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CHECK IF YOU ARE READY FOR CYBERMONDAY 2022 WITH THESE RECOMMENDATIONS

In the CyberMonday event, from October 3 to 5 2022, will be fully in force the reforms to Law No. 19,496 on Consumer Rights Protection in the field of e-commerce, introduced mainly by the "Pro-Consumer" Law and the Electronic Commerce Regulation.

The following are the main aspects and obligations to be taken into consideration for the event:

• Promotions, offers, contests and sweepstakes must disclose the terms and conditions governing them and their term of duration.
• Offers and promotions must be real. All discounts and more favorable conditions must be calculated on the supplier's usual price and/or conditions. Price increases in the days prior to the event or information on reference prices never charged are practices to be avoided.
• The relevant characteristics of the products and services offered must be informed prior to purchase or contracting: final price in Chilean pesos (including taxes and costs), lack of stock and modality, term and dispatch costs, which must be respected.
• The products offered must inform its characteristics, origin, brand, model, eventual conventional warranty with its conditions, specifications that allow identifying the product (dimensions, size, color, weight, number of units that compose it, material, and content of the product); and, any other relevant condition, characteristic or performance of the product or service offered.
• In the case of durable goods, the duration of the product in foreseeable conditions of use must be reported, including the term in which spare parts and technical service are required for its repair.
• Respect the right of withdrawal and comply with the duties of information. Consumers may withdraw from their purchase within 10 days from receipt of the product or service (unless, in the case of provision of services, the supplier has excluded the right and prominently and clearly informed of such exclusion in advance).
• Respect the right to legal warranty. If a consumer buys a new product that is defective, he is entitled to a legal warranty within the

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first 6 months, which allows him to choose freely between (i) exchange; (ii) repair or (iii) refund of the amount paid.
• Inform about the seller of the product that allows its identification: name, company name or fantasy name; RUT or RUN; legal address; e-mail address, telephone number or other means of contact through which the consumer can be contacted; means by which the seller will contact the consumer; and identification of the legal representative in case of legal entity.
• Provide clear and timely information about the contact support of the company to formulate questions, complaints, suggestions and make changes or returns for consumers.
• All information or advertising provided by the company must be respected. Advertising must be truthful, timely, verifiable, and not misleading.
• In the post-sale, companies should have expeditious channels of contact so that consumers can request information and complain about any problem.

For more information, please review our legal alerts on the E-Commerce Regulation and the Pro-Consumer Law (and, in particular, on the right of withdrawal and the right to legal warranty).

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