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Turkish Regulations to Embrace Digital Means for Consumer Protection

On November 5, 2020, three regulations which govern (I) Warranty Certificates, (II) Post-Sale Services and (III) User Manuals have been amended, entering into force on January 1, 2021. Accordingly, the term “Permanent Data Storage” has been introduced and defined under the regulations which enable consumers to access certain information and data through electronic means.

Permanent data storage is defined in all above-mentioned by-laws as a text message, e-mail, internet, disc, CD, DVD, flash disc or any similar vehicle or media that is provided to the consumers which allows them access the information, to record and to copy it without making any alteration for a reasonable period of time in accordance with its purpose.

Warranty Certificate

Article 5 and 7 of the Regulation on Warranty Certificates has been amended. Accordingly, the responsibility to provide the warranty certificate to the consumer as well as its proof belong to the seller. The warranty certificate may be provided in a written form or through a permanent data storage. However, it must also be provided in written form upon the consumer’s request. If the warranty certificate is electronically issued and delivered via permanent data storage, no seal or signature is needed.

Post-Sale Services

Service slips and documents which prove the delivery of the goods can be provided via a permanent data storage to customers. However, it must also be provided in written form upon the consumer’s request. Furthermore, it is mandatory to obtain the consumer’s confirmation that these documents have been provided to the consumer. The burden of proof is on the authorized service stations. If the service slips and documents are issued via a permanent data storage, no seal or signature is needed.

User Manual

A paragraph that has been added to Article 5 of the Regulation on User Manual stipulates that if the user manual is provided via a permanent data storage, the necessary information to access the permanent data storage must also be provided by the manufacturer or importer on the product itself or on its packaging.

CONTACT US

Polat İş Merkezi No: 29 Offices: 28 - 29
Mecidiyeköy, Istanbul, Turkey
+ 90 (212) 215 30 00
info@gurulkan.com
www.gurulkan.com