
STATUTORY INSTRUMENTS

2002 No. 1775

The Electronic Commerce Directive (Financial
Services and Markets) Regulations 2002

PART 3

ARTICLE 3.4 OF THE ELECTRONIC COMMERCE DIRECTIVE

Procedural conditions

8. The procedural conditions are that—
- (a) the Authority has requested the relevant EEA regulator to take measures to remedy the situation giving rise to the request;
 - (b) the relevant EEA regulator—
 - (i) has not, within what appears to the Authority to be a reasonable time, taken such measures; or
 - (ii) has taken such measures, but the measures appear to the Authority to be inadequate in the circumstances;
 - (c) the Authority has notified the Commission and the relevant EEA regulator of its intention to make the direction; and
 - (d) the Authority has notified the person to whom the direction is to apply of its proposal to make the direction, and afforded that person the opportunity to make representations to the Authority in such manner, and within such period, as the Authority may determine.