

Online Services (Cancellation) Bill

[AS INTRODUCED]

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[AS INTRODUCED]

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B I L L

TO

Provide that, if a service can be subscribed to online, it must be possible to cancel that subscription online; and for connected purposes.

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Cancellation of subscriptions entered into online

- (1) The Secretary of State must by regulations make provision about the cancellation of online subscription contracts for the supply of goods or services.
- (2) Regulations under subsection (1) must require a trader to—
 - (a) make arrangements to enable a consumer to bring an online subscription contract to an end—
 - (i) online,
 - (ii) at any time, and
 - (iii) without having to take any steps which are not reasonably necessary for bringing the contract to an end, and
 - (b) display instructions for ending an online subscription contract in a prominent position and in a way which is readily accessible to a consumer.
- (3) Regulations under subsection (1) must provide that, where an online subscription contract is cancelled—
 - (a) the cancellation ends both the consumer's and the trader's obligations to perform the contract in respect of any rights or liabilities that would arise (but for the cancellation) after the time at which the contract was cancelled,
 - (b) the consumer's liability for payments that have arisen under the contract ends—
 - (i) at the end of any notice period specified in the contract, or
 - (ii) 28 days after the date of cancellation,whichever is the earlier,
 - (c) the consumer is entitled to a refund if they have made an overpayment in relation to the online subscription contract at the time of cancellation,

- (d) a refund under paragraph (c) above must be paid to the consumer within 14 days of the cancellation,
 - (e) no penalty or charge for cancellation may be applied.
- (4) Regulations under this section are to be made by statutory instrument.
- (5) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by resolution of each House of Parliament. 5

2 Extent, commencement and short title

- (1) This Act extends to England and Wales and Scotland.
- (2) This Act comes into force on the day on which it is passed. 10
- (3) This Act may be cited as the Online Services (Cancellation) Act 2024.

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Presented by Mrs Natalie Elphicke

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