

Model Code of Conduct for E-business updated

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The Electronic Commerce Platform Netherlands (ECP.NL) has published a new version of its Model Code of Conduct for Electronic Business. The 1999 version was updated in light of legislative developments, such as the Dutch Personal Data Protection Act and the implementation of the EU Distance Selling Directive, E-signatures Directive and E-commerce Directive.

ECP.NL is a non-profit organization that was founded with the support of the Dutch Ministry of Economic Affairs and the Dutch Employers' Association. Participants include internet users, merchants, intermediary organizations, government agencies and educational institutions, and the organization represents the Netherlands in the United Nations, the European Union and the Organization for Economic Cooperation and Development.

The model code's two main purposes are to serve as (i) an example and source of inspiration for organizations in drafting codes of conduct for e-business, and (ii) a checklist in assessing the degree to which contracts, general terms and conditions, and regulations help to increase mutual trust in e-business. It is aimed at both B2B and B2C contracts.

The code provides that merchants must:

- indicate how they deal with e-signatures;
- ensure that they supply customers with comprehensive information (eg, contract terms and conditions);
- ensure that their advertisements are identifiable and that their origin can be traced;
- respect the privacy of customers; and
- take appropriate measures to ensure the confidentiality of customer information.

The latest version of the model code will apply for at least two years. However, it will be a dynamic and flexible document, taking into account future legislation.

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