

businesscompanion

trading standards law explained

IVF fertility clinics

In the guide

[Competition and Markets Authority guidance](#)

[Compliance review](#)

[Trading standards](#)

[In this update](#)

[Key legislation](#)

This guidance is for England, Scotland and Wales

The Competition and Markets Authority (CMA) raised concerns in 2020 about some fertility clinics' practices, such as providing unclear price information and advertising misleading success rates. It also identified a general lack of awareness that consumer law applies in the sector.

Competition and Markets Authority guidance

The CMA - working closely with the sector regulator, the Human Fertilisation and Embryology Authority (HFEA) - has published [Guidance for Fertility Clinics on Consumer Law: Helping Fertility Clinics Comply With Their Consumer Law Obligations](#). It sets out the CMA's views on how consumer law applies to clinics in the fertility sector.

Clinics must:

- provide the information that patients need so they can make a genuine comparison of clinics, including on price and success rates
- ensure they don't mislead patients - for example, around the effectiveness of their treatments and what they will be paying
- ensure they don't mis-sell treatments, such as 'add-on' treatments; these are optional extras offered by some clinics that can cost up to £2,500 per cycle
- make sure terms and practices are fair

Compliance review

Following its publication of the above guidance, the CMA carried out a review to assess fertility clinics' compliance with the law. In September 2022, it published the [findings](#) from the compliance review.

Trading standards

For more information on the work of trading standards services - and the possible consequences of not abiding by the law - please see '[Trading standards: powers, enforcement and penalties](#)'.

In this update

Link added to the findings of the CMA's compliance review.

Last reviewed / updated: September 2022

Key legislation

[Consumer Protection from Unfair Trading Regulations 2008](#)

[Consumer Contracts \(Information, Cancellation and Additional Charges\) Regulations 2013](#)

[Consumer Rights Act 2015](#)

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links often only shows the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on changes to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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