

Turkey Amends Legislation on Consumer Protection

11 Dec 2020

Regulations Amending Regulation on Certificate of Warranty, Regulation on After-Sales Services and Regulation on Introduction and User Manual (all together "**Regulations**") were published in the Official Gazette numbered 31295 on 5 November 2020. The amendments introduced with the Regulations will be effective as of 1 January 2021.

Fundamental amendments made specific to the Regulations are as follows:

Regulation Amending Regulation on Certificate of Warranty

- With the amendment made to the provision of Regulation on Certificate of Warranty regulating the obligation of issuing a certificate of warranty, it is now mandatory for the certificate of warranties issued to be **clear, comprehensible, simple and legible**.

In the past, the certificate of warranty could only be given to the consumer in writing. As per the regulation, it can also be given through a permanent data provider.

Two additional clauses have been added to the provision regulating the information which is mandatory to include in the certificate of warranty within the scope of Regulation on Certificate of Warranty. In this respect, seller's title, address, phone and other communication information and the signature and stamp of the official, date, and number of the invoice, date, and place of delivery of the good to the consumer which are ordinarily mandatory to be included in the certificate of warranty, are not mandatory in distance contracts made with consumers. In such a case, the information in the invoice will be considered. Another provision included in the regulation prescribed that signature and stamp will not be required in case the certificate of warranty given through a permanent data storage device.

- The list of products annexed to the Regulation on Certificate of Warranty and must be sold with a certificate of warranty has been updated.

Regulation Amending Regulation on After-Sales Services

- The amendment stipulates that the document and service slip regarding the consumer's receipt of the good may also be provided through a permanent data storage device; however, it is mandatory to provide such documents in writing on paper upon the consumer's request. Moreover, the amendment also sets forth that the consumer's confirmation should be obtained regarding the delivery of the said documents and the confirmation can be obtained in writing or through a permanent data storage device. In the event that the document and service slip regarding the delivery of the product is provided through a permanent data storage device, the consumer's signature won't be sought.

Regulation Amending Regulation on Introduction and User Manual

- With the amendment made in the Regulation on Introduction and User Manual, it is stated that in the event of providing the introduction and user manual to the consumer through a permanent data storage device, the manufacturer or the importer should provide the necessary information regarding access to the introduction and user manual on the good or its packaging.
- With the amendment regulation, the following information has been included in the information to be indicated in the introduction and user manual:
 1. If the manufacturer or the importer has a website, this website should contain information regarding current contact information of all authorized service stations and suppliers for spare parts
 2. Information regarding all authorized service station information being included in the Service Information System created by the Ministry

In addition, a permanent data storage device which was defined in the Regulation on Introduction and User Manual as "*Any means or environment such as text message, electronic mail, internet, disc, CD, DVD, memory card and similar tools that enable the consumer to record the information sent to him/her for a reasonable period of time in order to review in line with the purpose of the information and copy it without modification*" has been included to the other Regulations as well and alternative methods to written physical documents had been introduced.

Please see this [link](#) for the full text of the Regulation Amending the Regulation on Certificate of Warranty. (Only available in Turkish).

Please see this [link](#) for the full text of the Regulation Amending the Regulation on After Sales Services. (Only available in Turkish).

Please see this [link](#) for the full text of the Regulation Amending the Regulation on Introduction and User Manual. (Only available in Turkish).

Related Practices

- [Product Liability and Consumer Protection](#)
- [Unfair Trade Practices](#)

Related Attorneys

- [NEJLA AYDIN ÖZER](#)
- [BURCU GÜRAY](#)