



Consumer Rights Act 2015

2015 CHAPTER 15

PART 1

CONSUMER CONTRACTS FOR GOODS, DIGITAL CONTENT AND SERVICES

CHAPTER 3

DIGITAL CONTENT

What digital content contracts are covered?

33 Contracts covered by this Chapter

- (1) This Chapter applies to a contract for a trader to supply digital content to a consumer, if it is supplied or to be supplied for a price paid by the consumer.
- (2) This Chapter also applies to a contract for a trader to supply digital content to a consumer, if—
 - (a) it is supplied free with goods or services or other digital content for which the consumer pays a price, and
 - (b) it is not generally available to consumers unless they have paid a price for it or for goods or services or other digital content.
- (3) The references in subsections (1) and (2) to the consumer paying a price include references to the consumer using, by way of payment, any facility for which money has been paid.
- (4) A trader does not supply digital content to a consumer for the purposes of this Part merely because the trader supplies a service by which digital content reaches the consumer.
- (5) The Secretary of State may by order provide for this Chapter to apply to other contracts for a trader to supply digital content to a consumer, if the Secretary of State is satisfied

Status: This is the original version (as it was originally enacted).

that it is appropriate to do so because of significant detriment caused to consumers under contracts of the kind to which the order relates.

- (6) An order under subsection (5)—
 - (a) may, in particular, amend this Act;
 - (b) may contain transitional or transitory provision or savings.
- (7) A contract to which this Chapter applies is referred to in this Part as a “contract to supply digital content”.
- (8) This section, other than subsection (4), does not limit the application of section 46.
- (9) The power to make an order under subsection (5) is exercisable by statutory instrument.
- (10) No order may be made under subsection (5) unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, each House of Parliament.