

Key Amendments to the Technical Reference 76 on Guidelines for Electronic Commerce Transactions (“TR 76”)

E-marketplaces and e-retailers are encouraged to adopt the recommended practices set out in the enhanced TR 76 Guidelines.

Here’s an overview of the recommended practices.

Be transparent in any displays and listings

- Disclose how products are recommended and displayed to consumers, including whether listings are sponsored.
- Be upfront and accurate in providing information about any listings (e.g. prices, return policies and fees), including for listings with multiple options.
- Ensure discounts represent genuine savings, if compared with a previous price.



Present information clearly, accurately and fairly

- Don’t mislead consumers into taking up subscriptions.
- Avoid unreasonably complex processes for unsubscribing.
- Avoid false urgency cues (e.g. misleading countdown timers or scarcity warnings).
- Don’t mislead on stock availability.



Enhancing Consumer Protection and Trust

E-marketplaces and e-retailers should:

Provide easy access to terms and conditions

- Make terms and conditions easy for customers to find and understand.
- Give customers advance notice of important changes to terms and conditions.



Display authentic customer reviews

- Avoid modifying customer reviews for commercial or promotional purposes (except to remove abusive content).
- Avoid manipulating reviews (e.g. fabricating or copying reviews from other sellers).



Engage merchants fairly

- Treat all merchants on your platform reasonably (e.g. in relation to display of product listings, offer of ancillary services and the use of data).
- Set reasonable conditions for merchants using your services and communicate them clearly.
- Allow merchants to list their products and set their own prices and conditions across other platforms.
- Allow merchants to list and sell their products on your platform, without being required to use other services provided.

Provide recourse for merchants

- Communicate reasons for removing a merchant's product listings or account in a timely manner.
- Have appropriate dispute resolution mechanisms to handle complaints and appeals by merchants.



Open and Competitive E-commerce Market

E-marketplaces and e-retailers should:

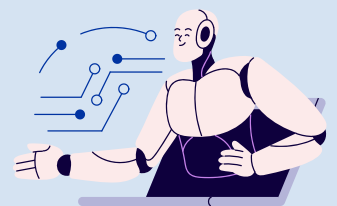
Ensure transparency over badging, search, and ranking

- Disclose information to merchants, allowing them to understand how their products are presented on your platform.
- This includes factors that impact product recommendation, search rankings, and awarding of badges and labels.



Manage the use of automated tools

- Use automated tools (e.g. artificial intelligence and algorithms) in ways that are explainable, transparent, and fair.
- Manage legal risks from using such tools, including compliance with competition, data protection, cybersecurity and other related laws.



Conduct merchant verification

- Conduct due diligence on merchants and verify their identity against government records or internal business tools.



Protect customers from fraud

- Implement measures, including suspending or terminating a merchant's account and enhanced identity verification, to protect customers upon detection of possible fraudulent activities.
- Take enforcement measures, including blacklisting the merchant and restricting the merchant's activity, upon notification from law enforcement agencies that a merchant is a fraud risk.

Strengthening Anti-scam Measures

E-marketplaces and e-retailers should:

Enhance fraud detection

- Implement processes to identify suspicious content and accounts, and proactively remove them if assessed to be fraudulent.
- Implement processes to receive information from regulatory authorities to identify or aid in the identification of suspicious content and accounts.



Provide information for follow up action

- 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.
- Develop mechanisms to keep records of relevant account and transaction information, including chatlogs, merchant account information, and device information.