

## TURKEY

### Annual Report on Consumer Policy Developments 2001

#### **Accelerating e-commerce**

##### ***Actor: Ministry of Industry and Trade / Group: E-Commerce Consumer Problems***

Since the widespread usage of the Internet and the increase of consumers' participation in electronic commerce necessitates the assurance of consumer safety and protection of the consumer privately, as least as it is in traditional commerce, in draft act changing the act on the protection of consumers which was driven to Prime Ministry in 21 November 2001, the signature of which was completed in Council of Ministers and sent to the Turkish Parliament, there have been regulations on this subject.

In this draft, with the material goods that are offered to the consumers, also the non-material goods and services was required to be included in the contents of the act 4077.

Especially, for efficient protection of the consumers that are participants in e-commerce distance sales are regulated with a separate article from doorstep sellings in this draft.

In the regulation related to the distance contracts, 7 days withdraw right is given to the consumers that participate in e-commerce. Sellers' obligation to make contract and the proof trouble of delivering the goods and services non-defectively and protection field of consumers has been extended. At the same time with the secondary legislation which will be put into process follow up to the draft's becoming law, it is going to be made detailed regulations in the subjects which include components that must be found in the contracts, the usage of payment and withdraw right, the information that must be found in the contract, the pre-information that must be told to the consumer before making the contract and the confirmation of these by the consumer.

With the unfair conditions article in the contracts which are regulated with the draft discussed, the consumer's safety from the unfair conditions which they have supported without being able to affect the contents of the contract's provision or resigning themselves to the contract in e-commerce. The provisions which are related with the defective goods and services, credit cards, commercial advertisements, price tag and consumer credits that are brought with the draft are the provisions which will be applied to project consumer in e-commerce.

Guarantee, services after the sale and campaign sales that are regulated with the draft are also the qualities which can be applied to protect the consumer in e-commerce generally.

At the same time the provision of the decisions of Arbitration Committee for Consumer Problems which are established in the provinces and the counties to find solutions to consumer problems being in force within definite monetary limits, will be significant innovation for the protection of the consumer and the solution of their problems in e-commerce.

***Actor: Small and Medium Industry Developing Presidency / Group: Small and Medium Sized Businesses and Other Businesses***

Small and Medium Industry Developing Presidency is planning to produce the content aimed at constituting a website called “Business Dialogue” in which current and proper information will be offered to Small and Medium Sized Businesses through the targets of E-Commerce Working Group as a draft by the support of the interested supporters in the second of the five titles of subjects which that put forward for producing concrete works within the scope of GoDigital enterprise.

In 5 February 2002, at Small and Medium Industry Presidency coordination, with the participation of the public institutions, Civilian Society Organizations and the representatives of private sector there has been organized a convention about Small and Medium Sized Businesses and e-commerce and there have been made an exchange of opinions about the contributions of the participants within the scope of GoDigital enterprise. The participants have declared that they are going to present information to Small and Medium Industry Developing Presidency with their sources in hand, experiences and suggestions within the scope of the subject titles given below.

1. Informing about e-commerce/e-business, creating consciousness,
2. Creating a site of “Business Dialogue”,
3. Developing Data Processing Technologies background, requiring e-commerce/e-business background packages in suitable conditions.
4. Making the technical and managing business environment better,
5. Matching the experiences of the universities related with e-commerce/e-business and the needs of businesses.

As a Reference Centre Small and Medium Industry Developing Presidency, related with the first subject, is intending to create consciousness about the subjects making Small and Medium Sized Businesses conscious, GoDigital Enterprise and e-commerce/e-business.

**Electronic Government: Electronic reaching to the public services**

***Actor: National Electronic Web Cryptology Research Institution and Under-Secretariat of State Planning Organization / Group: Safe Network and E-commerce and Services in The Public***

For making the usage of public document passing and archive system in electronic field widespread, E-Commerce and Services in Public Application Group whose presidency has been applied by Under-Secretariat of State Planning Organization first needs detecting the current situation and publishing the successful applications discussed. For this reason it has become a need to carry the applications front which ensure the transfer of the documents and the information that doesn't include confidentiality into electronic field and support the information's transparency.

On the other hand, for the circulation of the documents and the information in a safe environment after preparing “Draft Act on the e-data, e-contract and e-signature”, “E-Commerce Law Group” which is coordinated by Under-Secretariat of Foreign Trade, submitted it to the view of public institutions and foundations. Afterwards the discussed draft is going to be announced from the website of the Under-Secretariat of Foreign Trade.

For making the projects and the applications in which e-signatures are used, widespread E-Commerce and Services in Public Application Group is going to prepare a report for announcing the present projects or applications. Some of them are “Pilot Automation Project” which regulates the document circulation of Under-Secretariat of Foreign Trade and the signature application of The Turkish Scientific and Technical Researches Institution-BILTEN with The Board of Capital Sector.