

NOTE: Unfair B2B commercial practices; see Chapter 2, Book VI –Arts 105-109.

http://www.gregsregs.com/downloads/BEEconomicCodeBookVIwithArt17_WRedit.pdf

Article 105: Without prejudice to other legislation or regulations, any advertising by a business shall be prohibited which:

1. Taking into account all its features, in any way, including its presentation or the omission of information, deceives or is likely to deceive the person to whom it is addressed or whom it reaches, in particular with respect to:
 - a) The characteristics of goods or services, such as their availability, nature, execution, composition, method and date of manufacture or provision, environmental impact, fitness for purpose, uses, quantity, specification, geographical or commercial origin, the results to be expected from their use, the results and material features of tests or checks carried out on the goods or services
 - b) The price or the manner in which the price is calculated, and the conditions on which the goods are supplied or the services provided
 - c) The nature, attributes, qualifications and rights of a business, such as its identity, assets, skills and ownership of industrial, commercial or intellectual property rights or its awards and distinctions; and which, for those reasons, is likely to affect his economic behaviour or which, for those reasons, injures or is likely to injure a business.
2. Contains derogatory information in relation to another business, its assets, services or activity;
3. Without legitimate reason, allows the identification of one or more other businesses;
4. Promotes an act which must be considered as a failure to comply with this Act or as an infringement under Articles 83-86 (Book XV) and Article 126 (Book XV) (Criminal sanctions)

Article 106: Without prejudice to other laws or regulations, all advertising from a business shall be prohibited which:

2. Hides or provides in an unclear manner material information relating to the consequences resulting from the reply given by the addressee or which hides, provides in an unclear manner or fails to identify the commercial intent if this is not clearly apparent from the context.