

## Annex A

### Factsheet on Enhanced Technical Reference 76

The enhanced TR 76 introduces additional guidelines in relation to three areas: enhancing consumer protection and trust, keeping the e-commerce market open and competitive and strengthening anti-scam measures. These enhancements are intended to create a robust framework that protects consumers, while fostering innovation and healthy competition in Singapore's e-commerce market.

E-marketplaces and e-retailers<sup>1</sup> (collectively, “**Platforms**”) are encouraged to review their business practices based on the guidance set out in the enhanced TR 76.

| Themes   | Key Recommendations (non-exhaustive)   |
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| <b>Enhancing consumer protection and trust</b> | <p><u>Transparency for consumers</u></p> <ol style="list-style-type: none"><li>1. Platforms should reasonably disclose information to allow customers to understand how products are recommended and displayed to them (such as whether listings are sponsored or advertised content).</li><li>2. Platforms should provide accurate information on their product or service listings, such as prices, returns and exchange policies and mandatory fees not included in the price.<ol style="list-style-type: none"><li>a. For listings consisting of multiple products or services, or a range of applicable prices, user interfaces should be designed to allow listing information to be presented accurately <i>before</i> customers click on the listing.</li></ol></li><li>3. Discounts and promotions listed should not be misleading (i.e., represent genuine savings to a customer), and applicable terms and conditions should be presented clearly, such as the time period of the discount or any qualifying terms.</li></ol> |

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<sup>1</sup> E-retailers may also wish to consider implementing these best practices, where applicable.

#### Accessibility for Consumers

4. Information on terms and conditions should be presented to customers in an accessible manner (i.e., accurate and easily understood), and material changes should be notified to customers with sufficient lead time.

#### Fake Reviews

5. Platforms should not modify customer reviews for commercial or promotional purposes, unless there are legitimate reasons to do so (such as to delete abusive or offensive content). Merchants and e-retailers should also not manipulate customer reviews, such as copying positive reviews from other sellers of the same product or service and presenting them as reviews of their own offerings.

#### Misleading Design Features

6. Platforms should design their platforms to present information in a clear, accurate and fair manner, so that consumers can make informed purchasing decisions.
7. User interfaces should be designed to avoid the following misleading practices:
  - a. Misleading consumers to sign up for subscriptions;
  - b. Unnecessarily complex cancellation processes that make it difficult to unsubscribe;
  - c. Urgency tactics (such as misleading countdown timers or scarcity warnings);
  - d. Misleading stock availability displays, which would pressure customers into hasty purchases.

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| <p><b>Keeping e-commerce market open and competitive</b></p> | <p><u>Engaging Merchants Fairly</u></p> <ol style="list-style-type: none"> <li>1. Platforms should set reasonable conditions for merchants using their service including policies for removal of listings and account termination, taking into account their legitimate business interests. Such conditions should also be communicated and accessible to all merchants.</li> <li>2. Unless objectively justified, merchants should be allowed to list and sell their products/services without being required to use other services provided. Merchants should generally be allowed to list and sell their products/services across other Platforms.</li> <li>3. Platforms may offer their own products or services which compete with merchants or third-party service providers on their platform. In such situations, platforms should operate reasonably and not undermine competition. One example of how competition harm could arise would be if an e-marketplace treats its own retail listings more favourably in search and rankings, as compared to similar goods offered by merchants.<sup>2</sup></li> </ol> <p><u>Recourse for Merchants</u></p> <ol style="list-style-type: none"> <li>4. Platforms should generally communicate reasons for removing a merchant's product listings or account in a timely manner.</li> <li>5. E-marketplaces and e-retailers should have appropriate dispute resolution mechanisms to handle complaints and appeals by merchants.</li> </ol> <p><u>Transparency over Badging, Search and Ranking</u></p> <ol style="list-style-type: none"> <li>6. Platforms should disclose information to allow merchants to understand how products are presented on the platform's interface (which includes factors that impact product</li> </ol> |
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<sup>2</sup> Whether there is sufficient harm to competition to warrant potential concerns under the Competition Act 2004, would depend on the specific facts and circumstances of each case.

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|   | <p>recommendation, search rankings and awarding badges and labels).</p> <p><u>Accessibility for Merchants</u></p> <p>7. Information on terms and conditions should be presented to merchants in an accessible manner (i.e., accurate and easily understood), and material changes should be notified to merchants with sufficient lead time.</p> <p><u>Use of Automated Tools (Artificial Intelligence and Algorithms)</u></p> <p>8. Platforms should use automated tools in ways that are explainable, transparent and fair; and manage legal risks from using such tools, including competition law, data protection and security.</p>  |
| <b>Strengthening anti-scam measures</b> | <p><u>Merchant verification</u></p> <p>1. E-marketplaces and e-retailers should conduct due diligence and identity verification against government records and/or with internal business tools and external verifications, where applicable.</p> <p><u>Protection of customers from fraud</u></p> <p>2. Implement measures to protect customers upon detection of patterns consistent with fraudulent activities. These measures may include the suspension or termination of a merchant's account and the conduct of enhanced identity verification.</p> <p>3. Take enforcement measures upon receiving information from law enforcement agencies that a merchant is a fraud risk on their platform. These measures may include blacklisting the merchant and restricting the merchant's activity.</p> <p><u>Enhancing fraud detection</u></p> |

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|  | <p>4. Implementation of processes to identify suspicious content and accounts and to proactively remove such content and accounts if assessed to be fraudulent.</p> <p>5. Implementation of processes to receive information from regulatory authorities for the purposes of identifying suspicious content and accounts.</p> <p><u>Provision of information for follow up action</u></p> <p>6. Respond to regulatory requests expeditiously within 24 hours or the stipulated deadline (where provided). Note that this does not apply to stipulated deadlines in legal orders, for which platforms are legally required to respond or comply within the legally stipulated deadline.</p> <p>7. To facilitate investigations, remediation and tracing of suspicious transactions, E-marketplaces and E-retailers should develop mechanisms to keep records of relevant account and transaction information. This includes chatlogs, merchant account information, and device information.</p> |
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