

Order on consumer information by economic operators operating online

Having regard to the provisions of:

- Articles 9, 18 and 26 of the Government Ordinance No 21/1992 on consumer protection, republished, as subsequently amended and supplemented;
- Article 5(5) of Government Decision No 700/2012 on the organisation and operation of the National Authority for Consumer Protection, as subsequently amended and supplemented;
- Report No 4433/25.04.2023, drawn up by the Directorate General of Market Surveillance and Inspection and European Harmonisation.

The President of the National Authority for Consumer Protection hereby issues the following order:

Article 1. Economic operators who carry out the activity of marketing/provision of services online have the obligation to inform consumers, about its legality conditions, by displaying all the information on the basis of which they operate: the name of the legal person; the unique registration code; the number in the corresponding register of legal persons, showing the object(s) of activity; the address of the premises and/or the place of business, where they actually carry out their activity; series and number of all authorisations, notices, attestations, certificates, licences, necessary to carry out the work, as well as their issuer.

Article 2. Economic operators who manage or are present on sales pages, takeover online orders and/or advertising of products and/or services, tourist services, selling touristic packages or airline tickets, including e-commerce, are obliged to display the following information: the name of the legal person; the unique registration code; the number in the corresponding register of legal persons, showing the object(s) of activity; the address of the premises and/or the place of business, where they actually carry out their activity; series and number of all authorisations, notices, attestations, certificates, licences, necessary to carry out the work, as well as their issuer.

Article 3. 1. The documents referred to in Articles 1 and 2 shall be placed in the consumer's field of vision, at first contact with the presentation of the economic operator, before placing the order so that the information is easily identifiable.

2. Documents must not be hidden from other written, photographic or searchable material.

Article 4. Economic operators who refuse to display information on the legality of their activity will be delisted from the sales page at the request of the Authority.

Article 5. This Order shall enter into force 45 days after publication in the Official Gazette of Romania, Part I.

This Order was adopted in accordance with the notification procedure laid down in Directive (EU)2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of the rules on Information Society services, transposed into Romanian law by Government Decision No 1016/2004 on measures for the organisation and exchange of information in the field of technical standards and regulations and of the rules on Information Society services between Romania and the Member States of the European Union, as well as the European Commission, as subsequently amended and supplemented.

PRESIDENT
HORIA MIRON CONSTANTINESCU