businesscompanion
trading standards law explained

Goods

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Before you start, make sure you choose your location by using the drop-down list at the top of the page and then clicking on the arrow.

For more detailed information, please see the In-depth Guides below. Some laws are different in England, Scotland and Wales, and some are enforced differently, so the In-depth Guides provide country-specific information.

Once you've finished, make sure you look at the full range of Quick Guides to see whether there are any other areas of law that affect your business.

Any products (including food and drink) that are sold are 'goods', whether they are sold on-premises, off-premises or at a distance.

A legal contract for the sale or supply of goods exists between you and your customer. This means that you (and not the manufacturer) are responsible for the goods that you supply.

The law sets out:

- Requirements for goods to conform to contract
- Time limits for legal action
- What customers are entitled to when something goes wrong

These rules apply whether or not you also supply a service and/or digital content as part of the same contract.

If you supply services and/or digital content as well, you'll need to read the Quick Guides 'Services'

> and 'Digital'.

Goods: your obligations

Consumers are entitled by law to expect that goods they buy conform to the contract. This means that the goods you sell must be:

- Of satisfactory quality
- Fit for their intended purpose (and any purpose you told a customer they were suitable for)
- As described
- Installed correctly (where installation is part of the contract)

> There are additional rules that apply when you accept card payments or offer credit.
>
> Please see the 'Pricing and payment' Quick Guide for more information.

What customers are entitled to

If the goods are faulty, then consumers have the legal right to one of the following 'remedies':

- A full or part refund
- A replacement or repair
- A price reduction
- Compensation for losses incurred

The remedy that you are required to give depends on the circumstances of each sale - for example, how long the consumer has owned the goods, and any wear and tear.

Consumers do not have the legal right to any remedy for problems that:

- Were caused by them damaging or misusing the goods, accidentally or otherwise
- Were caused by their own attempts to repair the goods
- They knew about before they bought the goods

Time for action

The law sets a time limit for customers to take legal action. In England and Wales, this time limit is generally six years from when the service goes wrong; in Scotland, the limit is five years, but, broadly speaking, this runs from the time the customer first discovered the problem.

> Consumers have extra rights when they buy at a distance (online, phone, mail order, etc) or off-premises (such as at their home).

> When you've finished reading this, have a look at our 'Distance sales' and 'Off-premises sales' Quick Guides if these apply to you.

Guarantees

You are legally bound to honour the terms of any free guarantee you offer to consumers.

Delivery

Unless you and your customer agree a different arrangement, you must deliver goods without undue delay, or in any event no more than 30 days after you make the contract.

If you and the consumer agree a specific date for delivery of the goods as part of the contract, and you do not deliver on that date, the consumer can cancel and claim a refund from you.

If you did not agree a specific date but only gave a general estimate, the consumer can give you a written delivery deadline (after the estimated date has passed) and then cancel the order if you do not deliver by that date. In addition, you may be liable to pay the consumer compensation.

You'll find more information on delivery in our 'Distance sales', 'Off-premises sales' and 'On-premises sales' Quick Guides.

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