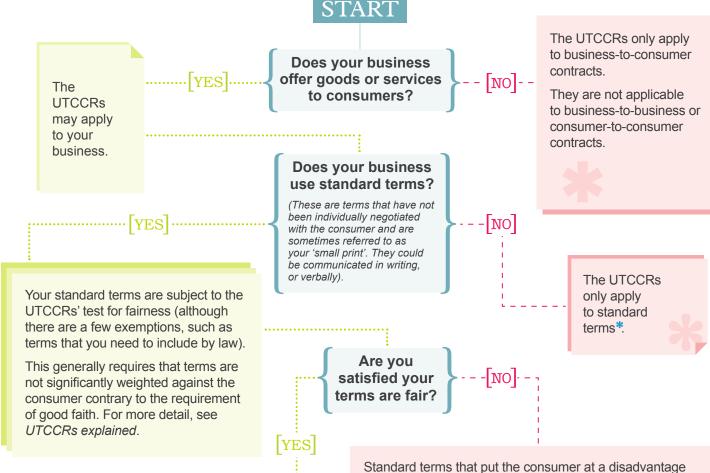
This document issued by the Office of Fair Trading (OFT) has been withdrawn.

This document did not take account of developments in case law, legislation, or practices since its original publication. It should not be relied on either as a statement of the law or CMA policy.

Current CMA Guidance on unfair contract terms can be found at *Unfair contract terms: CMA37*, which replaced all previous OFT / CMA guidance on unfair contract terms when the Consumer Rights Act came into force on 1st October 2015. Other information on the CMA's consumer property and the found in Consumer projection enforcement guidance; CMA58





Have you checked? Even if your terms were professionally drafted, you may still want to take steps to check that they are fair for consumers. It's also important to make sure plain, intelligible language that consumers are able to understand* is used.

For more detail, see UTCCRs explained.

For help checking your terms, visit *UTCCRs checklist*.

are open to challenge. The use of hidden or ambiguous terms may also be unfair or fail to meet the requirement that written terms in consumer contracts are in plain, intelligible language that consumers are able to understand*.

If your business uses unfair terms, you could

- find your customers aren't legally bound by them
- · be asked to stop using them
- · face a court injunction
- damage your reputation.

For help checking whether your terms are fair, visit *UTCCRs checklist*.

UTCCRs at a {glance}

The Unfair Terms in Consumer Contracts Regulations 1999 (UTCCRs) regulate the use of unfair contract terms in business-to-consumer agreements. Your terms include the rights and obligations both you and your customers have when you sell goods or services to them. These might be communicated in writing or verbally.

This chart is designed to help you decide if the UTCCRs apply to your business. For more guidance on the UTCCRs, including the types of terms that could be considered unfair and how to check if your terms are fair, please see UTCCRs explained, UTCCRs checklist or UTCCRs how to, available from www.gov.uk/cma

* To make this publication easy to read and use, some matters have been simplified. The final decision on whether a term is unfair rests with the courts. *UTCCRs at a glance* cannot be a substitute for independent legal advice as to whether a court could consider a particular term fair or unfair.