

NJORD Estonia: Discounts – some key aspects to consider

Before Christmas, many shops offer goods at discounted prices. When offering goods at discounted prices, it is important to comply with the requirements of the Advertising Act, Consumer Protection Act and Trading Act. Without knowing these requirements, mistakes can be made easily. We hereby give an overview of the key requirements which must be followed when carrying out discounts.

- **The word “allahindlus” [discount] or “soodusmüük” [sale]** may be used only when certain conditions are met. The goods sold at the discount must be the goods normally sold by the trader and the sale must be for a limited period of time. The price of the goods sold at the discount must be significantly lower than the usual price.
- Note that when advertising a discount, the **end date** of the period where the products are sold at discounted prices must also be indicated. When advertising a discount that has not yet started, the **starting date** of the discount must also be given.
- An advertisement must also include information regarding the **availability of discounted goods**. For example, is it possible to purchase the discounted goods until the end date of the discounts or until the shop runs out of stock? Any additional special conditions for the discount must also be disclosed.
- If the advertisement states that the goods are discounted only for a certain time period, then that time period must be adhered to. Pursuant to the law, it is a **misleading commercial practice** if a consumer is told that a good is discounted for a certain time period but that turns out not to be the case. For example, on December 17th, 2019 a shop starts advertising that certain body care products are discounted 30% until December 20th, 2019. Later, it becomes evident that the products remain with discounted prices also after the end date. The consumer is manipulated by that to decide on purchasing the product immediately and is left without the time necessary to make a conscious choice.