



# TRADER'S ABC



Tallinna  
Strateegiakeskus



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## Dear trader,

We are glad you have decided to open your shop or restaurant in Tallinn.

All laws and acts regulating trading are published in *Riigi Teataja*, can be accessed on the website [www.riigiteataja.ee](http://www.riigiteataja.ee) and are usually available in English. We will briefly introduce the key requirements that need to be fulfilled by traders but we ask you to also read the full texts of the legal acts to get a full overview.



## The Consumer Protection Act

regulates the offering and sale of goods or services to consumers with the purpose of safeguarding consumer rights:

- consumers have the right to obtain necessary information in Estonian on the goods and services offered. The labelling of goods sold to consumers shall be clearly legible, understandable, unambiguous and in Estonian. Original information in a foreign language on the labelling of goods shall be visible and not covered by the Estonian translation or other additional information;
- goods which are technically complex or require special skills for use shall be accompanied by an instruction manual from the producer and a translation thereof into Estonian on paper or on another durable medium;
- traders shall indicate the selling price and the unit price of the goods to consumers. The selling price means the final price to be paid by a consumer for a unit of goods or quantity of goods. The unit price means the final price for one kilogram, one litre, one metre, one square metre or one cubic metre of goods. If the goods are not measured in the units specified above, the price for a single unit of the goods may also be considered as the unit price. The selling price and unit price of the goods shall be indicated in writing in a manner that is clearly legible and easily visible for consumers;
- in the case of a discount, the price tag must indicate both the current and previous prices. The previous price is the lowest price during the 30 days prior to the discount coming into effect. If the product has been on sale for less than 30 days, the previous price must have been valid for at least seven days. In the case of perishables, the previous price is the initial selling price;
- the trader shall provide the consumer with a document certifying the sale of the goods or the provision of the services in writing, e.g. a sales receipt including the name or business name of the trader and the

address of its place of business, the date of sale of the goods, the name and price of each of the goods or each service and the total amount paid. If the total amount to be paid by a consumer is less than 20 euros, the document certifying the sale of the goods shall be given to the consumer at their request. The document certifying the sale of the goods can be a sales receipt, contract or another document proving the details of the specific purchase;

- if the purchased goods or consumed service lacks sufficient quality or does not meet the conditions of the contract for any other reasons, the consumer can submit a complaint to the trader. The trader is required to respond in writing to the consumer's complaint within 15 days after receipt of the complaint. If the trader does not consider the consumer's claim to be justified and refuses to satisfy the claim, the trader is required to justify their decision in writing. The trader shall inform the consumer of their right to contact the [Consumer Disputes Committee](#) operating at the [Consumer Protection and Technical Regulatory Authority](#) or the court.

## Law of Obligations Act

establishes the requirements for contracts regarding the sale of goods or the provision of services, including a regulation regarding contracts signed off-premises or by means of distance communication:

- the trader is liable for non-compliance with the conditions of the contract that becomes evident within two years of the supply of the goods or services;
- a lack of conformity that has arisen within one year of the supply to the buyer is presumed to have existed at the time of supply; therefore, the trader shall order an expert assessment if necessary during the first 12 months;
- the consumer shall notify the trader of any lack of conformity within two months after becoming aware of the lack of conformity;



- if an item does not comply with the conditions of the contract, the buyer may demand that the trader repair or replace the item. The trader covers the costs relating to the repair or replacement of an item, in particular any costs relating to transport, postage, work, travel and materials. The trader must repair or replace the item within a reasonable period from the time the buyer notifies the seller of the lack of conformity. In the cases specified in § 223 of the [Law of Obligations Act](#), a consumer has the right to withdraw from a sales contract;
- traders entering into contracts signed off-premises or by means of distance communication with consumers shall provide, prior to entry into the contract or making a binding offer for this purpose to the consumer, the pre-contractual information to the consumer in a manner that is clear and comprehensible for the consumer;
- in case of contracts signed off-premises or by means of distance communication, only the obligations that the consumer was informed about prior to signing the contract are binding;
- in case of contracts signed off-premises or by means of distance communication, a consumer may withdraw from the contract without giving reasons for the termination within 14 days from the receipt of the goods or signing the contract of provision of services by sending a corresponding, unambiguous request;
- where several goods have to be delivered separately to the consumer, the 14-day period begins on the day the consumer acquires physical possession of the last item or the last part of the delivery;
- if the trader has violated the obligation to provide information, the consumer can withdraw from the contract within 12 months and 14 days after the receipt of the goods or signing the service contract. If the trader informs the consumer within the additional 12 months, the withdrawal date will end within 14 days of the notification;



- the consumer has withdrawn from the contract if they have dispatched an unambiguous notification concerning the withdrawal to the trader during the withdrawal period and has returned the items to the trader within 14 days of submitting the withdrawal request;
- the trader shall return all payments received from the customer within 14 days of receipt of the withdrawal request based on the contract. The [Law of Obligations Act](#) allows the trader to refuse to make the reimbursement until the consumer has returned the goods or until the consumer has supplied evidence of having sent the goods back;
- the consumer only has the obligation to bear the costs if the trader has informed the consumer of the fact that the consumer has to bear these costs;
- in case of an offer made by phone, the consumer is tied to the obligation only if the company confirms the information forwarded by phone on a durable medium and the consumer has confirmed the wish that they expressed on the phone in a format that can be reproduced in writing. If the consumer or trader fails to comply with this requirement, the items shall be deemed as goods and services not ordered;
- the trader shall not have the right of claim against a consumer who received goods or services that the consumer did not order. Silence or inactivity of the consumer shall not be deemed to be acceptance of the order.

## Alcohol Act

provides special requirements for the handling of alcohol, restrictions on the consumption of alcoholic beverages, organisation of supervision over compliance with the special requirements and restrictions and liability for violations of this Act. The main special requirements are:

- traders shall electronically submit a notice of economic activities to the [register of economic activities](#) to have the right to sell alcoholic beverages in the fol-

lowing areas of activity: retail trade, wholesale trade or catering. A member from the board of directors of a company shall submit the notice through the Estonian state portal [www.eesti.ee](http://www.eesti.ee) or a notary. A notice of economic activities shall not be submitted for the sale of alcohol at a public event;

- selling alcoholic beverages by e-commerce is only permitted through shops or catering establishments belonging to a company marked in the [register of economic activities](#). A company that does not have a shop or a catering establishment selling alcohol may not sell alcohol through e-commerce;
- a company shall only sell alcoholic beverages in a place of business specified in the notice of economic activities in the [register of economic activities](#). Alcohol not permitted to be sold must not be stored in the shop or catering establishment;
- retail sale of alcoholic beverages in places of business without a sales area is prohibited;
- retail sale of alcoholic beverage in shops is only permitted from 10:00 to 22:00. Handing alcoholic beverages over to a consumer using delivery services is also prohibited from 22:00 to 10:00;
- retail sale of alcoholic beverages for consumption on the premises is permitted in catering and accommodation establishments and in other permitted places of business specified in the [Alcohol Act](#);
- alcoholic beverages shall be placed separately from other goods in a shop so that consumers are not inevitably exposed to them when visiting the shop. The display of alcoholic beverages shall not be noticeably visible from the rest of the sales area or outside the place of business;
- the selling price, the type and name of the alcoholic beverage must be indicated upon retail sale of alcoholic beverages, as well as the quantity of the alcoholic beverage corresponding to the selling price upon retail sale of alcoholic beverages for consumption on the premises;



- retail sale of an alcoholic beverage is permitted only if there is a relevant accompanying document. Payment for alcohol from a wholesaler shall be made by way of non-cash settlement. A trader is not permitted to sell alcohol for which they paid in cash;
- retail sale of alcoholic beverages in shops and catering establishments is permitted if there is a cash register in the place of business and all transactions performed upon the retail sale of alcoholic beverages are registered using the cash register.

**The Tallinn City Council 18.09.2008 Act No. 30 has established constraints on the retail sale of alcoholic beverages for consumption on the premises, including:**

- retail sale of strong alcoholic beverages is only permitted in shops where the total area is at least 150 m<sup>2</sup>;
- serving alcoholic beverages in a seasonal extension of the catering establishment located outside of the

indoor premises is only allowed from within the indoor premises of the catering establishment;

- retail sale of alcoholic beverages in closed packaging to bring them outside of the catering or accommodation establishment is not permitted;
- retail sale of alcoholic beverages is not allowed in an establishment that is located on the territory of a market or swimming area for common use;
- in temporary establishments, it is only permitted to sell alcoholic beverages with low ethanol content;
- retail sale of alcoholic beverages is not allowed in shops whose entrance is less than 50m from a basic school, an upper secondary school or a vocational educational institution;
- retail sale of alcoholic beverages is not permitted in the shop of a gas station or in a shop near a gas station if the entrance of the shop is less than 15m from the closest gas pump.



**The Tallinn City Council 17.09.2020 Act No. 14 has established restrictions on the retail sale of alcoholic beverages for consumption on the premises, including:**

- the retail sale of alcoholic beverages for consumption on the premises is prohibited:
  - 1) from 02:00 to 06:00 during nights before work-days;
  - 2) from 03:00 to 07:00 during nights before Saturdays and Sundays;
- the retail sale of alcoholic beverages for consumption on the premises is prohibited in a place of business located at a gambling venue or nightclub:
  - 1) from 03:00 to 06:00 during nights before work-days;
  - 2) from 04:00 to 07:00 during nights before Saturdays and Sundays;
- these restrictions do not apply to:
  - 1) places of business located in the foyer of an accommodation establishment or delivery of alcoholic beverages to a person staying in an accommodation establishment through room service or mini-bar in the accommodation room;
  - 2) airport and port buildings that are open for international traffic in places of business dedicated only to passengers.

## **Tobacco Act**

**provides the requirements for tobacco products and their packaging and products related to tobacco products and for the handling of them:**

- the undertaking shall submit a notice of economic activities to the [register of economic activities](#) through the Estonian state portal [www.eesti.ee](http://www.eesti.ee) or a notary to have the right to sell tobacco products and products related to tobacco products in the following areas of activity: retail trade, wholesale trade or catering. A notice of economic activities shall not be submitted for trading at a public event;

- selling tobacco products and products related to tobacco products is prohibited through e-commerce;
- the visible display of tobacco products or products related to tobacco products in retail trade sales premises and the presentation of the brand of such products is prohibited, except for in retail trade sales premises specialised in the sale of tobacco products or products related to tobacco products, provided that the products on sale and the brands used to designate such products are not visible from outside the sales premises;
- selling cigarettes by the piece is prohibited;
- it is permitted to smoke and consume e-cigarette products in a catering establishment only in smoking rooms or in the immediate vicinity of the sales premises of a catering establishment with an outdoor seasonal extension. It is prohibited to serve food or drinks in smoking rooms;
- the retail sale of waterpipe tobacco in catering establishments or on the sales premises of public events for consumption on the premises is permitted on the condition that the waterpipe tobacco originates from compliant sales packaging and that the packaging is located on the sales premises. Smoking a waterpipe at a catering establishment is only permitted in smoking rooms or in the immediate vicinity of the sales premises of a catering establishment with an outdoor seasonal extension;
- documents accompanying tobacco products, including internal accompanying documents, shall set out:
  - 1) the manufacturer's lot code or the human-readable code of the unique identifier of the tobacco products;
  - 2) in the case of cigarettes, the maximum retail price.



## General Part of the Economic Activities Code Act

establishes the general conditions and procedure for exercising the freedom of economic activity, including the obligations of the service provider (trader) (§ 31). Trading is mostly a free economic activity, except for cases that are regulated by special acts, which are selling alcohol, tobacco products and food and the buying-in or sale of precious metals for which, compared to other goods, stricter rules have been imposed.

## Food Act

establishes in which cases a notice of economic activities must be submitted to the Agriculture and Food Board for handling food, including the preparation and sale of food. More information on the webpage: <https://pta.agri.ee/>, phone 605 1710 or by e-mailing [pta@pta.agri.ee](mailto:pta@pta.agri.ee).





If you have any questions, please contact  
Tallinn Strategic Management Office  
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