

CHECKLIST

Checking the compliance of an e-commerce website

Consumer information, online contract, personal data and payment

Online selling combines several regimes: consumer protection, distance contracts, electronic commerce, data protection and payment security. Requirements vary with the seller's and the buyer's countries; a website accessible from several countries must take account of the consumer law of the markets it targets.

The list sets out the points to check before going live and at each redesign.

1. Seller identification

- ☐ Company name, legal form, registered address, registration and tax identifiers required by the country of establishment.
- ☐ Working contact details: email, telephone, postal address.
- ☐ Hosting provider details where required by law.

2. Pre-contractual information

- ☐ Main characteristics of each product or service.
- ☐ Distance sales of products in the European Union: identity and postal and electronic contact details of the manufacturer and, where applicable, of the responsible person established in the Union; product identification information; warnings and safety information (Regulation (EU) 2023/988, Article 19, applicable since 13 December 2024).
- ☐ Price including taxes, currency, delivery charges and additional costs shown before ordering.
- ☐ Delivery or performance times and arrangements.
- ☐ Existence, conditions and period of the right of withdrawal, or the reason for its exclusion.
- ☐ Legal and commercial guarantees, after-sales service.

3. Ordering process

- ☐ Order summary before confirmation, with the ability to correct errors.
- ☐ Order button stating the obligation to pay.
- ☐ Acceptance of terms and conditions by a positive action.
- ☐ Order confirmation sent on a durable medium.
- ☐ Sales to consumers in the European Union: online withdrawal function available throughout the withdrawal period, required since 19 June 2026 (Article 11a of Directive 2011/83/EU, inserted by Directive (EU) 2023/2673).
- ☐ Sales to consumers in the European Union: accessibility requirements for e-commerce services, applicable since 28 June 2025 (Directive (EU) 2019/882), except for microenterprises providing services.

4. Terms and policies

- ☐ Dated terms and conditions of sale, accessible at all times.
- ☐ Returns and refund policy: time limits, costs, condition of goods.
- ☐ Delivery policy: areas served, carriers, liability for loss.
- ☐ Governing law and dispute resolution, including consumer mediation where mandatory.

5. Personal data and cookies

- ☐ Privacy policy: controller, purposes, legal basis, retention periods, recipients, transfers abroad, data subject rights.
- ☐ Formalities completed with the competent data protection authority where required by law.
- ☐ Cookie banner: prior consent for non-essential cookies, refusing as easy as accepting.
- ☐ Forms limited to the data needed.

6. Payment and security

- ☐ Licensed payment service provider; no card data stored by the website.
- ☐ Encrypted connection across the whole website.
- ☐ Procedure for handling security incidents and data breaches.

7. Content and intellectual property

- ☐ Rights to use the photographs, texts and trademarks displayed.
- ☐ Customer reviews: verifiable origin and stated verification process.

Notes for use

- The withdrawal period, mandatory particulars and data formalities differ between countries: check them for each target market.
- Morocco: for distance selling, provide the prior information of the offer (Law No. 31-08, Article 29), a withdrawal period of seven clear days, extended to thirty days where the supplier has not confirmed in writing the information referred to in Articles 29 and 32, running from receipt of the goods or, for services, from acceptance of the offer (Article 36), and reimbursement within fifteen days (Article 37), subject to the exclusions in Article 38; complete with the CNDP the prior formalities (declaration or authorisation request) provided for by Law No. 09-08; apply to transfers of data abroad the regime laid down by that law, which may require a request to the CNDP.
- Selling to businesses follows different rules from selling to consumers; separate the customer journeys if both are served.

References

- Morocco: Law No. 31-08 on consumer protection measures, promulgated by Dahir No. 1-11-03 of 14 Rabii I 1432 (18 February 2011), Official Bulletin No. 5932 of 7 April 2011, p. 1072 (general edition), amended by Law No. 78-20 (Dahir No. 1-20-85 of 11 December 2020, Official Bulletin No. 6945 of 21 December 2020, p. 8465), Articles 29, 32 and 36 to 38; Law No. 53-05 on the electronic exchange of legal data; Law No. 43-20 on trust services for electronic transactions; Law No. 09-08.
- European Union: Directive 2011/83/EU on consumer rights, as amended by Directive (EU) 2023/2673; Directive 2000/31/EC on electronic commerce; Directive 2005/29/EC on unfair commercial practices, as amended by Directive (EU) 2019/2161; Regulation (EU) 2023/988 on general product safety; Directive 2002/58/EC (privacy and electronic communications); Regulation (EU) 2016/679; Directive (EU) 2019/882 on the accessibility requirements for products and services.
- Spain: Real Decreto Legislativo 1/2007 (consolidated text of the Ley General para la Defensa de los Consumidores y Usuarios); Ley 34/2002 on information society services and electronic commerce.
- France: Consumer Code (Code de la consommation); Law No. 2004-575 of 21 June 2004 on confidence in the digital economy.
- Card payments: PCI DSS (Payment Card Industry Data Security Standard).