



FUTURE e-COMMERCE

2022-1-R001-KA220-VET-000088579

*Appendix: Legal
Regulations, Rights and
Obligations on E-
Commerce*

This Project has been funded with support from the European Commission. This publication reflects the views only of the author, and the Commission cannot be held responsible for any use which be made of the information contained therein.



**Co-funded by
the European Union**

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1. LAW ON REGULATION OF E-COMMERCE

1.1. Italy

In Italy, e-commerce is mainly regulated by Legislative Decree 70/2003 and by the Consumer Code, aimed at ensuring fairness in buying and selling relationships.

Here are some key laws and regulations relevant to the regulation of e-commerce in Italy:

LEGISLATIVE DECREE 70/2003

Legislative Decree 70/2003, of April 9, implementing the European E-Commerce Directive on certain legal aspects of information society services, also known as the "E-commerce Code", is an Italian legislation which implements European Directive 2000/31/EC relating to certain legal aspects of information society services, in particular e-commerce.

These are some key points of the E-commerce Code:

- **Information society service providers:** The decree establishes that information society service providers, including those related to e-commerce, must provide users with clear and transparent information about their business activities. This includes the indication of the supplier's identification information, the methods of concluding the contract, the general conditions of the contract and the methods of payment.
- **Liability of intermediary service providers:** The decree establishes that intermediary service providers, such as hosting providers or online payment intermediaries, are not responsible for illegal or harmful content provided by third parties, unless they have had actual knowledge of the illegal content and did not act promptly to remove it or disable access to it.
- **Contracts concluded by electronic means:** The decree regulates contracts concluded by electronic means, such as online purchases. It establishes that the supplier of goods or services must provide the user with clear information on the purchase process, including the price, payment methods, delivery methods and the right of withdrawal.
- **Commercial communications:** The decree regulates commercial communications sent by electronic means, such as email or SMS. It stipulates that commercial communications must be clearly identified as such and an option must be provided to opt out of receiving them in the future.

LEGISLATIVE DECREE 206/2005

Legislative Decree 206/2005, also known as the "Consumer Code", Code regulates commercial transactions between businesses and consumers. It protects consumer rights, for example by providing clear information on the product, right of withdrawal, price information, conditions of sale, etc.

These are some key points of the Consumer Code:

- **Pre-contractual information:** The seller must provide the consumer with all the necessary information in a clear and understandable way before concluding a contract. This information may include the price, the characteristics of the

product or service, the delivery methods, the payment conditions, the guarantees offered, etc.

- **Right of withdrawal:** The consumer has the right to withdraw from a purchase or service provision contract within a certain period of time, usually 14 working days, without having to give a specific reason. The seller must clearly inform the consumer about the terms and methods of exercising this right.
- **Legal guarantees:** The Consumer Code provides legal guarantees for consumers in the event of defects or non-conformities of the product or service. These guarantees cover a specific period of time and allow the consumer to request the repair, replacement or refund of the defective product.
- **Unfair commercial practices:** The Consumer Code prohibits unfair commercial practices, such as misleading or aggressive advertising, which could unduly influence consumers' purchasing decisions.
- **Unfair terms:** The Consumer Code prohibits unfair contractual terms that create a significant imbalance between the rights and obligations of the parties to the detriment of consumers. These clauses are considered void and unenforceable.
- **Responsibility of the producer:** The Consumer Code establishes that the producers are responsible for the damages caused by the defects of their products. Consumers are entitled to compensation for damages suffered as a result of a defective product.

PRIVACY POLICY (GDPR)

The General Data Protection Regulation (GDPR) is a European Union regulation that governs the protection of personal data. If you collect, store or process personal data of your customers, you must comply with the provisions of the GDPR.

E-commerce businesses operating in Italy must comply with the General Data Protection Regulation (GDPR) and the Italian Privacy Code. These laws govern the processing and protection of personal data, including data collection, consent, security measures, and individuals' rights regarding their personal information.

COOKIE POLICY

If you use cookies on your website, you must provide clear and transparent information on the use of cookies and obtain user consent, in accordance with privacy regulations.

ELECTRONIC INVOICING

In Italy it is mandatory to issue electronic invoices for commercial transactions. E-commerce businesses must comply with e-invoicing regulations and send e-invoices to their customers.

COPYRIGHTS

Be sure to comply with copyright laws when using images, text or other content on an e-commerce website. If you sell copyrighted products, make sure you obtain the necessary permissions or licenses.

SELLER INFORMATION

The name, address and other identifying information of the seller must be clearly indicated on the e-commerce website.

This list of regulations represents a general overview of the main legal aspects related to e-commerce in Italy. E-commerce businesses are advised to consult a legal professional or relevant official sources for further information or to tailor this information to their specific situation.

See more:

<https://www.parlamento.it/parlam/leggi/deleghe/03070dl.htm>

<https://www.gazzettaufficiale.it/eli/id/2014/03/11/14G00033/sq>

<https://www.mimit.gov.it/index.php/it/component/content/article?id=2012688:il-codice-del-consumo&catid=460:regolamenti-e-codici>

<https://www.garanteprivacy.it/codice>

1.2. Spain

In Spain, e-commerce is regulated by several laws and regulations that aim to ensure consumer protection, data privacy, and fair business practices. Here are some key laws and regulations relevant to the regulation of e-commerce in Spain:

LAW 34/2002

Law 34/2002, of July 11, on Information Society Services and Electronic Commerce (Ley de Servicios de la Sociedad de la Información y Comercio Electrónico or LSSI-CE), establishes the legal framework for electronic commerce activities in Spain. It covers aspects such as online contracting, information requirements for service providers, and commercial communications.

CONSUMER PROTECTION LAWS

Spanish consumer protection laws, such as Royal Legislative Decree 1/2007 of November 16, which approves the revised text of the General Law for the Defense of Consumers and Users (Ley General para la Defensa de los Consumidores y Usuarios), apply to e-commerce transactions. These laws protect consumers' rights regarding product information, contract terms, cancellation and returns, warranties, and dispute resolution.

DATA PROTECTION LAWS

E-commerce businesses operating in Spain must comply with the General Data Protection Regulation (GDPR) and the Organic Law 3/2018 on Data Protection and Guarantee of Digital Rights (Ley Orgánica de Protección de Datos Personales y Garantía de los Derechos Digitales or LOPDGDD). These laws govern the processing and protection of personal data, including data collection, consent, security measures, and individuals' rights regarding their personal information.

DISTANCE SELLING REGULATIONS

E-commerce businesses engaging in distance selling (selling goods or services remotely without face-to-face interaction) must comply with the regulations set forth in Royal Legislative Decree 1/2007, which covers aspects such as pre-contractual information, right of withdrawal, and delivery obligations.

ADVERTISING AND MARKETING REGULATIONS

E-commerce businesses in Spain must adhere to advertising and marketing regulations, including those related to unfair competition, misleading advertising, and comparative advertising. These regulations aim to ensure truthful and transparent marketing practices in e-commerce.

ELECTRONIC SIGNATURE LAWS

The Electronic Signature Law (Ley 59/2003, de Firma Electrónica) establishes the legal framework for the use of electronic signatures in electronic transactions, providing legal validity to electronic documents and signatures used in e-commerce.

It's important for e-commerce businesses operating in Spain to familiarize themselves with these laws and regulations and ensure compliance. Consulting with legal professionals or specialized advisors can help navigate the complexities of e-commerce regulations and ensure adherence to the applicable laws to protect both businesses and consumers.

See more:

<https://www.consumo.gob.es/es/consumo/regulacion-comercio-electronico>

<https://www.esi.uclm.es/www/jjcastro/coe/legislacion.html>

1.3. Türkiye

E-commerce legislation encompasses laws, regulations, communiqués, and directives beginning with the "Consumer Protection Law" dated March 8, 1995, and continuing with the "Regulation Amending the Regulation on Service Providers and Intermediary Service Providers in Electronic Commerce," which came into effect on February 15, 2019. Over approximately 15 years, 22 different laws, regulations, communiqués, and directives related to e-commerce have been enacted.

E-commerce legislation refers to the entirety of the laws and regulations currently in force regarding e-commerce. These laws and regulations outline the principles and procedures applied by the government for e-commerce, both nationally and internationally.

The e-commerce process is dynamic, and consequently, the legislation is dynamic as well. E-commerce legislation evolves based on advancing technology, new e-commerce methods, and emerging practices. Some laws directly concern e-commerce, while others within the general national trade framework indicate areas of application for companies or businesses related to e-commerce.

The legislative efforts encompassing all the principles and procedures regulating e-commerce in Turkey, in chronological order, are as follows:

- **"Consumer Protection Law"** numbered 4077, published in the Official Gazette dated March 8, 1995, and numbered 22221.
- **"Electronic Signature Law"** numbered 5070, published in the Official Gazette dated January 23, 2004, and numbered 25355.
- **"Law on the Regulation of Publications Made on the Internet and the Fight Against Crimes Committed Through These Publications"** numbered 5651, published in the Official Gazette dated May 4, 2007, and numbered 26530.
- **"Regulation on the Principles and Procedures for the Regulation of Publications Made on the Internet"** published in the Official Gazette dated November 30, 2007, and numbered 26716.
- **"Electronic Communications Law"** numbered 5809, published in the Official Gazette dated November 10, 2008, and numbered 27050.
- **"Law on the Regulation of E-Commerce"** numbered 6563, published in the Official Gazette dated November 5, 2014, and numbered 29166.
- **"Distance Contracts Regulation"** published in the Official Gazette dated November 27, 2014, and numbered 29188.
- **"Regulation on Distance Contracts for Financial Services"** published by the Ministry of Customs and Trade, published in the Official Gazette dated January 31, 2015, and numbered 29253.
- **"Regulation on Commercial Communication and Commercial Electronic Messages"** published by the Ministry of Customs and Trade, published in the Official Gazette dated July 15, 2015, and numbered 29417.
- **"Regulation on Service Providers and Intermediary Service Providers in Electronic Commerce"** published by the Ministry of Customs and Trade, published in the Official Gazette dated August 26, 2015, and numbered 29457.
- **"Personal Data Protection Law"** numbered 6698, published in the Official Gazette dated April 7, 2016, and numbered 29677.

- **"Communiqué on the Trust Stamp in Electronic Commerce"** published by the Ministry of Customs and Trade, dated June 6, 2017, and numbered 30088.
- **"Communiqué on Electronic Commerce Information System and Notification Obligations"** published by the Ministry of Customs and Trade, dated August 11, 2017, and numbered 30151.
- **"Regulation on the Deletion, Destruction, or Anonymization of Personal Data"** published by the Ministry of Customs and Trade, dated October 28, 2017, and numbered 30224.
- **"Regulation on the Registry of Data Controllers"** published in the Official Gazette dated December 30, 2017, and numbered 30286.
- **"Communiqué on Amendment to the Value Added Tax General Implementation Communiqué"** published in the Official Gazette dated January 31, 2018, and numbered 30318.
- **"Notification Regarding the e-Export Strategy and Action Plan (2018-2020)"** published by the Ministry of Customs and Trade, dated January 31, 2018, and numbered 30324.
- **"Communiqué on Application Procedures and Principles for Data Controllers"** published in the Official Gazette dated March 10, 2018, and numbered 30356.
- **"Decision on the Principle of Preventing Advertisements/Notifications to the Email Addresses or Mobile Phones of Individuals by Data Controllers and Data Processors"** published in the Official Gazette dated November 1, 2018, and numbered 30582.
- **"Communiqué on Amendment to the Electronic Commerce Information System and Notification Obligations"** published by the Ministry of Customs and Trade, dated February 15, 2019, and numbered 30687.
- **"Notification on Amendment to the Value Added Tax General Implementation Communiqué"** published by the Ministry of Treasury and Finance (Revenue Administration) in the Official Gazette dated February 15, 2019, and numbered 30687.
- **"Regulation Amending the Regulation on Service Providers and Intermediary Service Providers in Electronic Commerce"** published by the Ministry of Customs and Trade in the Official Gazette dated February 15, 2019, and numbered 30687.

See more:

<https://ticaret.gov.tr>

1.4. Romania

In Romania, e-commerce is regulated by several laws and regulations, primarily derived from European Union directives and regulations.

Here are some key aspects of the regulatory framework:

E-COMMERCE DIRECTIVE (DIRECTIVE 2000/31/EC)

This directive from the European Union sets out the legal framework for e-commerce across EU member states. It includes provisions related to the liability of intermediary service providers, such as hosting providers and online marketplaces.

CONSUMER PROTECTION

Romania, like other EU member states, has implemented the EU Consumer Rights Directive (Directive 2011/83/EU).

This directive provides rules and regulations regarding consumer protection in online transactions, including information requirements, withdrawal rights, and remedies for consumers in case of issues with online purchases.

ELECTRONIC SIGNATURE AND IDENTIFICATION

Electronic signatures and identification methods are governed by Regulation (EU) No 910/2014 (eIDAS Regulation).

Romania has adopted this regulation to ensure the legal recognition of electronic signatures and secure electronic identification.

DATA PROTECTION

The General Data Protection Regulation (GDPR), which is applicable throughout the EU, including Romania, has a significant impact on e-commerce.

It regulates the processing of personal data and imposes strict requirements on businesses that handle customer data.

INTELLECTUAL PROPERTY

Regulations related to intellectual property, such as copyright and trademark laws, also apply to e-commerce in Romania. Online businesses must be aware of these regulations to avoid copyright and trademark infringement.

TAXATION

E-commerce taxation rules can be complex, and they may change over time. Businesses involved in e-commerce in Romania need to comply with value-added tax (VAT) and other taxation rules applicable to online sales.

COMPETITION LAW

Antitrust and competition regulations apply to e-commerce activities in Romania to prevent anti-competitive behavior, such as price-fixing or abuse of market dominance.

PLATFORM LIABILITY

Like other EU member states, Romania has rules regarding the liability of online platform operators for content posted by users. These rules are aimed at ensuring that illegal or harmful content is removed promptly.



2. REGULATION ON SERVICE PROVIDERS AND INTERMEDIARY SERVICE PROVIDERS IN E-COMMERCE

2.1. Italy

The term provider refers to the person who provides a service somehow connected to the Internet. The services are various such as e.g. the simple network connection service (so-called access provider) or data transmission service (so-called carrier) up to more elaborate services such as caching, hosting or housing (so-called Internet Service Provider - ISP). The providers can then provide also services related to the contents of the website (so-called content provider).

Generally, the relationship with the providers is framed in the service contract. The provider will be liable to its customer according to the normal rules on non-performance.

There is no specific regulation in Italy that focuses exclusively on service providers and intermediary service providers in e-commerce. However, there are some laws and regulations that apply to these individuals.

Here are some of the main relevant regulations:

LEGISLATIVE DECREE 70/2003

As mentioned above, Legislative Decree 70/2003, known as the "E-commerce Code", regulates various legal aspects of e-commerce, including intermediary service providers. It establishes the responsibilities of intermediary service providers, such as hosting providers, specifying that they are not responsible for illegal content provided by third parties, provided that they have not had actual knowledge of it and have acted promptly to remove it or disable access to it.

It specifically regulates the liability of ISPs that provide the following services:

- **Mere conduit:** Transmission of information over the communication network or provision of access to the communication network.
- **Caching:** Intermediate and temporary storage of information transmitted via the Internet, carried out in order to make subsequent forwarding to other recipients who request it more effective.
- **Hosting:** Provision of a part of the digital memory space resources (hard disk) contained within a server continuously connected to the Net in order to make the content of a website accessible on the Internet.

Unless you participate in the management in some way, the provider is not responsible for the content published on the site. If a caching or hosting provider becomes aware of offenses pertaining to the information managed, it must promptly take action to remove such information or access to it (articles 14-16 Legislative Decree 70/2003). A provider can be held liable - jointly with the offender pursuant to art. 2055 of the civil code - of the contents of the site if it also performs the function of content provider.

The host provider (Google, YouTube vs. RTI) is responsible for not taking immediate action to remove illegal content, despite warnings from the interested party and even in the absence of an order from the judicial authority (Court of Rome, 11 February 2010) While not having an active or controlling role in the management, the manager of an online market (E-Bay) is responsible when he does not act diligently, once he becomes aware of the offenses (CGCE decisions 12.07.2011, case C-324/ 09 L'Oreal vs. eBay, and 03.23.2010, joined cases C-236/08 and C-238/08 Louis Vuitton vs Google).

The provider does not have a general obligation to monitor or search for illegality. However, the provider is obliged to inform the Authority if aware of alleged illegal activities and provide, at the request of the Authority, the identification of the recipient of the services. Failing that, the provider is civilly liable (art. 17 Legislative Decree 70/2003).

PRIVACY LAW (GDPR)

The General Data Protection Regulation (GDPR) of the European Union applies to all service providers who process personal data of citizens of the European Union. Therefore, service providers in e-commerce, including intermediary providers, must comply with the provisions of the GDPR regarding the collection, storage and processing of personal customer data.

ELECTRONIC COMMERCE LAW

The Italian Electronic Commerce Law (Law 21 November 2000, No. 404) regulates certain issues relating to electronic commerce, including the rights and obligations of service providers. For example, it requires suppliers to provide clear and transparent information before concluding the contract and establishes rules on commercial communications.

INDUSTRY SPECIFIC RULES

Depending on the industry in which the e-commerce intermediary service provider operates, specific rules may apply. For example, if you are a payment intermediary, financial or banking regulations may apply.

2.2. Spain

In Spain, the regulation of service providers and intermediary service providers in e-commerce is primarily governed by the Law 34/2002, of July 11, on Information Society Services and Electronic Commerce (Ley de Servicios de la Sociedad de la Información y Comercio Electrónico or LSSI-CE). This law establishes the legal framework for e-commerce activities and defines the responsibilities and obligations of service providers and intermediary service providers.

Here are the key aspects of the regulation:

SERVICE PROVIDERS

The LSSI-CE defines service providers as individuals or entities that offer information society services, which can include e-commerce platforms, online marketplaces, social media platforms, search engines, hosting providers, and internet service providers (ISPs).

INFORMATION REQUIREMENTS

Service providers are obligated to provide certain information to users or consumers. This includes their identification details, contact information, registration details (if applicable), and any relevant professional credentials or licenses. This information must be easily accessible on the service provider's website or platform.

LIABILITY LIMITATION

The LSSI-CE establishes a limited liability regime for service providers acting as intermediaries. According to this provision, service providers are not responsible for the information or content provided by users or third parties, as long as they are not aware of the illegal nature of the content and, upon becoming aware, they act promptly to remove or disable access to it.

OBLIGATION TO COOPERATE

Service providers are required to cooperate with authorities and law enforcement agencies in the prevention and investigation of illegal activities or offenses committed through their platforms. They must also implement mechanisms to report and handle user complaints regarding illegal or harmful content.

COMMERCIAL COMMUNICATIONS

The LSSI-CE includes regulations on commercial communications, such as email marketing and telemarketing. Service providers must obtain prior consent from users before sending commercial communications, clearly identify them as such, and provide an easy and effective way to opt out of receiving further communications.

DATA PROTECTION AND PRIVACY

Service providers must comply with the General Data Protection Regulation (GDPR) and the Organic Law 3/2018 on Data Protection and Guarantee of Digital Rights (LOPDGDD). This includes obtaining user consent for data processing, implementing appropriate security measures, and respecting individuals' rights regarding their personal data.

It's important for service providers and intermediary service providers in electronic commerce to understand and comply with these regulations to ensure legal compliance, protect user rights, and maintain trust in their online services.

See more:

<https://www.guidetobusinessinspain.com/en/7-legal-framework-and-tax-implications-of-e-commerce-in-spain/7-2-6-law-34-2002-on-e-commerce-and-information-society-services/>

2.3. Türkiye

REGULATION ON E-COMMERCE INTERMEDIARY SERVICE PROVIDERS AND E-COMMERCE SERVICE PROVIDERS

The Regulation on Electronic Commerce Intermediary Service Providers and Electronic Commerce Service Providers, published in the Official Gazette on December 29, 2022, replaces the previous regulation dated August 26, 2015. This regulation introduces a series of significant changes to support the development of electronic commerce and ensure an effective competitive environment.

The regulation defines new concepts for Electronic Commerce Intermediary Service Providers (ECISP) and Electronic Commerce Service Providers (ECSP). Some highlighted terms in the regulation include brokerage service, internal communication system, electronic commerce intermediary service provider, electronic commerce service provider, and electronic commerce information system.

It specifies the obligations that ECSPs and ECISPs must fulfill during information provision and order stages. Matters such as the verification and validation of introductory information provided by ECSPs by ECISPs are addressed within this context.

To combat illegal content and unfair commercial practices, the regulation outlines the responsibilities of ECISPs, requiring them to inform ECSPs about illegal content and ensuring its removal within 48 hours.

A complaint process for intellectual and industrial property rights violations is introduced. When complaints regarding content publication are forwarded to ECISPs, they are required to promptly intervene and remove the relevant content.

Regarding intermediary contracts, the regulation defines the minimum and additional elements that must be included in contracts regulating the commercial relationship between ECSPs and ECISPs.

Restrictions on advertising and discount budget limits are imposed on large and very large-scale ECISPs, including specified limitations based on the net transaction volume and obligations regarding advertising expenses.

Application processes and requirements are established for ECISPs that need to obtain or renew an electronic commerce license.

Various articles of the regulation will come into effect on specified dates. These regulations aim to adapt to developments in the electronic commerce sector and ensure fair competition.

See more:

<https://www.resmigazete.gov.tr/eskiler/2022/12/20221229-5.htm>

<https://www.resmigazete.gov.tr/eskiler/2015/08/20150826-10.htm>

2.4. Romania

In Romania, e-commerce is regulated by several laws and regulations, primarily derived from European Union directives and regulations.

Here are some key aspects of the regulatory framework:

E-COMMERCE DIRECTIVE (DIRECTIVE 2000/31/EC)

This directive from the European Union sets out the legal framework for e-commerce across EU member states. It includes provisions related to the liability of intermediary service providers, such as hosting providers and online marketplaces.

CONSUMER PROTECTION

Romania, like other EU member states, has implemented the EU Consumer Rights Directive (Directive 2011/83/EU).

This directive provides rules and regulations regarding consumer protection in online transactions, including information requirements, withdrawal rights, and remedies for consumers in case of issues with online purchases.

ELECTRONIC SIGNATURE AND IDENTIFICATION

Electronic signatures and identification methods are governed by Regulation (EU) No 910/2014 (eIDAS Regulation).

Romania has adopted this regulation to ensure the legal recognition of electronic signatures and secure electronic identification.

DATA PROTECTION

The General Data Protection Regulation (GDPR), which is applicable throughout the EU, including Romania, has a significant impact on e-commerce.

It regulates the processing of personal data and imposes strict requirements on businesses that handle customer data.

INTELLECTUAL PROPERTY

Regulations related to intellectual property, such as copyright and trademark laws, also apply to e-commerce in Romania. Online businesses must be aware of these regulations to avoid copyright and trademark infringement.

TAXATION

E-commerce taxation rules can be complex, and they may change over time. Businesses involved in e-commerce in Romania need to comply with value-added tax (VAT) and other taxation rules applicable to online sales.

COMPETITION LAW

Antitrust and competition regulations apply to e-commerce activities in Romania to prevent anti-competitive behavior, such as price-fixing or abuse of market dominance.

PLATFORM LIABILITY

Like other EU member states, Romania has rules regarding the liability of online platform operators for content posted by users. These rules are aimed at ensuring that illegal or harmful content is removed promptly.



3. OFFICIAL PUBLICATIONS ON E-COMMERCE INFORMATION SYSTEMS AND NOTIFICATION OBLIGATIONS

3.1. Italy

In Italy, official publications related to electronic commerce information systems and notification obligations can be found in the Decree Legislative 70/2003, of April 09, on Information Society Services and Electronic Commerce. In particular, it provides the general framework on information obligations in electronic commerce with particular regard to mandatory general information, those concerning commercial communications and contractual information.

Here are some key aspects:

MANDATORY GENERAL INFORMATION IN ELECTRONIC COMMERCE

The legislation on electronic commerce identifies the provider of information society services as the subject required to fulfil information obligations. The notion of information society service is of Community origin and refers to any service normally provided for remuneration, at a distance, by electronic means and at the individual request of a recipient of services (Article 1, point b), EU Directive 2015/1535).

The intention of the legislator was therefore to guarantee a minimum level of transparency to which the provider must comply in order to meet the protection needs of the recipients of the services. In this regard, the legislation requires the provider to make available, directly and permanently, a series of information which, with regard to the average user, must be easily accessible (Article 7, Legislative Decree 70/2003).

Access to this information allows the recipients of the services and the competent Authorities to correctly identify the provider, to know his contact details, the activity carried out, the services offered, as well as the details of the competent supervisory authority, or professional association in the case of regulated professions. This is information that tends to reduce the information disproportion between the provider and recipients of online services, allowing the latter to easily verify the identity and, in a certain way, the reliability of the provider.

The mandatory general information does not depend on the existence of a contract between the provider and the recipient of the services, and is to be considered mandatory by the parties, the recipient's qualification as a professional being useless. The legislation also specifies that the information must always be kept up to date and provided in addition to any information obligations envisaged for specific goods and services. It follows that the mandatory general information is added to that envisaged, for example for remote contracts with consumers (Article 49, Consumer Code) and the information obligations established by privacy legislation.

COMMERCIAL COMMUNICATIONS

The legislation on electronic commerce pays particular attention to commercial communications. For this reason, since its first sending, the addressee must be informed, in a clear and unequivocal way, that he has received a commercial communication and know the identity of the subject on whose behalf it is made. The legislation also prohibits the sending of hidden promotional messages by requiring the service provider to indicate that the communication relates to promotional offers, contests or games, as well as the relative conditions of access or participation (Article 8, Legislative Decree 70/2003).

If unsolicited, commercial communications sent by e-mail must also be identified as such upon receipt and allow the recipient to opt-out (Art. 9, paragraph 1, Legislative Decree 70/2003). Also, this information, like the mandatory general information, is to be considered mandatory for all recipients, professionals and consumers.

Given the particular intrusive nature of commercial communications for the privacy of the recipients, especially if not solicited, the regulation on electronic commerce must be coordinated with the European legislation on the processing of personal data (EU Reg. No. 679/2016) and with the provisions still in force of the Italian Privacy Code (Legislative Decree 196/2003). In this regard, the provider must obtain the recipient's prior consent for sending communications of a commercial nature. In the absence of the interested parties' consent, their sending is permitted only if the e-mail address was provided by the interested party in the context of the sale of a product or service similar to that object of the communication (Art. 130, paragraph 4, Legislative Decree 196/2003).

In the event of opposition, however, the provider must refrain from further sending commercial communications. On the other hand, the service provider is prohibited from using e-mail addresses (or other contact details of the interested party) found on the internet for sending commercial communications.

CONTRACTUAL INFORMATION IN E-COMMERCE

Contractual information can be divided into: information aimed at concluding the contract, and information relating to its execution.

Particular attention must also be paid to the quality of the recipient, as the service provider is allowed to derogate from some of the information obligations only if the contractual counterparty is a professional.

1. Information aimed at concluding the contract

Before the conclusion of the contract can be reached, the service provider will have to provide a series of technical information on the methods of concluding and archiving the contract, and on the correction of any errors made by the recipient in entering the data. In addition to indicating whether the contract is available in other languages than Italian, the service provider must indicate any codes of conduct to which he adheres and the tools for settling disputes. However, the rule does not prejudice the possibility of derogating from the information obligation if the recipient is a professional (Art. 12, paragraph 1, Legislative Decree 70/2003), or in contracts concluded by e-mail or

equivalent individual communications (Art. 12, paragraph 2, Legislative Decree 70/2003).

On the other hand, the obligation to make the proposed general terms and conditions of the contract available to the recipient, even if the latter qualifies as a professional, cannot be derogated from. The general terms and conditions of the contract must be made available to the recipient so that he can store and reproduce them. Equally imperative are the disclosure obligations established by the Consumer Code if the counterparty is a consumer (Art. 49, Consumer Code).

The information obligations dictated by the legislation on electronic commerce and by the Consumer Code must then be coordinated with the provisions dictated by the Civil Code. In fact, the obligation to act in good faith in contractual negotiations also entails the obligation to provide the counterparty with all the information that could negatively impact the performance covered by the contract (articles 1337 and 1338 of the civil code).

2. Information relating to its execution

Once the order has been forwarded by the recipient, the provider must acknowledge receipt of the order without unjustified delay and electronically. If the addressee is a consumer, the communication must contain:

- A summary of the general and particular conditions applicable to the contract;
- Information relating to the essential characteristics of the good or service;
- The detailed indication of the price, the means of payment, the withdrawal, the delivery costs and the applicable taxes (Article 13, paragraph 2, Legislative Decree 70/2003).

This information requirement does not apply to contracts concluded exclusively by e-mail or equivalent individual communications, or if the recipient is to be considered as a professional.

Once the contract has been concluded, the obligation remains on the part of the lender to behave in good faith in executing it (Art. 1375 of the civil code).

The existence of specific disclosure obligations does not only benefit the recipients of the services, but the same small and medium-sized enterprises that operate online. The elimination of those operators that do not possess the characteristics of reliability and transparency increases the general trust in electronic commerce and favors the profitability of companies that meet these requirements.

It is therefore necessary to pay due attention in fulfilling the information obligations required by the legislation on electronic commerce and by other applicable laws, not only to avoid possible sanctions, but to overcome the initial distrust of the recipients of the services and gain their trust.

3.2. Spain

In Spain, official publications related to electronic commerce information systems and notification obligations can be found in the Law 34/2002, of July 11, on Information Society Services and Electronic Commerce (Ley de Servicios de la Sociedad de la

Información y Comercio Electrónico or LSSI-CE) and its accompanying regulations. These publications provide guidelines and requirements for businesses operating in the field of electronic commerce.

Here are some key aspects:

INFORMATION SOCIETY SERVICES REGISTRY

The LSSI-CE establishes the obligation for service providers to register their information society services with the corresponding registry. The registry ensures transparency and provides a public record of the service providers' information.

NOTIFICATION OBLIGATIONS

The law requires service providers to notify certain information to the competent authorities. This includes information such as their identification details, contact information, and the characteristics of the services they provide. The notification serves to inform the authorities about the existence and operation of the service.

INFORMATION ON SERVICE PROVIDERS

The LSSI-CE specifies the information that service providers must make available to users and consumers. This includes their identification details, contact information, registration details (if applicable), and any relevant professional credentials or licenses. This information should be easily accessible on the service provider's website or platform.

ADVERTISING AND COMMERCIAL COMMUNICATIONS

The law also addresses advertising and commercial communications in electronic commerce. Service providers are required to clearly identify commercial communications and provide an easy way for users to opt out of receiving further communications. Additionally, certain rules regarding unsolicited commercial communications, such as email marketing or telemarketing, must be followed.

3.3. Türkiye

The absence of a national measurement and evaluation system for e-commerce was identified as a significant deficiency, hindering the determination of our position in the global e-commerce market and the healthy calculation of our national e-commerce market volume. In this context, the Electronic Commerce Information System and Notification Obligations Regulation was prepared to ensure the accessibility of businesses engaged in e-commerce and the accurate tracking of e-commerce data. It came into effect on August 11, 2017, and the Electronic Commerce Information System (ETBIS) was established and launched to provide services.

Service providers or intermediary service providers engaged in electronic commerce or brokerage activities are required to register on ETBIS through the e-Government portal before starting their activities.

For registration, real or legal entity traders need to provide their MERSIS number and tax identification number, while craftsmen need to provide their Turkish ID number and tax identification number. Additionally, information about the mobile application and domain

name used in electronic commerce or brokerage activities must be entered. This way, businesses declaring their engagement in e-commerce become registered, enabling the accessibility of e-commerce businesses and preventing informal transactions. Furthermore, service providers and intermediary service providers registered on ETBIS provide information regarding their suitable Registered Electronic Mail (KEP) address, the type of electronic commerce, non-electronic commerce activities, the type of goods and services offered in the electronic commerce environment, payment methods, and whether second-hand goods are offered for sale in the electronic commerce environment, along with the type of second-hand goods.

Payment and electronic money institutions, banks, Interbank Card Center Inc., cargo and logistics operators, electronic commerce infrastructure providers, and intermediary service providers submit information about contracts and orders made online on a monthly basis to ETBIS. The details of this information related to contracts and orders made online are determined by our Ministry and published on the www.eticaret.gov.tr website.

Information about registered service providers and intermediary service providers on ETBIS, as well as other necessary details, is announced on the website created by our Ministry (www.eticaret.gov.tr). To access this list, click here. In addition, a methodology is developed for all collected data, and statistics are produced and shared with the public.

In this context, citizens can easily access information such as the internet address, trade name, and MERSIS number of e-commerce businesses. This aims to make e-commerce businesses transparent and accessible, thereby reducing the risk of fraud for citizens and promoting the development of e-commerce through the creation of policies. Allowing citizens to easily access information about individuals or entities engaged in e-commerce activities contributes to transparency in this field.

See more:

<https://ticaret.gov.tr/ic-ticaret/elektronik-ticaret/elektronik-ticaret-bilgi-sistemi-etbis>

3.4. Romania

GOVERNMENT WEBSITES

To access official publications and information regarding electronic commerce regulations and notification obligations in Romania, start by visiting the websites of relevant government agencies. Key agencies involved in regulating e-commerce and related matters include the Romanian Ministry of Communications and Information Society and the Romanian National Authority for Consumer Protection.

LEGAL GAZETTE (MONITORUL OFICIAL)

The Romanian Legal Gazette (Monitorul Oficial) is the official publication where new laws, regulations, and government decisions are published. You can search for publications related to electronic commerce and notification obligations there. These publications may include legislative changes, decrees, and guidelines.

NATIONAL LEGISLATION

Romania, like other European Union member states, implements EU directives and regulations related to electronic commerce. These laws are often published in the Official Journal of the European Union. National legislation that transposes EU directives into Romanian law may also be published in the Romanian Legal Gazette.

MINISTRY AND AGENCY PUBLICATIONS

The relevant government ministries and regulatory agencies in Romania may issue guidance documents, circulars, and publications that provide further details on compliance with electronic commerce regulations and notification obligations. These documents can be valuable resources for businesses operating in the e-commerce sector.

TRADE ASSOCIATIONS

Trade associations related to e-commerce and IT may also publish materials, guidelines, or reports that offer insights into the regulatory landscape and best practices for electronic commerce in Romania.

LEGAL COUNSEL

If you are a business or individual involved in electronic commerce in Romania, it is advisable to consult with legal counsel or experts in Romanian e-commerce law. They can provide specific guidance on compliance with notification obligations and other legal requirements.

EU SOURCES

Given that Romania is an EU member state, EU institutions and agencies also produce publications and guidelines related to electronic commerce. The European Commission's website and the European Consumer Centre (ECC) Romania can be useful sources of information on EU-level e-commerce regulations.

See more:

<http://www.monitoruloficial.ro/> | <https://www.comunicatii.gov.ro/>

<https://www.anpc.gov.ro/> | <https://www.gov.ro/> | <https://europa.eu/>

4. LAW ON CONSUMER PROTECTION

4.1. Italy

In Italy, the main law that protects consumers is the Consumer Code (Legislative Decree 6 September 2005, n. 206). This legislation was introduced in order to guarantee the protection of consumers' rights and regulate the relations between consumers and professionals in the context of purchases and contracts for the supply of goods and services.

The Consumer Code applies to all consumers, understood as natural persons who act for purposes not related to their professional activity. It establishes the general principles that must be respected in consumer relations and regulates various areas, including:

- **Information:** The consumer has the right to receive clear, complete and correct information on the characteristics of the products or services offered before making the purchase.
- **Contracts:** The minimum requirements that must be present in the purchase contracts are established, such as the written form and the indication of the rights and obligations of the parties.
- **Guarantees:** The legal guarantee covering defects in the goods and services purchased is regulated, guaranteeing the consumer the right to repair, replacement or price reduction.
- **Complaints and dispute resolution:** Mechanisms are established for the submission of complaints by consumers and ways to resolve any disputes out of court.
- **Unfair commercial practices:** Unfair, deceptive or aggressive commercial practices that may mislead consumers are prohibited.
- **Unfair terms:** Contractual terms that are considered unfair and therefore null and void are regulated.

The Consumer Code has been integrated and modified over the years by other laws and directives of the European Union, in order to adapt to Community regulations and to guarantee an even more complete framework of protection for Italian consumers.

It is always advisable to consult the most recent official sources or contact a legal expert to obtain updated information on consumer protection laws in Italy.

See more:

https://www.laleggepertutti.it/524323_tutela-dei-consumatori

4.2. Spain

In Spain, consumer protection is governed by the Royal Legislative Decree 1/2007, of 16 November, approving the revised text of the General Law for the Defence of Consumers and Users: This comprehensive law sets out the fundamental rights of consumers and users in Spain. It covers various aspects, such as the right to information, contractual conditions, product safety, guarantees, after-sales services and dispute resolution.

Here are some key provisions of the law:

CONSUMER RIGHTS

The law establishes fundamental rights for consumers, including the right to accurate and clear information, the right to choose freely, the right to quality products and services, the right to protection against abusive or unfair practices, and the right to effective complaint mechanisms and redress.

PRE-CONTRACTUAL INFORMATION

Businesses are required to provide consumers with clear and transparent information before entering into a contract. This includes details about the product or service, its characteristics, price, payment terms, delivery arrangements, and any applicable guarantees or after-sales services.

UNFAIR CONTRACT TERMS

The law prohibits unfair contract terms that significantly imbalance the rights and obligations between businesses and consumers. Contract terms that are unclear, misleading, or excessively burdensome to consumers may be considered unfair and unenforceable.

PRODUCT SAFETY AND LIABILITY

The law establishes obligations for businesses to ensure the safety of products they place on the market. It also outlines consumer rights in cases of defective or unsafe products, including the right to repair, replacement, refund, or compensation for damages.

DISTANCE AND OFF-PREMISES CONTRACTS

The law includes specific provisions for distance contracts (contracts concluded remotely, such as online purchases) and off-premises contracts (contracts concluded outside of business premises, such as door-to-door sales). These provisions aim to protect consumers by ensuring transparency, right of withdrawal, and clear information about cancellation and return procedures.

CONSUMER PROTECTION AGENCIES

The law establishes consumer protection agencies at national, regional, and local levels. These agencies are responsible for enforcing consumer protection laws, handling consumer complaints, and promoting consumer education and awareness.

ALTERNATIVE DISPUTE RESOLUTION

The law promotes alternative dispute resolution mechanisms, such as mediation or arbitration, to resolve consumer disputes in a simpler, faster, and less costly manner. It also ensures access to the courts for consumers seeking legal redress.

PENALTIES AND SANCTIONS

The law provides for penalties and sanctions for businesses that violate consumer protection regulations. These penalties may include fines, temporary closures, or other measures aimed at preventing unfair practices.

See more:

https://www.mjusticia.gob.es/es/AreaTematica/DocumentacionPublicaciones/Documents/Consolidated_text_of_the_general_consumer_and_user_Protection_Act_and_other_complementary_laws_%28Ley.PDF

4.3. Türkiye

The Law on Consumer Protection in Turkey is governed by Law No. 6502, titled "Consumer Protection Law" (in Turkish: "Tüketici Koruma Kanunu"). This law outlines the rights and protections afforded to consumers in Turkey. Please note that laws and regulations can change over time, so it's essential to refer to the most current and official sources for the latest information on consumer protection laws in Turkey.

As of my last knowledge update in September 2021, here are some key provisions of the Consumer Protection Law in Turkey:

RIGHT OF WITHDRAWAL

Consumers generally have the right to withdraw from distance contracts (e.g., online purchases) within 14 days from receiving the product or accepting the offer, without the need to provide a specific reason. Sellers are obligated to inform consumers about this right.

INFORMATION REQUIREMENTS

Sellers must provide clear and comprehensive information about the essential characteristics of the product or service, the total price, payment and delivery terms, and the seller's contact information before the consumer enters into a contract.

WARRANTY AND GUARANTEE

The law establishes warranty rights for consumers. Consumers have the right to request repairs, replacements, or refunds for products that do not conform to the contract or are

faulty. The duration of the legal warranty period can vary based on the nature of the product.

UNFAIR COMMERCIAL PRACTICES

The law prohibits unfair commercial practices, misleading advertising, and deceptive marketing tactics.

ALTERNATIVE DISPUTE RESOLUTION (ADR) AND ONLINE DISPUTE RESOLUTION (ODR)

Consumers have the right to seek alternative dispute resolution through ADR mechanisms and ODR platforms to resolve disputes with sellers without going to court.

PRODUCT SAFETY AND RECALL

The law sets out requirements for product safety and allows for product recalls in cases of defective or unsafe products.

See more:

<https://www.mevzuat.gov.tr/mevzuatmetin/1.5.6502.pdf>

4.4. Romania

Romania had implemented the EU Consumer Rights Directive (Directive 2011/83/EU) into its national legislation. This directive harmonizes consumer protection laws across the European Union, including Romania. It establishes common rules for distance contracts (including online sales) and off-premises contracts.

Here are some key provisions related to consumer protection in Romania:

RIGHT OF WITHDRAWAL

Consumers in Romania, like in other EU member states, have the right to withdraw from distance and off-premises contracts within 14 days of receiving the goods or agreeing to the contract. The trader must provide consumers with clear information about their right to withdraw.

INFORMATION REQUIREMENTS

Traders must provide consumers with clear and transparent information about the essential characteristics of the product or service, the total cost, the duration of the contract, and the identity of the trader. This information should be provided before the consumer places an order.

DELIVERY AND PERFORMANCE

Traders must deliver goods or perform services without undue delay and within the agreed-upon timeframe. If there is a delay, consumers must be informed, and they have the right to cancel the contract.

UNSOLICITED GOODS AND SERVICES

In cases of unsolicited goods or services, consumers in Romania are not obligated to pay for or return these items. They can consider them as a gift.

PROHIBITED PRACTICES

The directive prohibits certain unfair commercial practices, such as aggressive sales tactics and hidden costs.

REFUNDS

If consumers exercise their right of withdrawal, traders must refund the full price of the product or service, including standard delivery costs. However, traders may charge additional costs for optional delivery methods.

WARRANTY AND GUARANTEES

Consumers have a two-year legal warranty period during which they can request repairs, replacements, or refunds for products that are faulty or do not conform to the contract.

ALTERNATIVE DISPUTE RESOLUTION (ADR) AND ONLINE DISPUTE RESOLUTION (ODR)

Traders must inform consumers about the existence of ADR and ODR platforms to resolve disputes without going to court.

See more:

<http://www.monitoruloficial.ro/> | <https://www.anpc.gov.ro/>

<https://www.economie.gov.ro/> | <https://www.gov.ro/>

5. OTHER LEGAL REGULATIONS

5.1. Italy

In addition to the General Law for the Defence of Consumers and Users, there are several other legal regulations in Italy that are relevant to various aspects of business operations.

Here are some key legal regulations that businesses should be aware of:

DATA PROTECTION REGULATIONS

Italy, like other European Union member states, adheres to the General Data Protection Regulation (GDPR) and the Italian Privacy Code.

These regulations govern the processing and protection of personal data, including data collection, consent, security measures, and individuals' rights regarding their personal information.

LABOUR REGULATIONS

Italy has comprehensive labour regulations that govern various aspects of employment, including employment contracts, working hours, minimum wages, annual leave, termination procedures, and employee rights. These regulations aim to protect the rights of workers and ensure fair and equitable employment practices.

TAXATION LAWS

Italy has a complex tax system that businesses must adhere to. This includes regulations regarding corporate income tax, value-added tax (VAT), payroll taxes, and other taxes applicable to specific industries. Compliance with tax regulations is crucial to avoid penalties and ensure proper financial management.

INTELLECTUAL PROPERTY LAWS

Intellectual property regulations in Italy protect copyrights, trademarks, patents, and other forms of intellectual property. Businesses need to be aware of these regulations to safeguard their own intellectual property rights and to respect the rights of others.

LEGISLATION ON THE PROTECTION OF COMPETITION AND THE MARKET

In Italy, the main law that regulates the protection of competition and the market is the "Competition Code" (Legislative Decree 10 August 2017, n. 124). This legislation was introduced in order to guarantee free competition between companies and to prevent anti-competitive practices which could damage the market and consumers.

The Competition Code regulates various areas related to the protection of competition, including: abuse of dominant position, anti-competitive practices, company mergers, state aid, and consumer protection.

The Competition Code is applied and supervised by the Competition and Market Authority (AGCM), an independent agency which has the task of guaranteeing the application of competition rules and sanctioning any violations.

ENVIRONMENTAL REGULATIONS

In Italy, businesses must comply with a number of environmental regulations in order to ensure environmental protection and sustainability. Some of the main environmental regulations applicable to companies in Italy are listed below: Integrated Environmental Authorization (AIA) for companies operating in certain sectors, ISO 14001 Company Management System (EMS), Registers of emissions into the atmosphere, Waste management, Energy and energy efficiency, etc.

5.2. Spain

In addition to the General Law for the Defense of Consumers and Users, there are several other legal regulations in Spain that are relevant to various aspects of business operations.

Here are some key legal regulations that businesses should be aware of:

DATA PROTECTION REGULATIONS

Spain, like other European Union member states, adheres to the General Data Protection Regulation (GDPR) and the Organic Law 3/2018 on Data Protection and Guarantee of Digital Rights (LOPDGDD). These regulations govern the processing and protection of personal data, including data collection, consent, security measures, and individuals' rights regarding their personal information.

LABOR REGULATIONS

Spain has comprehensive labor regulations that govern various aspects of employment, including employment contracts, working hours, minimum wages, annual leave, termination procedures, and employee rights. These regulations aim to protect the rights of workers and ensure fair and equitable employment practices.

TAXATION LAWS

Spain has a complex tax system that businesses must adhere to. This includes regulations regarding corporate income tax, value-added tax (VAT), payroll taxes, and other taxes applicable to specific industries. Compliance with tax regulations is crucial to avoid penalties and ensure proper financial management.

INTELLECTUAL PROPERTY LAWS

Intellectual property regulations in Spain protect copyrights, trademarks, patents, and other forms of intellectual property. Businesses need to be aware of these regulations to safeguard their own intellectual property rights and to respect the rights of others.

COMPETITION LAW

Spain has legislation in place to promote fair competition and prevent anti-competitive practices. The Law on Defense of Competition (Ley de Defensa de la Competencia) prohibits actions such as abuse of dominant position, collusion, and unfair trade practices. Compliance with competition law is important to ensure fair market conditions and avoid legal consequences.

ENVIRONMENTAL REGULATIONS

Businesses in Spain are subject to environmental regulations aimed at protecting the environment and promoting sustainable practices. These regulations cover areas such as waste management, pollution control, energy efficiency, and environmental impact assessments. Compliance with environmental regulations is crucial for businesses to operate responsibly and mitigate their environmental footprint.

It is essential for businesses operating in Spain to understand and comply with the relevant legal regulations in their specific industry and business activities.

5.3. Türkiye

The General Law on the Protection of Consumers and Users, there exist various other legal regulations in Turkey that pertain to different aspects of commercial activities. Small businesses and artisans in Turkey should familiarize themselves with some essential legal regulations.

TURKISH COMMERCIAL CODE (TCC)

The TCC regulates many issues related to commercial enterprises from their establishment to termination. It covers topics such as types of companies, trade registry records, and the maintenance of commercial books, among others.

VALUE ADDED TAX (VAT) LAW

VAT is a type of tax applied to many goods and services in Turkey. Businesses may need to become VAT taxpayers or request VAT refunds.

INCOME TAX LAW

The Income Tax Law pertains to businesses and business owners. It requires businesses to declare their incomes and expenses and make tax payments as necessary.

OCCUPATIONAL HEALTH AND SAFETY LAW

This law establishes rules related to workplace health and safety. It aims to prevent work accidents and occupational diseases.

CONSUMER PROTECTION LAW

It encompasses regulations aimed at protecting consumer rights. Businesses are required to respect consumer rights.

ADVERTISING AND PROMOTION REGULATION

This regulation governs advertising and promotional activities. It sets out rules that businesses should consider when conducting advertising campaigns.

ELECTRONIC COMMERCE LAW

It regulates businesses engaged in online commerce. Businesses operating websites or conducting online sales must comply with this law.

TURKISH LABOUR LAW

This law covers employee rights, working conditions, and employment relationships. Businesses must adhere to this law when hiring employees and managing employment relationships.

INTELLECTUAL PROPERTY LAW

It regulates trademarks, patents, copyrights, and other intellectual property matters. Businesses should respect intellectual property rights.

DATA PROTECTION LAW (KVKK)

It outlines rules for the protection and processing of personal data. Businesses have obligations to protect customer data.

5.4. Romania

In Romania, e-commerce is regulated by several laws and regulations, primarily derived from European Union directives and regulations.

Here are some key aspects of the regulatory framework:

E-COMMERCE DIRECTIVE (DIRECTIVE 2000/31/EC)

This directive from the European Union sets out the legal framework for e-commerce across EU member states. It includes provisions related to the liability of intermediary service providers, such as hosting providers and online marketplaces.

CONSUMER PROTECTION

Romania, like other EU member states, has implemented the EU Consumer Rights Directive (Directive 2011/83/EU).

This directive provides rules and regulations regarding consumer protection in online transactions, including information requirements, withdrawal rights, and remedies for consumers in case of issues with online purchases.

ELECTRONIC SIGNATURE AND IDENTIFICATION

Electronic signatures and identification methods are governed by Regulation (EU) No 910/2014 (eIDAS Regulation).

Romania has adopted this regulation to ensure the legal recognition of electronic signatures and secure electronic identification.

DATA PROTECTION

The General Data Protection Regulation (GDPR), which is applicable throughout the EU, including Romania, has a significant impact on e-commerce.

It regulates the processing of personal data and imposes strict requirements on businesses that handle customer data.

INTELLECTUAL PROPERTY

Regulations related to intellectual property, such as copyright and trademark laws, also apply to e-commerce in Romania. Online businesses must be aware of these regulations to avoid copyright and trademark infringement.

TAXATION

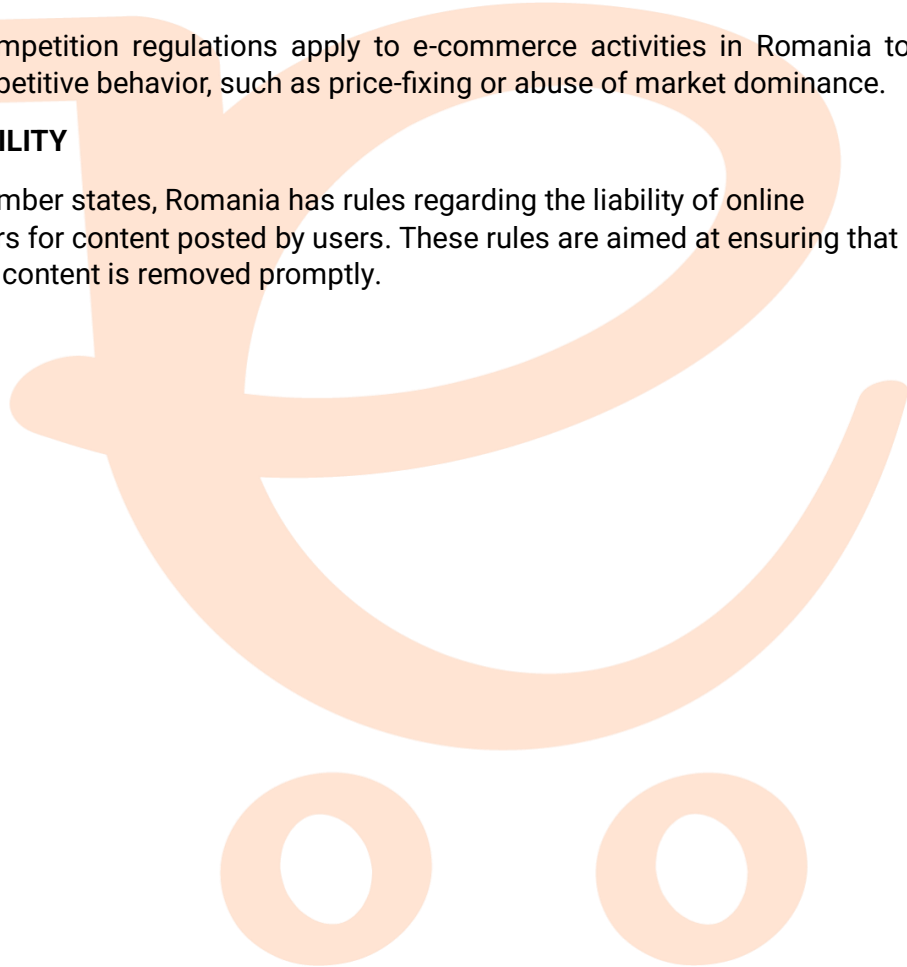
E-commerce taxation rules can be complex, and they may change over time. Businesses involved in e-commerce in Romania need to comply with value-added tax (VAT) and other taxation rules applicable to online sales.

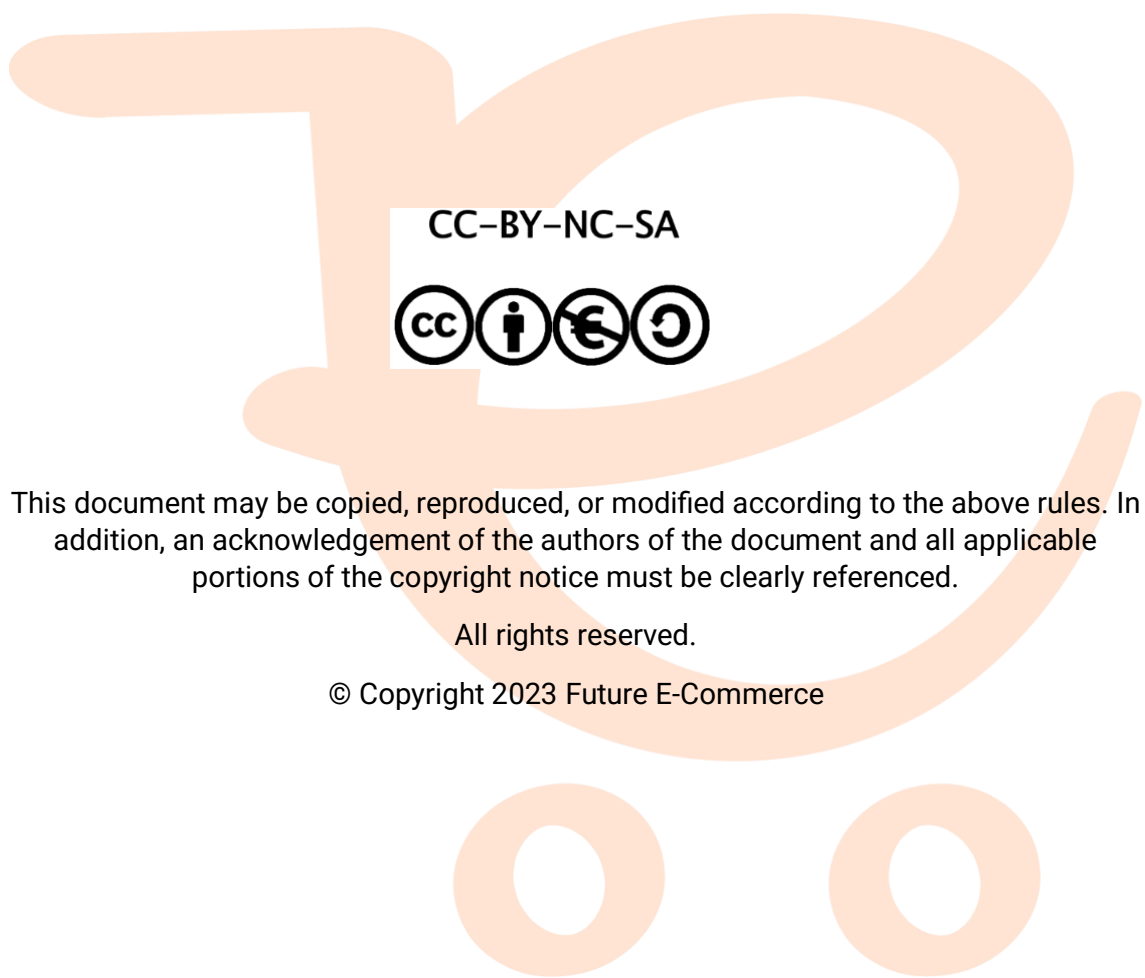
COMPETITION LAW


Antitrust and competition regulations apply to e-commerce activities in Romania to prevent anti-competitive behavior, such as price-fixing or abuse of market dominance.

PLATFORM LIABILITY

Like other EU member states, Romania has rules regarding the liability of online platform operators for content posted by users. These rules are aimed at ensuring that illegal or harmful content is removed promptly.





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