business companion
trading standards law explained

Does this law apply to my business?

> In this section
>
> Are you a trader?
> Are you selling to consumers?

Are you a trader?

The first step is to establish whether you are selling online in a personal or business capacity.

Under UK legislation a trader is a person acting "for the purposes relating to his trade, business, craft or profession" or in the name of or on behalf of a trader. You do not have to have a limited company, you can be based at your home and can trade exclusively via a third-party online marketplace or social media platform and be a 'trader', equally just because you sell items online does not automatically make you a 'trader'.

Online platforms and marketplaces may have their own thresholds to determine when a seller should be classed as a business - for example, based upon volume of sales. However, such thresholds are often for the platform's administrative purposes, and are different from the legal definition of a business or trader.

Are you selling to consumers?

The legislation (CCRs) defines a consumer as a person who is buying goods for their own personal use "wholly or mainly" outside of their trade, business or profession. If you sell goods on an internet marketplace you are likely to be making them available to both consumers and businesses, and as such you will need to understand your consumers' rights.
If you are selling solely to businesses, where the item will be mainly used for business purposes, then parts of this guide may not apply. This guidance is aimed at business-to-consumer contracts.

If you have answered 'yes' to these questions, then this guide applies to your business.
"While this document applies to most goods sold online, there are specific exemptions to these rules, which are listed further in this guidance."

< Introduction

> Legal requirements when selling online

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