

THE AMENDMENTS INTRODUCED BY LAW NO. 7529 ON THE AMENDMENT OF THE LAW ON THE PROTECTION OF CONSUMERS AND CERTAIN LAWS

Introduction:

Law No. 7529 on the Amendment of the Law on the Protection of Consumers and Certain Laws (“**the Law**”) was published in the Official Gazette No. 32707 dated October 30, 2024 and partially entered into force.

The Law has led to significant amendments to the Consumer Protection Law No. 6502 (“**Consumer Law**”), the Law No. 6563 on the Regulation of Electronic Commerce (“**E-Commerce Law**”) and the Tax Procedure Law No. 213.

Amendments Introduced to the Consumer Law:

- A regulation was introduced stipulating that consumer loan agreements and housing finance agreements may be concluded “at a distance” (Article 22 and Article 32 of the Consumer Law).
- If an account is opened in relation to fixed-term credit agreement transactions and housing finance agreement transactions, it is now possible to request the closure of this account not only in writing by the consumer, but also by a permanent data storage device (Article 31 (1) and Article 39 (1) of the Consumer Law).
- Detailed regulations have been made under a new article regarding the Direct Sales System (Article 47/A):
 - Direct sales system is defined.
 - The direct sales company must be a capital company and must meet the conditions set forth by the Regulation.
 - The consumer who purchases goods or services within the scope of the direct sales system is entitled to withdraw from the contract within thirty (30) days without any justification and without penalty.
 - The direct selling company is obliged to establish a system that enables consumers to be informed and to submit their requests/notifications.
- Sanction Provisions Revised by Article 77:
 - The amount of administrative fines has been increased and minimum and ceiling prices have been introduced.
 - Administrative fines have been defined in case of violation of the direct selling provisions.
 - While determining the lower and upper limits of the fine, the Advertisement Board will consider “the unfair content of the violation, the magnitude of the benefit obtained or the damage caused due to the violation, and the fault and economic status of the violator”.
 - The reconciliation procedure for administrative fines imposed by the Advertisement Board has been opened.

- Effective Dates:
 - Article 77 (17) on certain sanctions introduced by the Consumer Law will enter into force on July 30, 2025.
 - The other articles entered into force on October 30th on the date of publication of the Law.

Amendments Introduced to the E-Commerce Law:

- The method of calculating the License Fee has been amended (Article Annex 4 (7) of the E-Commerce Law):
 - Sales made abroad through the electronic commerce marketplaces of the electronic commerce intermediary service provider and the electronic commerce intermediary service providers with which it is in economic integrity will not be included in the calculation.
 - Provided that the net transaction volume of the electronic commerce intermediary service provider is not more than twenty percent of the sum of the net transaction volumes of the electronic commerce intermediary service provider and electronic commerce service providers calculated using ETBIS data, the following calendar year:
 - 1) the sales amount specified in subparagraph (a),
 - 2) the amount of investment expenditure realized by obtaining an investment incentive certificate from the Ministry of Industry and Technology in accordance with the legislation on supporting investments on a project basis,
 - 3) twice the amount shall be deducted from the net transaction volume for that calendar year.
- In determining whether the limit specified in subparagraph b) has been exceeded or not, limit exceedances below fifteen percent shall not be considered.
- For the calculation of the license fees, in 2024, four times the relevant sales and investments shall be reduced. It is stated that the discount rate shall be three times in 2025. This amendment aims to make it less costly for marketplaces and sellers to operate.
- Effective Date:
 - The relevant articles entered into force on the date of publication of the Law.

You may access the amendments announced on the Official Gazette via below link:

<https://www.resmigazete.gov.tr/eskiler/2024/10/20241030-4.htm>

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You can always contact us if you have any questions regarding our note above.

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