

# businesscompanion

## trading standards law explained

### Part E: Your obligations under the Price Marking Order 2004 and the Consumer Rights (Payment Surcharges) Regulations 2012

#### In this section

##### 17. Pricing and Payment

Your obligations to consumers

What are the general requirements in relation to pricing?

Payment surcharges

## 17. Pricing and Payment

### **Your obligations to consumers**

#### **The selling price**

##### **17.1**

The law on price marking states that where motor vehicles and other goods are offered for sale to consumers they must have their price clearly indicated. The pricing information must be clearly legible, unambiguous, easily identifiable and inclusive of VAT and any other taxes. This information should be clearly visible to your customers without them having to ask for it.

##### **17.2**

The selling price is by definition the final price and must therefore include the unavoidable and foreseeable components of the price, components that are necessarily payable by the consumer.

#### **What about online?**

##### **17.3**

Pricing information is required in both the retail forecourt environment and when selling by distance means such as online.

#### **What are the general requirements in relation to pricing?**

##### **17.4**

The law prohibits businesses from misleading their customers - for example, displaying goods at a lower

price than actually charged, or showing a sale price when the higher price was never charged. The law also prohibits a trader from omitting or hiding information a consumer would need to make a decision whether or not to purchase goods. An example of this would be failing to inform a customer of a compulsory additional charge.

### **What about additional charges?**

#### **17.5**

Additional charges should be included in the up-front selling price if they are compulsory. A failure to include compulsory charges in the up-front price may breach the law.

### **Guidance for Traders on Pricing Practices**

#### **17.6**

CTSI has produced detailed guidance on pricing practices that contains information for traders on good practice regarding pricing. [www.businesscompanion.info/prices](http://www.businesscompanion.info/prices)

### **Payment surcharges**

#### **17.7**

In most cases, surcharges for electronic or card payments are not permitted. Since January 2018, businesses are no longer permitted to impose surcharges for paying by debit card, credit card or electronic payment services. The ban on surcharges does not apply to commercial debit or credit cards.

[www.businesscompanion.info/payment-surcharges](http://www.businesscompanion.info/payment-surcharges)

[www.gov.uk/government/publications/payment-surcharges](http://www.gov.uk/government/publications/payment-surcharges)

**< Part D: Your obligations under the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015**

**> Annex A: Matters relevant to Misleading Actions**

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