



**Selling and Advertising Goods and Services over the Internet.
A Guide to the E-Commerce Regulations 2002**

The E-commerce Regulations apply to all businesses that advertise or sell goods and services online, this means advertising via the internet, interactive television and mobile telephone advertising. The Regulations place obligations on businesses in three areas: Information requirements, Commercial communications and Electronic contracting. To find out how they affect your business read the following leaflet.

Information Requirements

These rules will apply to you if you sell or advertise goods and/or services on the internet, via mobile phone or interactive television.

You must ensure you provide the end user (customer) with the following information:

- The full name of your business
- Your geographic address
- Your contact details, including an email address, to enable direct communication with your business.

If your online business activities are subject to VAT then you **must** provide end users with details of you VAT number.

If you refer to prices in your advertising then you must give a clear indication of prices and details of **any associated costs** including taxes and delivery charges.

Commercial communications

These rules apply to anyone who promotes their goods or services using any form of electronic communication (e.g. email advertising).



You must ensure that the communications designed to promote your goods/services are:

- Clearly identifiable as a commercial communication (you must make it clear you are a business and not a private individual)
- Clearly identify the person and/or organisation on whose behalf it is sent.

Depending on the nature of your communication then there may be other requirements. If you are advertising discounts, promotional offers, gifts, competitions etc. then you **must** clearly identify them as such and ensure that the information on how to qualify for the gift, discount etc. is easily accessible and presented **clearly and unambiguously**.

If you send unsolicited communications via email then you must ensure that the recipient of that email can identify it as an unsolicited communication immediately. This may be achieved for example by placing the words “**unsolicited advertisement**” in the title of the email.

Electronic contracting

[These rules apply to anyone who allows their end users to place orders on-line.](#)

You must ensure that you provide end users with the following information in a CLEAR, COMPREHENSIVE and UNAMBIGUOUS manner, **prior to the order** being placed:

- The different steps to follow in order to conclude the contract so that users know at what point they will commit themselves to the contract*
- Whether or not the concluded contract will be filed by you and whether it will be accessible*



- The technical means for identifying and correcting input errors made by an end user prior to placing their order so that the end user knows how to correct any mistakes before committing themselves*
- The languages offered for the conclusion of the contract.*
- If you subscribe to certain codes of conduct you must supply details of these codes and how users can access them.*
- If you supply end users with the terms and conditions applicable to their contract then you must make them available in a way which allows them to store and reproduce them.
- If an end user places an order on-line then you must acknowledge receipt of the order without undue delay by electronic means.

*These requirements do not apply to transactions between two businesses if **both parties agree** to opt out of them and they do not apply to contracts concluded exclusively by exchange of email or by equivalent individual communications.

Further information can be found by contacting your local trading standards department at <http://www.tradingstandards.gov.uk>