

A person in a white sweater is sitting at a desk, using a laptop. Their left hand is on the keyboard, and their right hand is holding a credit card with a barcode. A smartphone is lying on the desk in front of the laptop.

# THE NEW ONLINE WITHDRAWAL BUTTON

## WHAT TRADERS NEED TO PREPARE FOR

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Soon, any online sales platform will have to offer consumers a straightforward and simple way to exercise their right of withdrawal. The 2023/2673 EU Directive, which amends Directive 2011/83/EU regarding distance contracts for financial services, marks a shift for the wider e-commerce sector by introducing a new, standardised withdrawal mechanism.

## LEGAL UPDATE

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Contrary to what the title of the directive might suggest, its scope is not limited to the sale of financial products online: any business offering online sales to consumers will be required to adapt its digital environment. Importantly, the scope of the right of withdrawal itself, with its exceptions, remains unchanged; only the modalities for exercising that right are modified.

The new article 11a of Directive 2011/83 requires traders offering distance contracts through an online interface to provide a dedicated withdrawal function, labelled “withdraw from contract here” or an equivalent unambiguous formulation, displayed prominently, easily legible and continuously available throughout the withdrawal period.

This function must allow the consumer to submit an online withdrawal statement enabling them to provide or confirm their name, the details identifying the contract concerned and the electronic contact details for receiving the withdrawal confirmation.

Once the statement is completed, the trader must make it possible to submit it via a confirmation function labelled only “confirm withdrawal” or an unambiguous equivalent. After activation of this confirmation function, the trader must send the consumer, without undue delay, an acknowledgement of receipt on a durable medium, including the content of the withdrawal statement and the date and time of its submission.



For businesses active in e-commerce, this development implies an adjustment of certain internal processes, in particular the handling of withdrawal requests and contractual communications. The general terms and conditions of sale, as well as the operational procedures derived from them, will need to be aligned with this new obligation.



In Belgium, a national transposition will also be necessary. A draft bill implementing Directive 2023/2673 and introducing a new Article VI.61/1 into the Code of Economic Law has already been submitted to the Data Protection Authority, although it is not yet publicly available. Belgium must transpose the directive by 19 December 2025, and the new withdrawal functionality must be operational as from 19 June 2026.

Our commercial and digital law team is ready to assist businesses in navigating these new requirements. For tailored guidance, feel free to reach out to our practitioners.



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