

## Turkey Announces the Regulation on Sale of Refurbished Products

21 Sep 2020

The Regulation on Sale of Refurbished Products ("**Regulation**") introduced by Turkey's Ministry of Trade was published in the Official Gazette dated 22 August 2020 and numbered 31221 and entered into effect on the same day. The Regulation aims to regulate the procedures and principles pertaining to re-sale of used goods by refurbishing.

The Regulation covers the activities concerning the refurbishment, certification, and re-market for sale of used goods.

Important regulations regarding refurbishment activities as per the Regulation can be summarized as follows;

- As per the Regulation, "used goods" are defined as second-hand mobile phones and tablets subject to shopping as listed under Annex 1 of the Regulation. Used goods can be refurbished by refurbishment centers in accordance with the regulations determined by the Ministry of Trade or the standards determined by the Turkish Standards Institution.
- Refurbished used goods can be re-marketed for sale as refurbished products after certification and packaging.
- For these purposes, refurbishment centers shall be established to carry out activities in line with regulations determined by the Ministry of Trade or the standards determined by the Turkish Standards Institution. Such refurbishment centers shall obtain refurbishment authorization certificates from the Ministry of Trade.
- Refurbishment centers shall prepare the obtained used goods for re-sale by ensuring that *(i)* repair and replacements are made if such repair or part replacement is necessary, *(ii)* all information including personal data belonging to the previous user are destructed, *(iii)* the device is restored to factory settings and *(iv)* performance and operation of all functions as necessary are tested.
- Refurbished products to be marketed shall bear the expression "refurbished product" and the information of the refurbishment center on its packaging, label, and advertisement of the refurbished product in a manner that can be easily perceived by the consumer. Furthermore, it should be accompanied by the Turkish introduction and instructions manual.
- Refurbished products shall be marketed for sale with the refurbished product guarantee. Refurbished product guarantee shall be valid for a minimum period of one year and begin as of the date of delivery of the refurbished product to the consumer.
- The authorized seller and the refurbishment center shall be severally liable for the refurbished product guarantee as well as after-sale services such as maintenance, repair, and assembly to be provided for the duration of the guarantee.

Additionally, the Regulation includes regulations on the following matters:

- Establishment and responsibilities of refurbishment centers,
- Application and authorization processes regarding refurbishment authorization certificates,

- Conditions required for refurbishment authorization certificates,
- Validity period and cancellation of refurbishment authorization certificates,
- Responsibilities of authorized buyers,
- Responsibilities of authorized sellers,
- Refurbished product guarantee and after-sale services.

At the same time, the Regulations include provisions concerning the rights of consumers such as repair free of charge, exchange with a non-defective refurbished equivalent, price return or price deduction.

Please see this [link](#) for the full text of the Law published in the Official Gazette dated 22 August 2020 and numbered 31221 (only available in Turkish).

## Related Practices

- [Product Liability and Consumer Protection](#)

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## Related Attorneys

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