

MINISTRY OF ECONOMY SUBMITS PROPOSAL FOR E-COMMERCE REGULATION FOR PUBLIC CONSULTATION

The Ministry of Economy, Development and Tourism has published on its website a proposal for E-commerce Regulations, which has been submitted to a citizen consultation to receive opinions and comments from citizens in order to improve and enrich the final text.

This regulation is in compliance with the provisions of Articles 30 and 62 of Law No. 19,496 Consumer Protection Act (CPA) –incorporated through the amendment of the CPA by Law No. 20,555 of 2011– and aims to regulate the information and the quality, form and opportunity in which it should be delivered to consumers by e-commerce suppliers, in order to ensure informed decision-making and strengthening the right to free choice of consumers.

The preliminary text of the Regulations is structured through 23 articles and a transitory article that covers the following matters:

1. General provisions, with special reference to consent;
2. Delivery of information online, and in particular about: (i) the seller; (ii) the role of the platform operator; (iii) the essential features and benefits of the products and services; (iv) the acquisition or contracting; (v) the total cost; (vi) the stock and availability; (vii) delivery, dispatch or withdrawal of the products; (viii) right of withdrawal; (ix) contact support; (x) terms and conditions; (xi) contracts of adhesion of successive tract.
3. Transaction Confirmation Process;
4. Integration of advertising, publicity and commercial practices.

This proposal of Regulation will be submitted for citizen consultation until October 27th, 2020. The consultation links are the following: minutes of the consultation; proposal of Regulation and format for consultation comments.



If you have any questions regarding the matters discussed in this news alert, please contact the following attorneys or call your regular Carey contact.

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