

# PRESS RELEASE

## STEPHENS & SON

### SOLICITORS

***Q. I employ sales people to go out and drum up business for me. I have heard that there are special rules I need to follow. Is that right?***

**A.** There are many rules relating to the sale of goods and services. The ones that you refer to are probably the 'Cancellation of Contracts made in a Consumer's Home or Place of Work etc Regulations 2008'.



More than a year after the introduction of these Regulations reluctant traders are still making mistakes and having to reimburse customers. If your business involves selling to customers who sign a contract at home or work, or after an offer made by your customer during such a visit, there is a good chance that these Regulations apply to you. They require that a customer be given clear written Notice, when the contract is made, of the right to cancel within seven days by delivering or sending a cancellation notice. The 'Notice' must be in a separate "warning" box headed "Notice of the Right to Cancel" and be as prominent as other information contained in the contract. If the contract is made in writing, the Notice must be included in the same document. A customer's cancellation notice can be in a letter or email. If you omit the proper Notice then the contract is not enforceable, your customer can change his/her mind and you will have to refund any deposit taken even if you have commenced production of the goods or started work on the services. Failure to comply with the Regulations is an offence. The Regulations also apply when a

contract is made “*during an excursion organised by a trader away from his business premises or after the excursion where an offer was made by the customer during the excursion*”. The Regulations do not apply to all contracts and have various other complicating features that you should be mindful of.

[http://www.opsi.gov.uk/si/si2008/uksi\\_20081816\\_en\\_1](http://www.opsi.gov.uk/si/si2008/uksi_20081816_en_1)

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