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## Addendum

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The Common Position of 22 September 1992, published in JCP, Vol. 15, No. 4, 1992, pp. 469–491, has in the meantime been adopted as Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts, published in the Official Journal of the European Communities No. L 95 of 21.4.1993, p. 29. It is almost identical with the Common Position, with the exception of Art. 3 para 3 which reads now as follows:

The Annex shall contain an indicative *and non-exhaustive* (italics added, the Editors) list of terms which may be regarded as unfair.

It is not exactly clear what is meant by this addendum whose meaning eventually must be clarified by the European Court of Justice.