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DES CONSOMMATEURS

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MINIMUM DISCLOSURE STANDARDS FOR SUPPLIERS IN ELECTRONIC COMMERCE TRANSACTIONS

The EU and the US should determine the necessary minimum of information that businesses have to provide to achieve sufficient market transparency in electronic transactions. For transaction involving the purchase of goods and services over the Internet, consideration should be given to the following items:

[Editors note: This is not a resolution on the issue of jurisdiction, and takes no position on what jurisdiction should be. However, the resolution does address the relevant information about jurisdiction that sellers must disclose to consumers].

Information on the supplier:

From the consumer's point of view it's necessary to know who the partner of the contract is and where the supplier is located. According to the national laws in many countries it is often necessary to publish the name of a person who is allowed to represent the company. In some countries this is a necessary pre-condition to file claims in legal proceedings. Apart from this specific problem the following details about the supplier are important:

- i) name of the company;
- ii) geographic address of the company;
- iii) phone, fax and e-mail numbers of the company;
- iv) any relevant registration or license number and the name and address of the body by which the business is registered or authorized.

Information on the offer:

To make the use of electronic offers as convenient as possible and to provide consumers a basis for purchase decisions, they must know, at least, the following :

- i) geographic targeting, length and validity of the offer;
- ii) price and currency of the purchase including all relevant costs, including, for example, such items as actual costs of delivery, postage and handling, insurance and customer taxes and duties;
- iii) any safety or care warnings required by relevant national laws as well as instructions for

- iv) proper use, where necessary;
- iv) for offers targeted to other than the suppliers' home country, additional duties and taxes or an easy accessible source where the consumer can get these information.

Information on the terms and conditions:

Before buying consumers should be informed about the terms and conditions of the transaction, including such items as:

- i) the main characteristics of the goods or services;
- ii) terms of payment including a clear description of the procedure;
- iii) information on the liability of the supplier for fraudulent use of consumers' personal data provided by them online;
- iv) terms of delivery including the time period of delivery;
- v) guarantees, warranties or other provisions relating to after-sales service;
- vi) details of any cooling-off period;
- vii) information on the complaint procedure;
- viii) conditions related to return, exchange, cancellation, refund policy;
- ix) privacy policy.

Information on the applicable law and jurisdiction:

For cases of any dispute related to the contract the consumers must be informed about the applicable law and jurisdiction and procedures for redress.

Information after placing an order:

Confirmation concerning the details of an order should contain such items as:

- i) the date and the number of the order;
- ii) the shipping address;
- iii) the number of items and name of the product;
- iv) the price the consumer has to pay as a whole.