

IVF fertility clinics

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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 now 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 should:

- 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

Letter to the sector

On 10 June 2021, the CMA, the HFEA and the Advertising Standards Authority (ASA) sent a joint letter to clinics, explaining the need for the guidance and alerting clinics to the ASA's enforcement notice.

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'.

Key legislation

Consumer Protection from Unfair Trading Regulations 2008

Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013

Consumer Rights Act 2015

New guidance: June 2021

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 may only show 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 amendments to legislation can be found on each link's 'More Resources' tab.

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