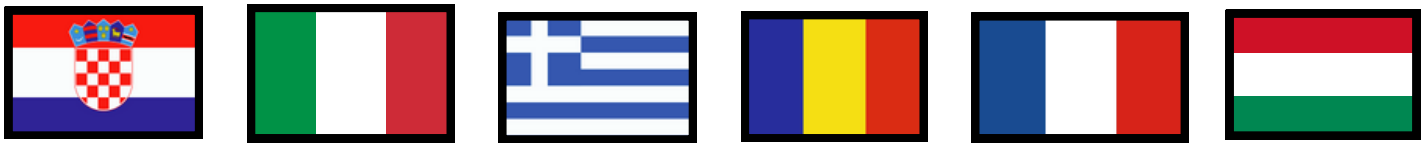
November 2025

European Consumer Debt Network Newsletter

Welcome to this special edition of the ECDN Newsletter, fully dedicated to how Article 36 of Directive (EU) 2023/2225 (hereinafter:CCD2) has been implemented within the legal systems of EU member states.

I remember the day the directive was adopted — and then, the day that it was published in the Official Journal. We all looked at the future with hope – finally, regulations were created to ensure every European access to professional debt advisory services and the psychological, legal, and technical support.
Today, **20 November 2025**, in accordance with the provisions of CCD2, the national legislative, executive, and administrative regulations necessary for the implementation of the directive **should already have been adopted and published**. And yet… not a single EU Member State has formally completed the implementation.
Of course, the picture across Europe is far from uniform. We have countries like Finland, where "the directive will bring very little change — its requirements have been part of our operations for decades." We have a large group of countries such as the Netherlands, Austria, or Ireland, where CCD2 was expected to raise standards and secure stable funding — but, so far, we are seeing only minimal-transposition drafts. And finally, there are the "new EU" Member States, where debt advice systems are still emerging and CCD2 was supposed to provide the very first legal foundations for such support.
In this edition, we have gathered concise country updates from our members, illustrating the real state of implementation across the following countries:

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TRANSPOSITION OF THE CCDII IN AUSTRIA

Since **August 2024**, a first working draft prepared by the **Federal Ministry of Justice** has been available. It was discussed in a series of online meetings during autumn 2024, with broad participation from ministries, business associations, and consumer protection representatives (around 35 participants, including myself as a representative of the debt counselling sector). Based on these discussions, a revised draft was issued in **February 2025**, which was subject to written comments following an additional online consultation. Since then, no new proposals or discussions have been communicated to the expert group or made public. It is understood that the matter is currently under coordination between the governing coalition parties, and political agreement does not appear imminent.

Substantively, the most recent draft reflects the guiding principle of avoiding any "gold-plating" of EU provisions. In general, the optional regulatory elements offered under the Directive are not being transposed into national legislation—the approach aims for a **minimum implementation**. Business stakeholders are resisting any extension of consumer protection or stricter compliance requirements wherever possible. Conversely, the consumer protection side finds it difficult to advance requirements aimed at a higher level of consumer protection or more effective prevention of over-indebtedness.

A specific point of contention concerns the national transposition of the definition of "debt advisory services." The Ministry of Justice takes the view that, while the existing state-recognised debt counselling agencies hold a special position within the Austrian legal framework, this does not justify establishing an exclusive right or monopoly for handling debt settlement procedures.

Since February 2025, we—together with other stakeholders—have been waiting for the next draft and hope that a sufficient public consultation period will be provided once the legislative proposal is available. As the deadline for transposing the Directive into national law is approaching, it appears that the Austrian Government may accept the risk of infringement proceedings.

Written by Clemens Mitterlehner |
ASB Schuldnerberatungen GmbH

Dachorganisation asb

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Umbrella organisation of the officially recognised debt advice centres in Austria

GP FORSCHUNGSGRUPPE
INSTITUT FÜR GRUNDLAGEN- UND PROGRAMMFORSCHUNG

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STATE OF THE ART IN GERMANY

In Germany, the available statistics say that **5,5 million** people are over-indebted. Only **10%** of them are clients of debt advisory services. It is not known how the other 90% handle their debts.

In order to transpose European law (Consumer Credit Directive - CCD II) into German law, the Federal Ministry of Justice and Cosumer Protection (BMJV) published an initial draft bill on **29 September 2025** (Schuldnerberatungsdienstgesetz – SchuBerDG).

On 9 October, the German Bundesrat issued a statement and the Federal Government issued a counter-statement on the draft bill.
As a next step, the Bundestag Committee on Legal Affairs and Consumer Protection held a hearing of experts and members of the Bundestag on the draft bill on 5 November.
During this hearing, it became clear that the government's draft of the SchuBerDG falls far short of society's requirements for social, comprehensive, timely and quality-assured debt counselling.
Open questions are:

– The draft does not contain **any wording on the legal safeguarding of the financing of debt counselling agencies**.
– The **cost-free nature of the consultations is not guaranteed**
– The **division of liability between the federal government and the states has not been clarified**
– There is no indication of **how the quality of the advice is ensured**
– The draft bill does **not comment on how adequate staffing levels for debt counselling agencies should be regulated by law**

The transcript of the hearing is published at the following link:
https://www.bundestag.de/ausschuesse/recht-verbraucherschutz/sitzungen/1114020-1114020

Following the expert hearing of the Consumer Committee on 5 November 2025, the draft bill for the SchuBerDG was amended in a few points. In future, **fees may only be charged to consumers in 'particularly justified exceptional cases'**. In addition, more precise specifications were made as to who may provide debt counselling as an **independent professional provider** within the meaning of the law.

Written by Dieter Korczak,
GP-Forschungsgruppe

REGULATION IN ROMANIA OF DEBT COUNSELING SERVICES PROVIDED BY INDEPENDENT PROFESSIONALS TO CONSUMERS WHO ARE FACING OR MAY FACE DIFFICULTIES IN MEETING THEIR FINANCIAL COMMITMENTS

At the national level, the Draft Law on Consumer Credit Agreements (DL) was prepared to transpose Directive (EU) 2023/2225. The DL, drafted by the National Consumer Protection Authority (NCPA), also assigns it responsibility for implementing, monitoring, and evaluating the law.

(i)Debt advice services are defined for the first time at the national level, based on Article 3(22) of Directive 2023/2225, adopted in Article 3(19) of the DL. The only difference is a reference to national regulations. These services provide personalized technical, legal, or psychological assistance by independent professionals who are not creditors, credit intermediaries, buyers, or administrators, for consumers facing or at risk of financial difficulties.

(ii) Article 36 of Directive 2023/2225 on debt advisory services is adopted in the DL under the same number and chapter. This means that, for the first time, debt advisory services by independent professionals for consumers facing or at risk of financial difficulties are formally regulated at the national level.

The DL adopts Articles 36(1–4) of Directive 2023/2225, establishing the national framework for debt advisory services:

- Paragraph 1: Ensures consumers at risk of financial difficulties can access independent debt counseling services at limited cost.
- Paragraph 2: Legitimizes independent professionals (not creditors, intermediaries, buyers, or administrators) to provide these services, with costs capped to avoid burdening consumers.
- Paragraphs 3–4: Imposes obligations on credit institutions to detect consumers in financial difficulty early and to guide them to accessible debt counseling services.

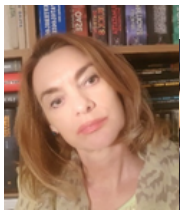
Article 36(2) of the DL, like the Directive, legitimizes independent professionals to provide debt advisory services. Articles 3(19) and 16(7) explicitly state that these professionals cannot be creditors, credit intermediaries, buyers, or credit administrators, ensuring their independence.

The legal framework clearly distinguishes between advice provided by independent professionals and that offered by creditors or other financial actors.

Member States define which professionals qualify as independent under Article 16(7) of Directive 2023/2225. The DL adopts these conditions without listing specific professions. Key non-cumulative conditions include:

- **Occasional advice within a regulated professional activity or ethical code.**In our opinion, this category may include the activity of tax consultants.
- **Advice in managing existing debts by insolvency practitioners regulated by law.**; Insolvency practitioners are a well-organized and structured professional body at national level based on statute, are constituted in a union at national level and in organizations at county level and have the competence of managing the insolvency of natural persons regulated at national level by Law 151/2015.
- **Advice by public or voluntary non-commercial providers;** such as social assistance departments, social workers, or consumer associations (NGOs).
- Services must be delivered by **authorized persons under supervision of competent authorities.** The DL does not provide any clarification to this category, namely who is the category of authorized persons and who are the competent authorities to supervise this category.

In conclusion, at this point we can only note that the DL will transposes Directive 2023/2225, once adopted, but a series of clarifications are necessary, which will probably be the subject of implementing rules for the DL, so that debt advice provided by independent professionals can play a real and effective role in preventing (over)indebtedness, as envisaged by the directive.



Written by Dr .Rodica Diana Apan . Associate Professor, Faculty of Law, Cluj-Napoca, "Dimitrie Cantemir" Christian University, Bucharest; lawyer, office@cabinetavocatapan.ro

TRANSPOSITION OF THE CCDII IN GREECE – ARTICLE 36

The last meeting of the Greek Transposition Committee regarding the CCDII took place on 24/6/2025. The competent Ministry of Development has provided us with a draft of the transposition bill. It is worth mentioning that there are still pending issues to be resolved concerning articles 31 par. 1 and 32 par. 5 of the Directive, for which some members of theTransposition Committee (EKPIZO among them) have submitted specific proposals. The Ministry informed us that the above proposals, together with the draft of the bill, will be discussed in a governmental level before the bill is introduced to the Greek Parliament for approval. We have not received an update ever since, although the Ministry of Development had informed us that the passage of the bill would take place by the end of the year.

Specifically concerning article 36 of the Directive: the content of the article included in the transposition bill is almost identical to the article of the Directive itself. Of course paragraph 4 of article 36 of the CCDII will not be transposed. It should be noted that EKPIZO had shared with the Ministry ECDN's proposal on the funding of debt advice services. However, the Ministry's response was that it is not the bill's purpose to regulate the above issue. Therefore, no related provision has been included in the Greek transposition bill.

Last but not least, the Greek bill has used the discretion provided in article 16 par. 6 of the CCDII, in order to include Consumer Associations and Consumer Information and Support Centers and Offices of the General Secretariat of the Financial Sector and Private Debt Management (Ministry of Finance) in the stakeholders that are able to provide debt advice, besides creditors and credit intermediaries.

Written by Anastasios Kokougiannis,
EKPIZO, Greece

Stowarzyszenie Krzewienia Edukacji Finansowej

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DEBT ADVISORY IN POLAND: BUILDING A NEW SYSTEM OR STATUS QUO FOR CONSUMERS?

In January 2025, the President of UOKiK presented the assumptions for a draft law implementing the EU Directive on debt advisory services (CCD2), clearly indicating that **the legislator intends to rely on existing procedures for providing assistance to indebted individuals**. In July, the draft Consumer Credit Act was published on the website of the Government Legislation Centre and submitted for a 30-day public consultation.

According to the draft law, the **Financial Ombudsman (RF)** and other advisory entities will provide debt advisory services, while the RF will maintain the register of advisory entities. The definitions of advisory services have been adopted from the Directive; however, in practice, the scope remains limited—**RF will provide personalized and specialized advice solely of a legal nature**, for which it has secured appropriate funding from financial market participants. The draft law does not establish funding mechanisms for other advisory entities. Standards for providing advice are limited to the provisions that advice must be **free of charge, provided upon request and with the consumer's consent, within a maximum period of 60 days from submission of the questionnaire.**

Weaknesses of the draft law:

- **Lack of provision for funding** for advisory entities other than the Financial Ombudsman.
- **Absence of mechanisms for providing psychological and technical suppor**t to indebted individuals.
- Lack of **professional standards for advisors** and **mechanisms integrating specialists** from various fields to ensure comprehensive support for indebted individuals.

The draft law can be regarded as a step forward in establishing a legal framework, yet it still contains significant limitations regarding the scope, accessibility, and practical effectiveness of debt advisory services in Poland, particularly in terms of access to psychological and technical support. The lack of funding mechanisms for non-governmental organizations may, in practice, mean that beyond the legal advice provided by the Financial Ombudsman, **other forms of debt advisory services may not operate.**

Over 1,200 pages of comments were submitted on the draft law. At present, the submitted comments are being analyzed and further legislative steps are being prepared.

Written by Malwina Silva da Mota,
SKEF, Poland

BUILDING PROFESSIONAL DEBT ADVICE IN MALTA: A PILOT INITIATIVE

Malta is taking its final steps towards establishing a national debt advisory service in line with Article 36 of the EU Consumer Credit Directive (2023/2225).This reflects Malta's recognition that financial vulnerability is not simply a personal matter but one requiring professional, accessible, and evidence-based support. A core part of the implementation strategy is the **professional certification of those who will administer the service**. The Ministry for Social Policy and Children's Rights is funding the **Undergraduate Certificate in Debt Advisory, delivered by MCAST's Institute of Business Management and Commerce (IBMC)**, with the first cohort—mainly composed of Foundation of Social Welfare Services (FSWS) personnel—expected to complete its training by June 2026.

FSWS, Malta's primary public social welfare agency, has an ethos grounded in dignity, empowerment, social justice, and trauma-sensitive practice, making it a natural home for the pilot phase of the debt advisory service. The MCAST Certificate at MQF Level 5 (30 ECTS), delivered through face-to-face and blended learning, integrates **financial literacy, economics, psychological understanding and practical casework** through units such as the Role of Debt Advisory, Introduction to Economics, Debt Management, Building a Strong Financial Future, Government Services and Grants, and Case Studies. In parallel, preliminary legislative work has begun to examine the existing legal framework and identify where reforms are required for the proper transposition of Article 36. Once legislation is enacted, accredited advisors will receive targeted instruction enabling them to apply it accurately and confidently.

The service will be free of charge and will initially operate as a pilot delivered through FSWS, benefiting from its community outreach, multidisciplinary teams, and established referral pathways. A major milestone will be the final seminar bringing together course participants, national stakeholders and international whose input will support Malta in building a service aligned with European standards while tailored to local realities.

Written by Helena Holland
Ministry for social policy and children's rights in Malta

STATUS OF CCD2 TRANSPOSITION IN SPAIN

Open public consultation: The Ministry of Economy launched a prior public consultation that was opened until 4 October 2024, which seek to gather opinions from citizens, companies and organizations on key aspects of the future regulation. Currently, Spain continues in the phase of prior public consultation for the transposition of mentioned Directive, but an official draft of the law has not yet been published. The process is allegedly under, as that regulation should be passed earlier 20 November 2025, but it doesn't seem mentioned deadline is going to be fulfilled. What is available at the moment, is a public consultation document that describes the objectives, problems to be solved and possible regulatory alternatives. This document serves as a basis for the elaboration of the future legal text. That is why, ECDN and the author of present briefing submitted our opinions to the consultation.

Regulatory instruments planned:

- A new law on consumer credit agreements.
- A complementary royal decree.
- A ministerial order amending Order EHA/1718/2010 (on banking advertising) and Order EHA/2899/2011 (on transparency and protection of the banking client).

Objective of the transposition: To adapt Spanish regulation to new digital financial products, such as the "Buy Now, Pay After" systems, to strengthen consumer protection against abusive practices and to reinforce financial education and support to consumers in financial difficulties, including the provision that debt advisory services are made available for them, with only limited charges payable for such services.

Key deadlines:

- Mandatory transposition: by **20 November 2025** (There´s a high probability that it is not going to be completed on time, as any draft of the transposition law has been published yet)
- Effective implementation: from **20 November 2026**.

Written by Carlos Zarco Pleguezuelos. Lawyer, Insolvency practitioner, Chair of the Board in the Consumer Protection Specialized Lawyers´ Section, in the Alicante Bar (Spain), and member of its Insolvency Board.

"GOOD ADVICE IS AS GOOD AS GOLD": BUILDING A DEBT ADVISORY SYSTEM IN CROATIA

We currently have a draft of a new Consumer Credit Law, which is a key piece of legislation, and within it, the requirements for consumer credits with real estate as collateral will be fully incorporated, before that was regulated in the separate law. Furthermore, the provision concerning debt advice services, specifically addressing Article 107, is covered.

Article 107
(1) Debt counseling services in the Republic of Croatia shall be provided by the **Financial Agency**
(2) By way of exception from paragraph 1 of this Article, debt counseling services may also be provided by **non-profit legal entities founded on a voluntary association of citizens, in order to protect the interests of consumers**
and provide assistance in exercising their rights.
(3) **The Financial Agency shall provide debt counseling services to natural persons who have payment difficulties on grounds other than credit obligations.**

The big deal for us is the paragraph (2) that was not in the original version of the law.

Connected to this legislative process, Padobran association, in collaboration with the Croatian Alliance of Consumers, recently launched the EU project **"Good advice is as good as gold."** This initiative includes setting up counseling points within FINA (Financial Agency) branch offices, which serves to emphasize the strong cooperative relationship we maintain with FINA.

We anticipate the final version of the law being presented by the end of this year, followed by the necessary time required to complete the legislative procedure in the Croatian Parliament.

Written by Igor Škrgatić,
Padobran association

HUNGARY– UPDATE ON THE CONSUMER CREDIT DIRECTIVE (CCD II) IMPLEMENTATION

As we have described earlier, the institutions of the Hungarian government and the stifled non-profit organizations were only able to provide negligible support to the over-indebted groups and individuals of Hungarian society. That is why the Hungarian implementation of the new European financial consumer protection law is very important, so that Hungarian actors in both consumer lending and credit intermediation must comply with stricter regulations than the previous Hungarian regulation. The Ministry of Justice was given the task of transposing CCD 2 into the domestic legal system. The consultation phase was announced in May 2025, with the Ministry expected to organize a public hearing in early September. This was not implemented, but a website launched by the Ministry was created later in September for the purpose of public consultation, where the Ministry's preparatory analyses were available in pdf format, in long and short versions. On the advice of the ECDN, the final FSUG opinion was translated into Hungarian by the Hungarian national representative of the ECDN and sent to the contact email address on the public consultation page. No feedback has been received from the Ministry since then.

A significant development affecting Hungary may be that the lawyer Dr. László Marczingós, famous for his successful lawsuits related to legally questionable bank loans, established a Financial Consumer Protection Association, which for the first time managed to bring together representatives of 5 parliamentary parties. Mobilizing his clients who had previously received advice or legal representation from him, he claims that the membership of the new social organization is 1,500 people and that he would like to expand this to 5,000 people within the foreseeable future with the help of a political movement.

Written by Mészáros József
Cognative Ltd., Hungary

BULGARIA – UPDATE ON THE CONSUMER CREDIT DIRECTIVE (CCD II) IMPLEMENTATION (NOVEMBER 2025)

In May 2025, Bulgaria's Ministry of Economy published a draft Law on Consumer Credit to transpose the EU Consumer Credit Directive (EU) 2023/2225. The proposal remains under public consultation and has not yet advanced to parliamentary discussion.

The draft includes provisions on creditworthiness assessment, consumer information, and advertising rules, but it **does not yet include a clear mechanism for implementing Article 36 of the Directive**, which requires access to impartial, free debt advisory services. This omission has been noted by several civil society organizations, including the Temida Foundation, as a major gap in the current version of the bill.

In parallel, the Law on Insolvency of Natural Persons, adopted in June 2025, introduces personal bankruptcy procedures starting in 2026, complementing the broader debt management framework.

Bulgaria must finalize and adopt the Consumer Credit Law by 20 November 2025 to comply with EU transposition deadlines. The coming months will be decisive in determining whether Article 36 and the related social protection measures will be properly integrated.

Written by Willie Pierre Abbal
Temida Foundation, Bułgaria

FRANCE: CCD2 TRANSPOSITION UNDERWAY – WHAT IT MEANS FOR DEBT ADVISORY

The French government decided to transpose the directive CCD2 by a special procedure on september the 3rd. This text must still be validated by the Parliament. Concerning debt advisor, the article L. 312-35-2 of the french consumer code is a copy of the article 36 of CCD2. More details should be known early 2026 after discussions with stakeholders.

Written by Pauline Dujardin,
General Delegate, Legal Counsel, DPO
French Federation of Crésus Associations

IRELAND: LIMITED CHANGES IN DEBT ADVISORY UNDER CCD2

In Ireland, the transposition of the CCDII is being handled through a ministerial regulation (statutory instrument), which limits robust parliamentary debate. Following a short 2024 public consultation, the government published its outcome only recently, showing that Ireland plans to adopt around a third of the available national discretions.
When it comes to Article 36 (debt advice), the approach seems to be maintaining the existing framework: services delivered by MABS, personal insolvency practitioners, solicitors, and accountants. There is little sign of change or expansion, and Article 36 has not been the main focus of the transposition discussions so far. No further updates at the time of publication of this newsletter.

Written by Gwen harris
MABS, Ireland

IMPLEMENTATION OF CCD2 IN ITALY: LAW NO. 91/2025 AND KEY PROVISIONS

The law implementing the CCDII has been enacted in Italy. Specifically, **Law No. 91 of 13 June 2025**. Article 4 of the implementing law sets out the specific principles for compliance with the Directive. Specifically, for the most relevant matters, it provides:

a) **to make the necessary amendments, additions, and repeals to existing legislation**, including Legislative Decree No. 141 of 13 August 2010 and the consolidated text of the laws on banking and credit, pursuant to Legislative Decree No. 385 of 1 September 1993, for the correct and complete implementation of Directive (EU) 2023/2225. In adopting these amendments and additions, the Government shall take into account, where appropriate, the guidance of the European supervisory authorities and ensure the overall consistency and effectiveness of the consumer protection system;

b) designate the **Bank of Italy** and the **Body for the Management of the Lists of Financial Agents and Credit Brokers** as the competent authorities, according to their respective responsibilities and responsibilities indicated in the aforementioned Consolidated Law referred to in Legislative Decree No. 385 of 1 September 1993, to ensure the application and compliance with the provisions implementing Directive (EU) 2023/2225, granting them the powers of investigation and control provided for by the same directive, also taking into account the provisions of letter h);

Written by Luca Rizzitano
External relation and legal manager
- I Diritti del Debitore

We would like to encourage you to share your new materials, educational resource publications, best practices (case studies, reports, and research), tools, templates, and success stories with us in our next edition. We are a growing community, and sharing our work helps us all learn and grow stronger as a consumer debt network.

You can email your contributions to secretary@ecdn.eu with a brief description of the materials.
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Thank you for your dedication and support.