businesscompanion
trading standards law explained

Digital

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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.

Digital content, as distinct from goods and services, is covered directly in law.

The definition of digital content is wide and includes computer programs, smartphone apps, e-books, music and movies on physical media such as CDs and Blu-ray discs, digital content included with goods such as cars or washing machines, as well as that provided by direct download or streaming via the internet to the consumer's equipment.

If you also supply goods and/or services you'll need to read the Quick Guides 'Goods' and 'Services'.

Digital content: your obligations

The trader is obliged to supply, and the consumer has the right to receive, digital content that is:

- Of satisfactory quality
- Fit for a particular purpose
- As described

What customers are entitled to

If the consumer is supplied with faulty digital content, depending on the nature or extent of problem, they may be entitled to a:

- Repair
- Replacement
- Price reduction
- Refund

> Where digital content is supplied as an inherent part of physical goods - such as computer systems, smartphones and washing machines - the remedies that are available to the consumer are those for goods.
>
> This is important, as the remedies for goods include the right to reject, which is not available for digital content alone.

Damage caused to devices or other digital content

If supplied digital content causes damage to the consumer's equipment, device or other digital content, and this would not have happened if the trader had used reasonable care and skill, the consumer is entitled to either:

- Have the damaged equipment etc repaired by the trader
  or
- Receive compensation from the trader

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