chapter 2, Article 5, 1.

Decision type: Supreme court decision

Decision date: Tue Mar 11 00:00:00 CET 2008

4 Ob 42/08t

National ID: [4 Ob 42/08t](#)

Common Name: link

Directive Part: Chapter 2, Article 5, 2., (b) Chapter 2, Section 1, Article 6, 1.

Decision type: Supreme court decision

Decision date: Tue Apr 08 00:00:00 CEST 2008

4Ob18/08p

National ID: [4Ob18/08p](#)

Common Name: link

Directive Part: Annex I, 20.

Decision type: Supreme court decision

Decision date: Wed May 28 00:00:00 CEST 2008

4 Ob 139/09h

National ID: [4 Ob 139/09h](#)

Common Name: link

Directive Part: Annex I, 15. Chapter 2, Section 1, Article 6, 1., (b) Annex I, 7.

Decision type: Supreme court decision

Decision date: Tue Sep 08 00:00:00 CEST 2009

4 Ob 174/09f

National ID: [4 Ob 174/09f](#)

Common Name: link

Directive Part: Annex I, 26. Chapter 2, Section 1, Article 6, 1. Chapter 2, Section 2, Article 8

Decision type: Supreme court decision

Decision date: Tue Jan 19 00:00:00 CET 2010

4 Ob 29/10h

National ID: [4 Ob 29/10h](#)

Common Name: [link](#)

Directive Part: Annex I, 20.

Decision type: Supreme court decision

Decision date: Tue May 11 00:00:00 CEST 2010

4 Ob 228/10y

National ID: [4 Ob 228/10y](#)

Common Name: [link](#)

Directive Part: Chapter 2, Article 5, 2., (b) Chapter 2, Section 1, Article 6, 1., (b)

Decision type: Supreme court decision

Decision date: Tue Feb 15 00:00:00 CET 2011

17 Ob 14/10y

National ID: [17 Ob 14/10y](#)

Common Name: [link](#)

Directive Part: Chapter 2, Section 1, Article 6, 2., (a) Annex I, 13.

Decision type: Supreme court decision

Decision date: Wed Feb 16 00:00:00 CET 2011

4Ob74/11b

National ID: [4Ob74/11b](#)

Common Name: [link](#)

Directive Part: Annex I, 26. Chapter 2, Section 2, Article 8 Chapter 2, Section 2, Article 9

Decision type: Supreme court decision

Decision date: Tue Aug 09 00:00:00 CEST 2011

17Ob26/11i

National ID: [17Ob26/11i](#)

Common Name: [link](#)

Directive Part: Chapter 2, Section 1, Article 6, 2., (a) Chapter 2, Section 1, Article 6, 1.

Decision type: Supreme court decision

Decision date: Tue Oct 18 00:00:00 CEST 2011

4Ob79/12i

National ID: [4Ob79/12i](#)

Common Name: [link](#)

Directive Part: Chapter 2, Article 5, 2., (a) Chapter 2, Article 5, 1.

Decision type: Supreme court decision

Decision date: Thu Aug 02 00:00:00 CEST 2012

4Ob127/12y

National ID: [4Ob127/12y](#)

Common Name: [link](#)

Directive Part: Chapter 2, Section 1, Article 6, 1., (b)

Decision type: Supreme court decision

Decision date: Tue Sep 18 00:00:00 CEST 2012

4Ob68/13y

National ID: [4Ob68/13y](#)

Common Name: [link](#)

Directive Part: Chapter 2, Section 1, Article 7, 1. Chapter 2, Section 1, Article 6, 1., (d)

Decision type: Supreme court decision

Decision date: Tue Jul 09 00:00:00 CEST 2013

4Ob76/12y

National ID: [4Ob76/12y](#)

Common Name: [MediaAnalyse II](#)

Directive Part: Chapter 2, Article 5, 1.

Decision type: Supreme court decision

Decision date: Tue Jul 10 00:00:00 CEST 2012

4 Ob 188/08p

National ID: [4 Ob 188/08p](#)

Common Name: [MEL](#)

Directive Part: Chapter 2, Section 1, Article 6, 1.

Decision type: Supreme court decision

Decision date: Tue Jan 20 00:00:00 CET 2009

4 Ob 186/08v

National ID: [4 Ob 186/08v](#)

Common Name: [Online-Fernsehen](#)

Directive Part: Chapter 2, Article 5, 2.

Decision type: Supreme court decision

Decision date: Tue Nov 18 00:00:00 CET 2008

4 Ob 57/08y

National ID: [4 Ob 57/08y](#)
Common Name: PonyClub
Directive Part: Annex I, 28. Chapter 2, Article 5, 1.
Decision type: Supreme court decision
Decision date: Tue Jul 08 00:00:00 CEST 2008

4 Ob 159/09z
National ID: [4 Ob 159/09z](#)
Common Name: Sanovit Mystic
Directive Part: Annex I, 2. Chapter 2, Section 1, Article 6, 1. Annex I, 4.
Decision type: Supreme court decision
Decision date: Tue Apr 20 00:00:00 CEST 2010

4Ob27/13v
National ID: [4Ob27/13v](#)
Common Name: SMS-Vertragsänderung
Directive Part: Annex I, 28.
Decision type: Supreme court decision
Decision date: Mon Sep 23 00:00:00 CEST 2013

4Ob244/12d
National ID: [4Ob244/12d](#)
Common Name: Stickeralbum
Directive Part: Annex I, 28.
Decision type: Supreme court decision
Decision date: Tue Mar 19 00:00:00 CET 2013

4Ob129/13v
National ID: [4Ob129/13v](#)
Common Name: Tonträgeredition
Directive Part: Chapter 2, Article 5, 2., (b)
Decision type: Supreme court decision
Decision date: Tue Oct 22 00:00:00 CEST 2013

4Ob15/13d
National ID: [4Ob15/13d](#)
Common Name: Totalabverkauf II
Directive Part: Chapter 2, Section 1, Article 7, 1. Chapter 2, Section 1, Article 6, 1., (f) Chapter 2, Article 5, 1.
Decision type: Supreme court decision
Decision date: Tue Mar 19 00:00:00 CET 2013

4Ob29/13p
National ID: [4Ob29/13p](#)
Common Name: Versandapotheke für Österreich
Directive Part: Chapter 2, Section 1, Article 6, 1., (f)
Decision type: Supreme court decision
Decision date: Thu May 23 00:00:00 CEST 2013

4Ob95/13v
National ID: [4Ob95/13v](#)
Common Name: Videospiel DUniverse
Directive Part: Annex I, 28.
Decision type: Supreme court decision
Decision date: Tue Jul 09 00:00:00 CEST 2013

Legal Literature

Der Standard 2009/36/01
Reference: [Der Standard 2009/36/01](#)
Title: /
Author: M. PROHASKA-MARCHRIED, C. GRÜNZWEIG and R. SCHULTES
Publication Year: 2009

ÖJZ [Österreichische Juristen Zeitung] 2013/25
Reference: [ÖJZ \[Österreichische Juristen Zeitung\] 2013/25](#)
Title: Act on amendments of the anti-trust and competition law of 2012 in force — Motor vehicle sector protection act accepted in the Parliament — New appeal procedure in patent and trademark matters — ECJ on the scope of applicability of the Fundamental Rights Charter
Author: R. FUCIK and H.P. LEHOFER
Publication Year: 2013

VbR 2015/124
Reference: [VbR 2015/124](#)
Title: Advertising for children
Author: DOCEKAL, U.
Publication Year: 2015

ÖBI 2013/39

Reference: [ÖBI 2013/39](#)

Title: Advertising for children by using collectors albums

Author: MAJCHRZAK, K.

Publication Year: 2013

wbl [Wirtschaftsrechtliche Blätter] 2009, pages 1-10

Reference: [wbl \[Wirtschaftsrechtliche Blätter\] 2009, pages 1-10](#)

Title: Amendment to the Austrian Unfair Competition Act 2007

Author: H-G. KOPPENSTEINER

Publication Year: 2009

ÖBI [Österreichische Blätter für Gewerblichen Rechtsschutz und Urheberrecht] 2008, 13, pages 65-70

Reference: [ÖBI \[Österreichische Blätter für Gewerblichen Rechtsschutz und Urheberrecht\] 2008, 13, pages 65-70](#)

Title: Are unsolicited (advertising) calls and e-mails still unfair? The effect of the 2007 amendments to the Austrian Unfair Competition Act.

Author: C. HANDIG

Publication Year: 2008

ÖBI [Österreichische Blätter für Gewerblichen Rechtsschutz und Urheberrecht] 2009/46, page 243 ff

Reference: [ÖBI \[Österreichische Blätter für Gewerblichen Rechtsschutz und Urheberrecht\] 2009/46, page 243 ff](#)

Title: Capacity to sue and to be sued according to the new law on unfair competition

Author: D.DUURSMA and H.DUURSMA-KEPLINGER

Publication Year: 2009

wbl 2011, 531

Reference: [wbl 2011, 531](#)

Title: Claims for damages from consumers and from the entrepreneurial counterparty in the market pursuant to the Unfair Competition Act

Author: RÜFFLER, F.

Publication Year: 2011

ÖBI [Österreichische Blätter für Gewerblichen Rechtsschutz und Urheberrecht] 2010/34, page 163 ff

Reference: [ÖBI \[Österreichische Blätter für Gewerblichen Rechtsschutz und Urheberrecht\] 2010/34, page 163 ff](#)

Title: Claims for damages of a market party in the Unfair Competition Act

Author: P. LEUPOLD

Publication Year: 2010

ÖBI [Österreichische Blätter für Gewerblichen Rechtsschutz und Urheberrecht] 2013/24, pages 103-108

Reference: [ÖBI \[Österreichische Blätter für Gewerblichen Rechtsschutz und Urheberrecht\] 2013/24, pages 103-108](#)

Title: Clearance sale! The UWG is cleared further. The consequences of the ECJ decision Köck for the Austrian provisions on clearance sale.

Author: T. KRUTZLER

Publication Year: 2013

RPA (Recht und Praxis der öffentlichen Auftragsvergabe) 2010/253, page 253 - 260

Reference: [RPA \(Recht und Praxis der öffentlichen Auftragsvergabe\) 2010/253, page 253 - 260](#)

Title: Competitive tendering procedure and new unfair competition law (Unfair Competition Act 2007)

Author: P. GÖTZL and C. THIELE

Publication Year: 2010

ÖJZ [Österreichische Juristenzeitung] 2010/76, pages 698-706

Reference: [ÖJZ \[Österreichische Juristenzeitung\] 2010/76, pages 698-706](#)

Title: Contractual importance of violations of section 2 para 6 UWG?

Author: W. THÖNI

Publication Year: 2010

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Reference: [ff](#)

Title: fff

Author: ff

Publication Year: 2010

Ecolex 2007, 779, pages 779-782

Reference: [Ecolex 2007, 779, pages 779-782](#)

Title: Information requirements and the law on unfair commercial practices. Effects of the 2007 amendment to the Austrian Unfair Competition Act

Author: C. HANDIG

Publication Year: 2007

ecolex 2009, 876

Reference: [ecolex 2009, 876](#)

Title: Medium specific restrictions of the obligation to inform in respect of purchase offers?

Author: THÖNI, W.

Publication Year: 2009

MR 2013/329

Reference: [MR 2013/329](#)

Title: New decisions of the ECJ about the dogmas of misleading commercial practice

Author: HEIDINGER, R.

Publication Year: 2013

ÖBI [Österreichische Blätter für Gewerblichen Rechtsschutz und Urheberrecht] 2008/36, pages 164-169

Reference: [ÖBI \[Österreichische Blätter für Gewerblichen Rechtsschutz und Urheberrecht\] 2008/36, pages 164-169](#)

Title: Now, children! – the term "child" in advertisements in the context of the Austrian Unfair Competition Act 2007

Author: M. PRUNBAUER-GLASER

Publication Year: 2008

VbR 2016/106

Reference: [VbR 2016/106](#)

Title: Prize draw via premium rate number: not a prohibited way of advertising for children

Author: DOCEKAL, U.

Publication Year: 2016

ÖBI [Österreichische Blätter für Gewerblichen Rechtsschutz und Urheberrecht] 2008/38, pages 174-179

Reference: [ÖBI \[Österreichische Blätter für Gewerblichen Rechtsschutz und Urheberrecht\] 2008/38, pages 174-179](#)

Title: Protection of trade marks in terms of competition law by means of the UCP Directive -- Which changes are introduced by section 2 para 3 no 1 of the Austrian Unfair Competition Act with respect to the protection of trade marks?

Author: H. GAMERITH

Publication Year: 2008

2013

Reference: [2013](#)

Title: Revision of the regulations on clearance sales through the UWG (Unfair Competition Act) amendment 2013

Author: MR [Medien und Recht] 2013, pages 135-137

Publication Year: Unknown

MR [Medien und Recht] 2007/115, pages 115-120

Reference: [MR \[Medien und Recht\] 2007/115, pages 115-120](#)

Title: The implementation of the UCP Directive in the Austrian Federal Act against Unfair Competition. What are the new amendments 2007?

Author: S. FEHRINGER, N. FREUND

Publication Year: 2007

Other material

No results available