



Digital Markets, Competition and Consumers Act 2024

2024 CHAPTER 13

PART 4

CONSUMER RIGHTS AND DISPUTES

CHAPTER 2

SUBSCRIPTION CONTRACTS

Duties of traders

256 Pre-contract information

- (1) Before a trader enters into a subscription contract with a consumer, the trader must—
 - (a) give to the consumer the information set out in [Part 1 of Schedule 23](#) (“key pre-contract information”), and
 - (b) give, or make available, to the consumer the information set out in [Part 2 of Schedule 23](#) (“full pre-contract information”).
- (2) The duty imposed by subsection (1) must be carried out—
 - (a) as close in time to entering into the contract as is practicable,
 - (b) in accordance with subsections (3) and (4), and
 - (c) in accordance with any other requirements specified in regulations under section [277\(1\)\(a\)](#).
- (3) Key pre-contract information must be given under subsection (1)(a) in accordance with the following requirements—
 - (a) it must all be given together;
 - (b) it must be given separately from the full pre-contract information and any other information;

Status: This is the original version (as it was originally enacted).

- (c) in relation to a contract entered into in person, it must be given in writing and on a durable medium;
 - (d) in relation to a contract entered into online and remotely (but not orally), it must be given in writing and in such a way that the consumer is not required to take any steps to read the information, other than the steps the consumer must take to enter into the contract;
 - (e) in relation to a contract entered into orally and remotely, it must be given orally.
- (4) Full pre-contract information must be given, or made available, under subsection (1)(b) in accordance with the following requirements—
- (a) it must all be given, or made available, together;
 - (b) in relation to a contract entered into in person, it must be given in writing and on a durable medium.
- (5) The duty under subsection (1)(b) to give, or make available, full pre-contract information applies in relation to the information set out in paragraphs 14 to 28 of Schedule 23 only to the extent that the information is applicable to the contract and not already apparent from the context.
- (6) For the purposes of this section, information is made available to a consumer only if the consumer can reasonably be expected to—
- (a) know how to access it, and
 - (b) be able to access it;
- (7) For the purposes of this Chapter—
- (a) references to a contract being entered into in person are references to it being entered into in the simultaneous physical presence of the trader and the consumer;
 - (b) references to a contract being entered into remotely are references to it being entered into without the simultaneous physical presence of the trader and the consumer.
- (8) The Secretary of State may by regulations amend Parts 1 and 2 of Schedule 23 so as to add, modify or remove descriptions of information.
- (9) Regulations under subsection (8) are subject to the affirmative procedure.