

## **Attachment # 2**

### **CONSUMER PROTECTION PRINCIPLES IN E-COMMERCE**

#### **Online identification of the business**

- Provide easily accessible, accurate information about your identity and physical location.
- You should provide an email address, telephone number or other contact information that allows consumers to quickly and effectively contact the business;

#### **Information to be provided prior to the conclusion of the contract**

- Provide consumers with accurate information related to the terms and conditions of the transaction. Such information should be provided before the conclusion of the contract and would normally include:
  1. An itemisation of all costs to the consumer, such costs can include, but not necessarily be limited to: delivery, postage and handling, insurance, notice of applicable taxes and duties;
  2. the period for which the offer is valid;
  3. terms of delivery;
  4. the terms, conditions and methods of payment, indicating the applicable currency and including applicable credit options and finance rates;
  5. the possibility of any restrictions, applicable limitations or conditions of purchase, such as parental/ guardian approval requirements for minors;
  6. any geographical limitations to the validity of the offer;
  7. instructions for proper use, and in particular, safety and health care warnings;
  8. information relating to after-sales service;
  9. details of any applicable cooling-off period (or right of withdrawal);
  10. . conditions related to return, exchange, cancellation and/or refund policy information; and
  11. any applicable warranty provisions.
- Give your consumers an adequate opportunity to review the information related to the transaction before the conclusion of the contract and allow them to access or maintain an adequate record of the information that was provided.
- Give your consumers a right of withdrawal, unless the nature of the good or service makes this inappropriate.

#### **Confirmation process: Conclusion of the contract**

- Allow your customers to indicate clearly that they intend to make a purchase in a manner that allows them to both identify precisely the goods or services they wish to purchase and maintain a complete and accurate record of the transaction.
- Develop and implement online mechanisms to provide consumers with a multi-step confirmation process. Such mechanisms should, for example, allow:
  1. the customer to indicate his or her intention to buy;
  2. the customer an opportunity to review and accept or reject the contractual terms and conditions;
  3. the business to acknowledge receipt of the intention to buy;
  4. the customer to identify and correct any errors; and
  5. the consumer to confirm and accept the offer, or cancel the transaction.

#### **Payment**

- Provide your customers with an easy to use, secure payment mechanism.

#### **Consumer complaints and dispute resolution**

- Have in place fair and effective policies and internal mechanisms to address and respond to consumer complaints and difficulties within a reasonable time, in a reasonable manner, without undue cost or burden to the consumer, and without prejudice to judicial redress.
- Such procedures might include, but need not be limited to:

1. providing online information about the existence of consumer complaints services and relevant dispute resolution mechanisms;
2. the timely receipt, acknowledgment, and handling of consumer complaints;
3. dealing with complaints fairly, thoroughly and in a manner which would assist any further examination which may be necessary such as referral to a dispute resolution mechanism; and
4. providing a notice to consumers regarding any third party dispute resolution mechanisms available through the business; and
5. promptly informing the consumer of the outcome.

### **Applicable law**

When dealing with international customers:

- Be aware of the mandatory consumer protection laws of the country in which your customer resides.
- Do not specify a third party legal jurisdiction not connected to the transaction (ie not the home country of the customer or your business.)
- Specify which legal jurisdiction will apply to the transaction (ie your country or the customer's country).

### **Privacy**

- Conduct your dealings with consumers in accordance with the recognised privacy principles set out in the 1980 OECD Guidelines for the Protection of Privacy and Transborder Flow of Personal Data, taking into account the OECD Ministerial Declaration on the Protection of Privacy on Global Networks (1998), to provide appropriate and effective provisions for consumers.