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BIS Standard on Online Consumer Reviews

Consumer reviews posted on review sites are increasingly influencing product/service purchase decisions. To ensure that review sites are managed in a way that builds public trust in the accuracy of consumer reviews, the Bureau of Indian Standards has adopted the Indian Standard (IS) 19000:2022 'Online Consumer Reviews – Principles and Requirements for their Collection, Moderation and Publication' ("**Framework**"). The Framework was first published in 2021 and has been modified based on industry stakeholders' comments. It is accompanied by a [press release](#) which clarified that compliance with the Framework is, at present, voluntary.

Key highlights of the Framework are summarised below:

1. Applicability

The Framework applies to any organisation that publishes consumer reviews online. This includes:

- (a) Sellers or suppliers who collect reviews from customers;
- (b) Third parties contracted by the sellers or suppliers to sell their products and services; and
- (c) Independent third parties.

2. Participants

Participants involved in online publishing of a review and incurring specific obligations under the Framework are:

- (a) Review Author – the consumer submitting a review for publication; and
- (b) Review Administrator - the organisation responsible for managing consumer review content.

3. Guiding principles and code of practice

Organisations governed by the Framework will follow the guiding principles set out therein. These are:

- (a) *Integrity* of the review site by ensuring legitimacy of review authors;
- (b) *Accuracy* of information and reviews shared;
- (c) *Privacy* of review authors' personal information;
- (d) *Security* of all systems to protect personal data from internal and external fraud;
- (e) *Transparency* of practices and procedures of the organisation in relation to online reviews published on the review site;
- (f) *Accessibility* of content on the review site; and

(g) *Responsiveness* of the review administrators and also the seller/suppliers.

Organisations are also required to develop a written code of practice for their management and staff outlining how the above guiding principles will be met and maintained. The Code of Practice should be publicly available and easily accessible to consumers.

4. **Terms and conditions**

The Framework requires every review site to publish a set of terms and conditions for review authors to follow. Such terms and conditions should be easily accessible to and accepted by all review authors prior to submitting a review. The terms and conditions must disclose/clarify that:

- (a) Content posted must describe a personal consumer experience of product or service being reviewed;
- (b) Content posted must be factually correct, to the best of the review author's knowledge; and
- (c) Content must not contain defamatory language.

General conditions and procedures such as the review moderation and publication process, aggregation of rating, and relevance attributed to the rating should also be displayed by the review administrator as a part of the terms and conditions.

5. **Effective communication with sellers and suppliers**

Organisations are required to maintain effective communication channels with sellers/suppliers to share relevant and valuable feedback for their products/services and highlight any safety issues or risks.

6. **Data protection measures**

Review administrators are permitted to collect personal information from review authors. However, this information must be stored and handled in a secure and confidential manner to prevent unauthorised access or use.

7. **Features of a review**

Every review posted on a review site must bear the date of submission and the total rating given by the review author. Review administrators are also required to provide review authors an opportunity to add a description of their experience, date and time of such experience, date of purchase and other contents such as photographs, video, or audio comments.

8. **Solicited and unsolicited reviews**

The Framework introduces guidelines on collection of solicited and unsolicited consumer reviews. Where reviews are solicited, the invitation should specify to the review author - the person who is soliciting the review; details of the product or service for which review is sought; how the review will be used and what content and review author identification information will be published.

9. **Review collection and moderation**

Review administrators must put in place such filtering and control systems that ensure review collection reliability. Framework requires review administrators to refrain from knowingly publishing reviews that have been purchased or are written by individuals employed by the supplier/seller. The Framework places an onerous obligation on review administrators to filter all consumer reviews and assess their suitability for publication, either manually or through automation.

10. **Review modification**

Review administrators cannot modify the content of reviews submitted/posted on their platform. They should grant an opportunity to review authors to modify their reviews if there was an unintentional breach of

administrator's terms or the author wishes to update/edit their published review. Modified reviews should be published with a marker indicating that the review content was edited.

11. Review publication

Following factors should be considered while publishing submitted reviews:

- (a) Reviews should be published accurately. Any edits/language translations performed by the administrator should be clearly indicated;
- (b) Reviews should be displayed in accordance with a predefined sorting method;
- (c) Review administrators should assign an 'overall rating' to each product/service. This is a total score which combines individual reviews submitted by authors. The overall rating should be based on a predetermined objective criterion and must disclose the number of individual reviews accounted for.

Reviews should be published after submission as quickly as reasonably practicable. It is recommended that the reviews be published within 72 (seventy two) hours if they comply with the administrator's terms and conditions.

12. Flagging

Review administrators should enable participants – including review authors, sellers/suppliers, and users to flag reviews which - (i) contain illicit, inappropriate content; (ii) clearly signal an intent to harm reputation of the product or service; or (iii) contravene administrator's terms and conditions.

Flagged reviews must undergo manual moderation by the review administrator to assess their violation of terms and conditions, during which such reviews may be provisionally removed from the review site. If a flagged review is confirmed to contain illicit or inappropriate content, the review administrator must remove such review.

13. Removal

Reviews posted on the site may be removed:

- (a) On request by the review author; or
- (b) On the initiative of the review administrator - upon expiry of specified time limit which cannot be less than one year.

There is a mandatory requirement for review administrators to keep a record of all removed reviews as well as reasons for their removal for a minimum period of 180 (one hundred eight) days.

Conclusion

As the Framework does not distinguish between the types of review administrators, certain obligations may be too onerous for review administrators which are not involved with the sale, supply or distribution or otherwise aware of the products/services being reviewed, such as independent third-party review platforms. For instance, an independent third party which may be classified as a review administrator for the reviews published on its platform may not be able to comply with the obligation to maintain an effective communication channel with suppliers/sellers unless they onboard or obtain details of such suppliers/sellers.

Notably, the European Union has also amended Directive 2005/29/EC on Unfair Commercial Practices by Directive 2019/2961 (“**EU Directive**”) to regulate false and misleading reviews in the online space. However, unlike the Framework, the EU Directive contains broad principles which grant review sites the autonomy to devise their own methods to ensure compliance.

E-Commerce Practice

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15 Practices and
18 Ranked Lawyers



7 Practices and
2 Ranked Lawyers



11 Practices and
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