



e-Commerce Law

As the large online sales platforms (Amazon, eBay etc.) are all legally based in Europe how will our departure affect consumers and businesses who are required to pay fees to these companies?

Most sellers on eBay, Amazon and other marketplaces that sell to UK buyers are also based in the UK. The contract is between the seller and the buyer, with eBay, Amazon etc. as an intermediary and enabler so in terms of contractual obligations, the seller has those.

After EU exit, companies based in the EU selling and directing trade to the UK will need to continue complying with UK laws.

Fees will carry on as normal, what might change is that it might be more challenging for UK businesses to raise a dispute with eBay, Amazon etc. as EU exit might bring increasingly divergent jurisdictions.

What are the limited means of redress where a dispute occurs?

There are a series of EU redress mechanisms that enable redress particularly for a consumer which will no longer be available.

- ✘ The Online Dispute Resolution (ODR)
- ✘ The European Consumer Centres Network (ECC)
- ✘ Consumer Protection Co-operation Network (CPC)

We have a number of new and emerging internet sellers in our area. What effect will Brexit have on them and what do we need to know for giving them business advice?

Pre EU exit and during transition if businesses are getting goods from within the EU and selling to the UK they are merely distributors. After the transition period they'll become importers, bringing significantly increased obligations for product safety and compliance.

Part three of the Consumer Protection Act 1987 still applies. There are dangers in terms of financial and insurance risks to the business, particularly if selling high risk products.

Assuming that the UK is not tied to EU laws, what e-Commerce legislation might we expect to change after Brexit?

We need to ensure that we're keeping up with technological and societal changes in the way e-Commerce works.



For example the collaborative economy and the lack of clarity we have as to who is in business.

