

GUIDE WHAT DO YOU NEED TO KNOW WHEN DEALING WITH **CUSTOMERS?**

ecommerce4all.eu

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I.	ABOUT THE PLATFORM	1
•	LEGAL ACTS	2
	COSTUMER PROTECTION	3
	PROVIDING INFORMATION TO BUYERS	5
	ORDER PLACEMENT	6
	PROCESSING OF PERSONAL DATA	7
	OUR RECOMMENDATION	8

ABOUT THE PLATFORM

ecommerce4all.eu

The ecommerce4all.eu platform is a resource and information center on key e-commerce aspects for all CEFTA markets (Albania, Bosnia and Herzegovina, N. Macedonia, Moldova, Montenegro, Serbia, and Kosovo*). The web platform consists of relevant e-commerce data and resources, including basic e-commerce data, interactive graphs, and data on CEFTA e-commerce market development, as well as data on key aspects of doing business in e-commerce.

The data on key aspects of doing business in e-commerce is structured in five modules: e-commerce data, regulation, payment, delivery, and e-commerce success stories in all CEFTA markets. Each of these modules will contain relevant market-specific information, tutorials, manuals, topic-related documents, and video presentations, except for the first module “e-commerce data” which is meant to present the state of e-commerce in all CEFTA markets through statistics and data on the development of the e-commerce markets (interactive graphs of the state of e-commerce in each market and comparisons of e.g. customers, payment cards, digital skills, UNCTAD B2C e-commerce readiness index and other relevant Eurostat data). All data will be presented in both the local language of each of the CEFTA markets and in English.

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*This designation is without prejudice to positions on status and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence.

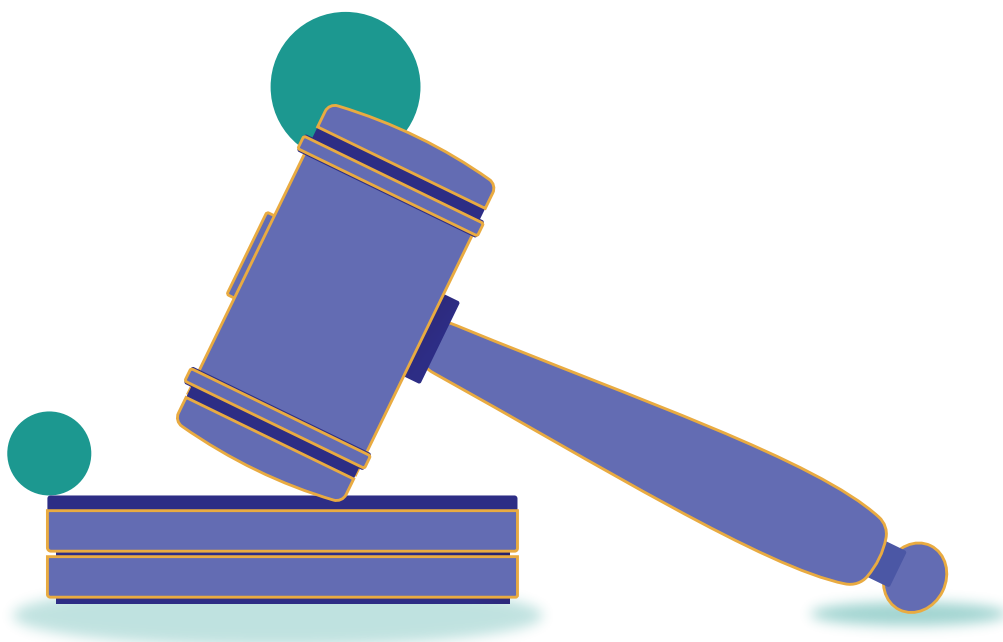
LEGAL ACTS

The legal acts that serve as a basis for regulating buyer relations in E-commerce are:

- E-commerce Law No. 284/2004
- Internal Trade Law No. 231/2010
- Consumer Protection Law No. 103/2003
- Personal Data Protection Law No. 133/2011

The basic elements necessary for the organization process of E-commerce are:

- Customer protection
- Providing information to buyers
- Placing the order
- Processing of personal data

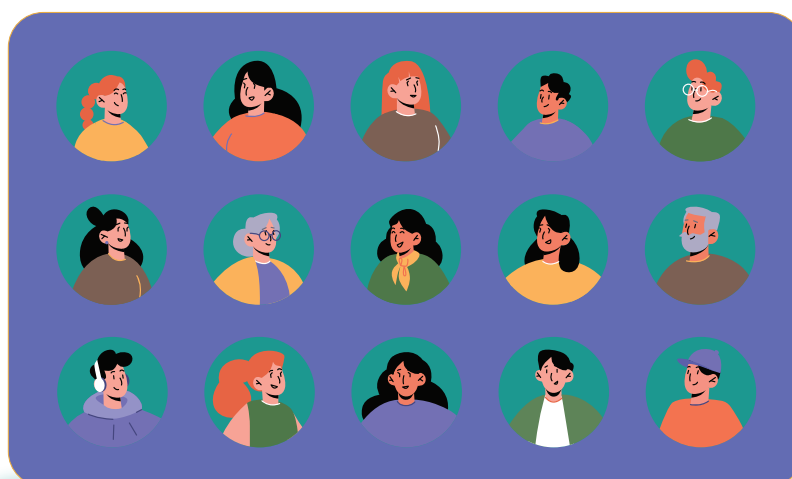


COSTUMER PROTECTION

Customer protection is a set of legal measures to ensure the necessary framework for the unlimited access to products and services, for full information on their main attributes, for protection and guarantee of consumers' legitimate rights and interests in case of improper commercial practices, and to involve them in the decision-making process, affecting them as consumers.

—●— The customer has the right to:

- Protection of his rights from the State
- Protection against the risk of acquiring a product or service which might harm his life, health, heritage or safety, or prejudice his legitimate rights and interests
- Free repair or replacement, refund of the value of the product and/or service or an appropriate discount, compensation for damage, including moral damage, caused by the inadequate product/ service
- Complete, correct and accurate information of the products, and services purchased
- Instruction in matters of their rights
- Organization of public associations for consumer protection
- Address the public authorities and represent their interests
- Inform consumer protection associations and public authorities of violations of their legitimate rights and interests as consumers and submit recommendations for improving the quality of products and services














The trader is obligated:






- To ensure that the products placed on the market are harmless and meet the requirements stipulated in the legislation or their declarations
- Not to trade products on which he has information they are dangerous or which are considered dangerous
- To immediately notify the market monitoring authorities and the manufacturer concerned, of the existence on the market of any product which he knows to be dangerous and/or fake (counterfeit)
- Remove from the market the products which have been found by the inspection bodies and/or their own specialists not to satisfy the requirements stipulated in the legislation or in the declarations, or which could harm the life, health, heritage and safety of consumers, in case this measure is the only way to eliminate the non-conformity
- To guarantee the respect of technical conditions defined by the manufacturer for the product
- To submit the payment receipt or other document confirming the purchase of the product, according to a regulation approved by the Government
- To keep the complaints register in a visible place and to register consumer complaints, according to a regulation approved by the Government
- To guarantee the respect of the hygiene and sanitary conditions
- To be responsible for the damage caused by the inadequate product, during the entire period of use or shelf life/ until expiry date or date of minimum durability/the best-before date, as long as the consumer complies with the rules defined for transport, storage, keeping, use and consumption
- To receive and resolve consumer complaints within a period not exceeding 14 calendar days from the date on which the consumer notified the seller of the fault of the product and handed it over to the seller or to the person designated by the seller, on the basis of a delivery-receipt document

PROVIDING INFORMATION TO BUYERS

The online trader is obliged to provide the buyer and state control bodies with easy, direct and permanent access to real information about himself, in electronic format (placed on the website), in Romanian language. On its own initiative, the information may also be displayed in another languages (Russian, English, etc.).

The information will include the following data:




-  Full name, including the form of legal organization
-  State identification number (IDNO)
-  Legal address, e-mail address of the person, contact phone number
-  The number and validity period of the notification for the initiation of commerce, as well as the name of the public administration authority that issued the notification
-  As regards state professions (e.g., lawyer, notary, mediator, etc.) – the professional title, professional body or similar institution with which the provider is registered, a reference to the professional rules applicable to that profession and ways of accessing them
-  VAT code, where applicable
-  Data concerning the conditions of shipment, as well as the prices of the goods for sale, the fees for work that will be performed or for services that will be provided
-  The prices of the goods, the fees for the work or services that will be performed, which must be stated with an indication of whether taxes are included in the prices and rates
-  The inclusion or non-inclusion in prices and tariffs of delivery charges, and/or other charges and the value of these, if applicable

-  Payment terms
-  The period of validity of the offer and the price
-  The method of submitting and dealing with complaints
-  The contact phone number and the address of the official website of the Agency for Consumer Protection and Market Surveillance
-  Other data to be provided in accordance with the contract between the parties and the legislative acts or at the trader's discretion

Tenders or information concerning the goods, works or services offered by the trader must be presented in electronic form in such a way as to enable the information to be reproduced without distortion and to form a clear image of the trader, as well as of the goods, works and services offered by him, their prices and tariffs and the conditions of sale, execution or performance.

ORDER PLACEMENT

The E-commerce merchant must comply with the following conditions:

-  It must confirm, without undue delay, by electronic devices, the receipt of the information concerning the order, including acceptance or rejection of the order placed by the recipient of the services
-  The information concerning the order, including confirmation of receipt of the order, shall be regarded as having been accessed when the parties to whom it is addressed have exchanged affirmative information
-  The purchaser has been provided with appropriate, efficient and accessible electronic devices to enable him to identify and correct errors in data entry prior to placing the order












PROCESSING OF PERSONAL DATA

Processing of personal data means any operation which is performed upon personal data by automated or non-automated methods, such as collection, registration, organization, storage, keeping, recovery, adaptation or modification, extraction, consultation, use, disclosure by transmission, dissemination or any other means, alignment or combination, blocking, erasure or destruction.

Personal data are any information relating to an identified or identifiable private person (subject of personal data). An identifiable person is one who can be identified, directly or indirectly, by reference to an identification number or to one or more factors specific to his or her physical, physiological, mental, economic, cultural or social identity. This information may be, for example: identification data contained in the identity card, bank details, data about ethnicity, race, preferences and habits, etc.

The processing of personal data is done with the buyer's consent.

When processing personal data, the trader is obliged to ensure that the rights of the buyer are respected, as follows:

-  The right to be informed regarding the person collecting personal data and the purpose of the data collection
-  The right of access to previously collected data for verification, confirmation or cancellation
-  The right to rectify wrong or missing data
-  The right to object to the data collected
-  The right to restrict data processing, limit access in part or in full time
-  The right to erasure of data
-  The right to data portability to different viewing devices
-  The right to challenge data
-  The right of access to justice

Note: The buyer's personal data is strictly confidential and may not be disclosed or de-identified to third parties.

OUR RECOMMENDATION

In the new transparent digital world, the customer is more powerful than ever. For the benefit of your business and its growth, behave ethically and be fair to your customers. These are people who have placed their trust in you and you need to take care of them. A dissatisfied customer will spread that dissatisfaction much faster than potential flattery (7 vs 3). The best marketing tactic is to take care of your customers:

- The customer has the right to be informed of the terms of trade
- Hiding information hurts
- Consumer privacy must be your priority
- Learn more about the laws that apply to the product/service you offer online

We wish you success in your work and continued progress!





Project implementator



Project partners



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