businesscompanion
trading standards law explained

Legal requirements when selling online

In this section

"You are responsible for the goods until they reach the consumer or someone they have nominated to accept delivery on their behalf, this means you would be liable for non-delivery or any damages even if this is the fault of the courier."

With any sale, online or otherwise, consumers can expect goods to be of 'satisfactory quality', 'as described', 'fit for any purpose made known to the seller' and to comply with other trading standards laws such as those relating to product safety or unfair terms and commercial practices.

Legislation requires that certain pre-contractual information (PCI) must be provided to potential buyers before a contract is made. This is to ensure that consumers make an 'informed choice' before concluding a contract and to prevent disputes over the sale process and the nature of the items sold. You can comply by including the required information in, or clearly linked from, your item listings.

See our PCI checklist for the information you are required to give in all cases.

Failure to provide the above information is a breach of the law with immediate consequences (for example, if you do not inform consumers of their right to cancel, this right is automatically extended to up to one calendar year).

For further details, please see the Business Companion guide: Consumer contracts: distance sales.

Please do not assume that by providing some of the above information during the sign-up process with a particular online platform that the relevant information will automatically be made available in the required format to customers using the platform.

It is important that you understand that using the infrastructure on an online marketplace does not automatically make your business legally compliant. They may offer customer service functions such as mechanisms for resolving disputes; however, you as the trader are responsible for ensuring you are legally compliant. If you are not compliant, not only may action be taken against you from enforcement agencies, or court action taken from your customers, the online marketplace may prevent you from using its platform in the future.

There are some exemptions to the application of these rules, which may be relevant in a certain number of limited circumstances. However, this guidance does not deal with such circumstances in detail due to their specialist nature. Details on exemptions are covered in the Business Companion guide: Consumer contracts: distance sales.

< Does this law apply to my business?

> Consumer cancellation rights

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