



TERMS OF REFERENCE

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1 - Objective

The “Confio (I Trust)” Seal of Trust is a website accreditation programme created to certify compliance with digital market best practices, in particular those pertaining to the Seal of Trust Code of Conduct.

The Seal of Trust provides consumers with a guarantee when buying products and services on e-commerce platforms and when using the Internet in general.

Certification requests must be placed by the owner or website professional, who must also confirm that the site is compliant with the rules set out in the Code of Conduct. The certifying entity will carry out additional verification and validation of compliance standards to award the Seal of Trust through a rigorous, independent, objective, transparent and fair audit process.

The audit process will also provide a framework to attribute the European Seal of Trust which is awarded by Ecommerce Europe.

2 - Nature

The “I Trust” Seal of Trust results from a protocol signed between three institutions: ACEPI – Associação da Economia Digital (Association for the Digital Economy), DECO – Associação Portuguesa para a Defesa do Consumidor (The Portuguese Consumer Protection Association) and the DNS.PT Association and has its own Code of Conduct.

The Seal of Trust is awarded by the DNS.PT Association, the institution responsible for Accreditation according to the mission and responsibilities defined in the above mentioned protocol.

The seal is awarded in digital format through the “I Trust” logo.

3 - Scope

1. Accreditation may be requested for websites run by Companies, Associations or Self-incorporated entities and that operate e-commerce platforms. The website will have a Professional that within a legitimate business capacity sells products and services to consumers.
2. Online auction and non-transactional websites may also apply for the “I Trust “ seal of trust.

3. The following websites are not eligible for the “I Trust” seal of trust:

- a) transactional financial websites, namely related with investment, insurance and reinsurance services, banking services and pension fund related operations;
- b) gambling and betting websites, including lottery, bingo and casino gambling and betting house activities; services related with deferred operations and options;
- c) healthcare and pharmaceutical commerce websites;
- d) construction, substantial reconstruction, and other real estate property transaction websites excluding rentals;

4. Exception may be made on a case by case basis, with a view to accredit ACEPI associates’ websites that sell or supply services that are not entirely consumer driven.

4 – Purpose of the “I Trust” Seal of Trust

The main purpose of the “I Trust” Seal of Trust is to give visitors and users of the website a guarantee that the company in question is transparent and trustworthy, committed to Internet best practices and that the service provided follows the “I Trust” Seal of Trust Code of Conduct guidelines and is monitored and audited accordingly.

It is worth highlighting the following objectives:

- a) Assurance that the site is legally registered, that it respects all aspects of personal data protection and security, that sales and delivery procedures are transparent and fair and in accordance with the principles set out in the Code of Conduct;
- b) Assurance that the Company responsible for the site has subscribed to a non-judicial mediation and arbitration mechanism and that the site in question has an appropriate area to record complaints;
- c) Assurance of the website’s technical reliability, namely as regards use of the DNSSEC protocol and is in conformity with IPv6.

5 - How the “I Trust” Seal of Trust is awarded

To initiate the accreditation process, an online request for site accreditation should be made by the Professional at www.confio.pt, declaring acceptance of and compliance

with all technical procedures, content and other terms and obligations required by the Code of Conduct and respective appendices.

5.1. Request

- a) The proposer must register on www.confio.pt, in order to access the reserved area of the registration site;
- b) Within the restricted area of the site, the Seal of Trust may be requested by filling out a subscription form and statement of acceptance and validation of the requirements set out in the Code of Conduct;
- c) If you are an Agent of Sale of the “I Trust” Seal you should click in the field that says “Official Partner of “I Trust” Seal of Trust” and the process of adhesion will follow the same procedures;
- d) After submitting the form you will be redirected to a page where you have the payment options. Then you must pay the respective price of submission;
- e) Your website will follow to audit The final payment, when applicable, only happens after the notification of the concession of the Seal;
- f) For the purpose of calculating the final price you must attach a copy of the last delivery of the IRS, IRC and / or IES (corporate or personal tax), or in the event of less than 12 months of activity, a statement recognized by tax authorities that attests the beginning date of your business operations.

5.2. The “I Trust” Seal Audit Process

- a) The request for the “I Trust” Seal of Trust is subject to an audit process that will generate a compliance report for the website in question. In the event of a negative report, the areas of non-compliance that need to be addressed in order to be awarded the Seal, will be indicated.
- b) Once a positive website compliance report is issued, guaranteeing that all necessary requirements to obtain the seal are met, the site is duly accredited and the Seal of Trust is awarded.

5.3. Use of the “I Trust” Seal of Trust

- a) The “I Trust” Seal of Trust must be displayed on the accredited website’s homepage together with all relevant information and a link to the “I Trust” website so that the consumer may access information on the authenticity and timeliness of the Seal in question.
- b) The attribution of the “I Trust Seal of Trust” implies the payment of a price

of submission and with the exception of startups a concession price;

- c) The “I Trust” Seal of Trust is valid for one year and is automatically renewed on an annual basis unless the Professional gives instructions to the contrary or if the website loses the right to use the Seal of Trust for any reason.
- d) Consumers may access public information on the Seal of Trust at www.confio.pt, and rank websites that have been awarded the Seal of Trust.
- e) The www.confio.pt website posts a White List with names of all websites accredited with the “I Trust” seal and a Black List identifying all the websites that are considered non-compliant and that have been through litigation processes with consumers.

6 – The European Seal of Trust “Trust Ecommerce Europe”

In addition to the Portuguese “I Trust” seal of trust, the website may also request the European seal of trust “Trust Ecommerce Europe”.

1. In order to obtain the European Seal of Trust, the website must first have been awarded the national seal of trust, ensuring that the website is certified for ecommerce best practices and is compliant with the Code of Conduct.
2. By complying with the requirements of the Seal of Trust, the website is also compliant with the requirements of the European Seal and will therefore not incur any additional audit related costs.
3. The national Seal of Trust encompasses all the requirements of the European Seal. The European Seal must also be displayed on the accredited website’s homepage, together with all relevant information and a link to the European Ecommerce website, allowing consumers to access information regarding the authenticity and timeliness of the Seal.
4. The European Seal implies no additional costs for the website at the outset however maintenance costs may be set at a later date.
5. The Seal is renewed automatically and in tandem with renewal of the National Seal.

ACEPI, an associate member of Ecommerce Europe is the Portuguese representative for the European Seal and is responsible for ensuring that the national seal is in accordance with European standards.

7 – Complaints procedures

Award of the “I Trust” Seal of Trust includes the provision of a complaints analysis and referral system in the event that the accredited website does not have its own complaints system in place, therefore ensuring that all consumers are able to lodge complaints.

1. The complaints system guarantees that any noncompliance related complaint submitted by a customer of an accredited website will be analyzed and dealt with accordingly.
2. Consumers always have the option of registering a complaint directly in the complaints section of the www.confio.pt website.
3. Upon receipt of a complaint over the complaints platform, the Professional will be notified;
4. In addition to the aforementioned procedure, consumers are also entitled to submit their complaint to DECO, using a link on the Seal of Trust website complaints’ platform.
5. The website must also subscribe to a non-judicial conflict mediation and arbitration mechanism.
6. In addition to the procedures described above, consumers may also submit and track their complaints on the following entities’ websites:
 - a) Ecommerce Europe Trustmark, for subscribers to the European Seal;
 - b) European Commission

(<https://webgate.ec.europa.eu/odr/main/?event=main.home.show>)

8 - Sanctions

The “I Trust” Seal of Trust may be withdrawn if the Professional does not comply with the Code of Conduct or in the event of bankruptcy;

9 - “I Trust” Seal of Trust fees

1. Award of the “I Trust” Seal of Trust implies payment of a price that is variable according to the annual billing of the website owner and will be posted on www.confio.pt.

The current schedule is as follows:

Annual Billing of the Requester Entity	Submission Value ^{a)}	Submission p/ VAT *	Trustmark Annuity Grant	Grant p/ VAT *	TOTAL
up to 100.000€	100,00€	123,00€	0,00€	0,00€	123,00€
from 100.001 to 500.000€	100,00€	123,00€	200,00€	246,00€	369,00€
from 500.001 to 1.000.000€	100,00€	123,00€	500,00€	615,00€	738,00€
from 1.000.001 to 5.000.000€	100,00€	123,00€	650,00€	799,50€	922,50€
above 5.000.001€	100,00€	123,00 €	1.150,00€	1.414,50€	1.537,50€
startup (at 1st activity year)	75,00€	92,25€	0,00€	0,00€	92,25€
Individual Person	100,00€	123,00€	0,00€	0,00€	123,00€

* The value of the VAT identified in the table above may vary according to the criteria and conditions established in the applicable tax law. (For calculation purposes VAT was considered applicable in mainland Portugal as of January 2017).

2. Public sector entities will be charged using the second rate on the fee Schedule above.
3. Fees in excess of 100,00 euros will be paid in two instalments:
 - a) Non-refundable charge for the initial submission amounting to 100,00 euros, charged independently of the audit result;
 - b) Remainder to be charged when the Seal is awarded.
4. Discounts will be applied if the same entity requests the seal for more than one website;
 - a) 10% - for certification of between 2 and 5 websites;
 - b) 20% - for certification of 6 or more websites;

5. Renewals are provided under the same conditions of the initial submission.
6. The promoters of the “I Trust” Seal of Trust may launch promotional activities and campaigns for its members, designed to raise awareness for the “I Trust” seal, the details of which will be made available on the www.confio.pt website.

10 - Acquisition of the Statute of the Sales Agent of "I Trust" Seal of Trust

1. The Statute of the Sales Agent of the “I Trust” Seal of Trust is acquired through the conclusion of a partnership agreement signed with the accrediting entity of “I Trust Seal of Trust”, the DNS.PT.
2. The partnership agreement establishes the terms and conditions applicable to the subscribers of the accordance.
3. The assignment of the statute of the Sales Agent is preceded by an approval of the subscribing entities of the “I Trust” Seal of Trust initiative and it depends on the analysis of the fulfillment of technical capacity criteria, interest of conflicts analysis, market knowledge and target audience, and a proven interest in the “I Trust” Seal of Trust.
4. With the agreement signed the requests for adhesion to the Seal that come from the Agent of Sale will be indicated with a click in a proper field with the designation of “Official Partner of the “I Trust” Seal of Trust.
5. The Sales Agents of the "I Trust" Seal of Trust will be able to adopt the logo of the service in newsletters, websites and social networks, in order to promote the brand.

11 – Rules during the transition period

1. Until the present Regulation and Code of Conduct come into effect, entities accredited by the “Trust Online” programme are subject to the rules of the “Compliance Manual”, managed by ACEPI – Association for the Digital Economy.
2. Once the present document comes into effect, all entities accredited by the “Trust Online” programme will be awarded the “I Trust” seal of trust, after a free compliance evaluation process is conducted according to the new Code of Conduct. A period of one year will be granted to correct any areas identified as

non-compliant.

3. The above entities will be informed of the transition to the new Seal of Trust and will not be subject to any additional charge.
4. After the transition period to the “I Trust” certification programme, the “Trust Online” seal will cease to be valid and must be removed from the website.

12 – Date of Effect

This Regulation will come into effect upon the signing of the protocol between ACEPI – Association for the Digital Economy, DECO – Portuguese Consumer Protection Association and the DNS.PT Association, as referred in number 2 above.