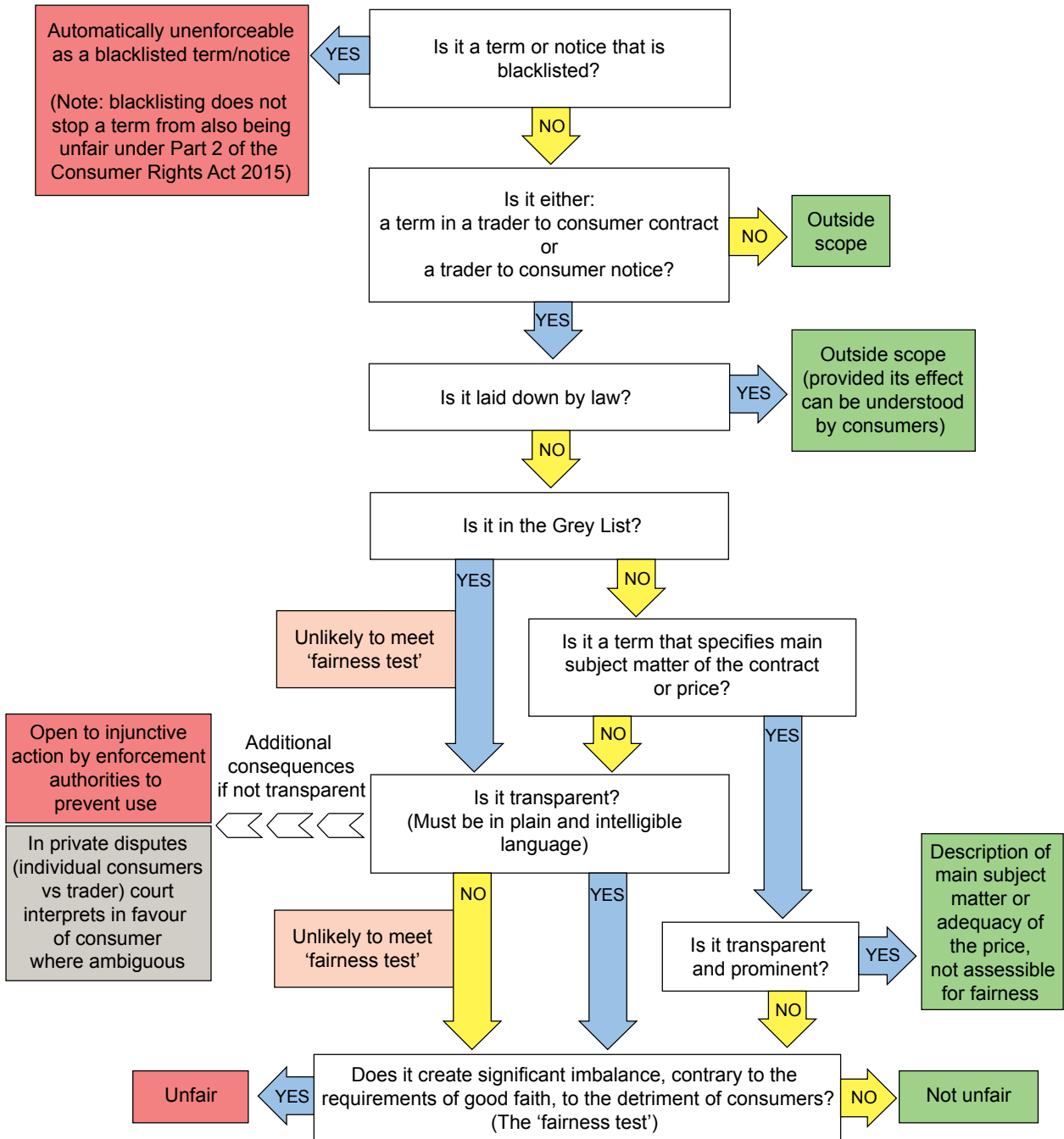


Unfair contract terms flowcharts

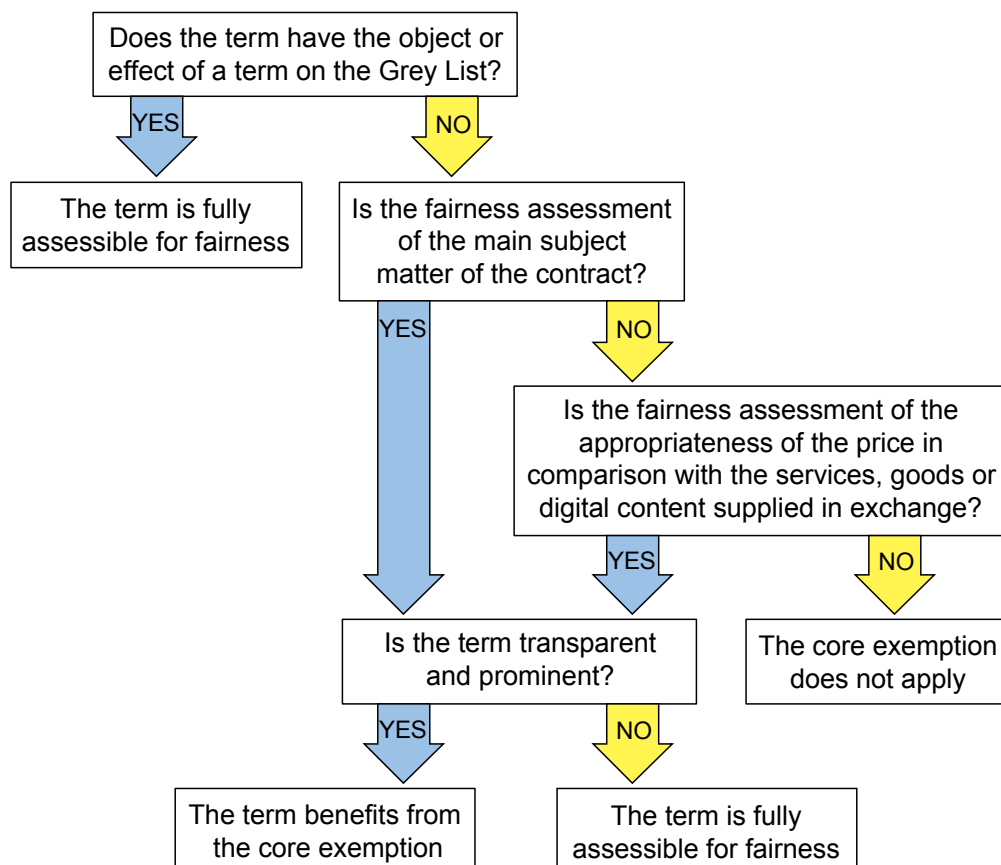
Unfair terms flowchart



The flowchart aims to provide an 'at a glance' **simplified** overview of the unfair terms provisions in Part 2 of the Consumer Rights Act 2015 (the Act). It should not be used, in isolation, to determine the fairness or otherwise of a particular term, and should be read in light of the guidance documents as a whole. It is not a substitute for legal advice.

Chart for the Act's core exemption

The flowchart below aims to provide an 'at a glance' **simplified** overview of the core exemption provisions in Part 2 of the Act. It should not be used, in isolation, to determine the fairness or otherwise of a particular term, and should be read in the light of guidance documents as a whole. It is not a substitute for legal advice.



Helpful links

Consumer Rights Act 2015:

www.legislation.gov.uk/ukpga/2015/15/pdfs/ukpga_20150015_en.pdf

CMA guidance page:

www.gov.uk/government/publications/unfair-contract-terms-cma37

CMA website: www.gov.uk/government/organisations/competition-and-markets-authority

Financial Conduct Authority website: www.fca.org.uk/

Ofcom website: www.ofcom.org.uk/

Department for Business, Innovation and Skills website:

www.gov.uk/government/organisations/department-for-business-innovation-skills

Further information

<i>Where to find further information about the following concepts used in the flowchart</i>	<i>Main guidance document</i>	<i>'Unfair contract terms explained'</i>
Terms, and Notices	Chapter 1	Glossary
Blacklisted terms/notices	Chapter 4	Paragraph 42
'Laid down by law'	Chapter 3 – the mandatory statutory or regulatory exemption	Paragraph 12
The Grey List	Chapter 2	Paragraph 31
Terms that specify the main subject matter of the contract, or set the price	Chapter 3 – the core exemption	Paragraph 15
Transparent	Chapter 2	Paragraph 17
Prominent	Chapter 2	Paragraph 18
The 'fairness test'	Chapter 2	Paragraph 24