



Digital Markets, Competition and Consumers Act 2024

2024 CHAPTER 13

PART 4

CONSUMER RIGHTS AND DISPUTES

CHAPTER 1

PROTECTION FROM UNFAIR TRADING

Prohibition of unfair commercial practices

PROSPECTIVE

225 Prohibition of unfair commercial practices

- (1) Unfair commercial practices are prohibited.
- (2) The promotion of unfair commercial practices in, or in connection with, a code of conduct by—
 - (a) a person responsible for the content of a code of conduct, or
 - (b) a person responsible for monitoring compliance with a code of conduct,is prohibited.
- (3) In this Chapter—

“commercial practice” means an act or omission by a trader relating to the promotion or supply of—

 - (a) the trader’s product to a consumer,
 - (b) another trader’s product to a consumer, or

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Digital Markets, Competition and Consumers Act 2024, Section 225. (See end of Document for details)

- (c) a consumer’s product to the trader or another person;
 “consumer” means an individual acting for purposes that are wholly or mainly outside the individual’s business;
 “trader” means—
- (a) a person (“P”) acting for purposes relating to P’s business, or
 - (b) a person acting in the name of, or on behalf of, P for purposes relating to P’s business.
- (4) A commercial practice is unfair if—
- (a) it is likely to cause the average consumer to take a transactional decision that the consumer would not have taken otherwise as a result of the practice involving one or more of the following—
 - (i) a misleading action (see section 226);
 - (ii) a misleading omission (see section 227);
 - (iii) an aggressive practice (see section 228);
 - (iv) a contravention of the requirements of professional diligence (see section 229),
 - (b) it omits material information from an invitation to purchase (see section 230), or
 - (c) it is listed in [Schedule 20](#) (commercial practices which are in all circumstances considered unfair).
- (5) It is immaterial for the purposes of the definition of “commercial practice” in subsection (3) whether the act or omission takes place—
- (a) at the time of the promotion or supply in question, or
 - (b) before or after that time.
- (6) It is immaterial for the purposes of the definition of “trader” in subsection (3)—
- (a) in relation to paragraph (a) of that definition, whether P is acting personally or through another person acting in P’s name or on P’s behalf;
 - (b) in relation to paragraph (b) of that definition, whether or not the purposes relating to P’s business are the only or main purposes for which the person is acting.

Commencement Information

II S. 225 not in force at Royal Assent, see [s. 339\(1\)](#)

Status:

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Changes to legislation:

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