

Unfair commercial practices: price transparency

**Consultation on draft guidance for businesses on
the price transparency provisions of the Digital
Markets, Competition and Consumers Act 2024**

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1. About this consultation

- 1.1 The Competition and Markets Authority (CMA) is consulting on draft guidance (Draft Guidance) on price transparency in the context of invitations to purchase.
- 1.2 When a trader gives information to consumers about a product and its price that will normally be an 'invitation to purchase'. Invitations to purchase are important because it is vital that shoppers can access clear and timely pricing information. Knowing what a product will cost is fundamental for them to make good purchasing decisions – working out which product is best for them, and where to buy it.
- 1.3 When businesses do not display their prices accurately or leave out essential pricing information that people need to know, it can make products appear cheaper than they are. That can undermine people's trust when they find out the real cost and prevent businesses from competing on a level playing field. Price transparency therefore not only benefits consumers but, by promoting competition, it also benefits businesses and the wider economy.
- 1.4 When Parliament passed the Digital Markets, Competition and Consumers Act 2024 (DMCC Act) it updated the law which protects consumers from unfair trading (the UCP provisions).¹ In particular the UCP provisions now contain new rules to address the longstanding concerns about the use of misleading pricing practices by some businesses,² including in relation to 'drip pricing' (showing consumers an initial headline price for a product and then introducing additional mandatory charges as consumers proceed with a purchase or transaction) and 'partitioned pricing' (providing the component parts of a price without giving the overall total price).
- 1.5 Businesses have long been responsible for ensuring that their pricing is not misleading. The new rules both reinforce and expand on the existing requirements that applied under the previous Consumer Protection from Unfair Trading Regulations 2008 (CPUTRs). The most egregious forms of drip pricing, including springing new fees on consumers when they come to pay, were already prohibited under the CPUTRs. It was also already well established that certain types of unavoidable fees had to be presented to consumers and included in the headline prices traders used to advertise their products. Examples of this are included in previous CMA guidance and enforcement actions in relation to sectors such as [car rental](#), [online hotel](#)

¹ Chapter 1 of Part 4 of the Digital Markets, Competition and Consumers Act 2024.

² Section 230 DMCC Act.

booking and green heating and insulation. These requirements remain under the DMCC Act and businesses in these sectors should already be compliant with the principles set out in such guidance. Similar principles are also embodied in other rules and regulations such as the Advertising Codes of Practice.

- 1.6 Following the DMCC Act, the UCP provisions now include a list of specified material information (including pricing information) that must be included in all invitations to purchase, subject to limited exceptions. Failure to include this information is prohibited. There is no transactional decision test which needs to be met before businesses would be found to be in breach of the law (ie there is no need under the new rules to show that consumers were misled by failing to include the information).
- 1.7 The new law makes explicit that, when making invitations to purchase, traders should inform consumers about the full cost of their products throughout the purchase process, from early-stage advertising³ to the final payment page. Whenever possible, consumers should be presented with the total price of the product at the outset.⁴ Traders are prohibited from showing consumers an initial headline price for a product and then introducing additional mandatory charges as consumers proceed with a purchase or transaction.
- 1.8 If 'owing to the nature of the product, the whole or any part of the total price cannot reasonably be calculated in advance', the UCP provisions require that consumers are given information about 'how the price (or that part of it) will be calculated'.⁵ That information must '[enable] the consumer to calculate the total price' themselves.⁶
- 1.9 These changes were introduced to improve the way that businesses present their prices to consumers to promote price transparency and trust in markets, by making it easier for consumers to compare prices and giving them greater faith that the prices being advertised to them will be the prices they actually have to pay.

The draft guidance

- 1.10 Some businesses will already comply with these rules, and the CMA knows that most businesses want to do the right thing by their customers. However, given the objective of the new law is to drive change, the CMA recognises that

³ Invitations to purchase are defined in section 230(10) DMCC Act.

⁴ Section 230(2)(b) DMCC Act.

⁵ Section 230(2)(c) DMCC Act.

⁶ Section 230(5)(a) DMCC Act.

many businesses will need to review and amend their pricing practices to ensure they fully comply with the UCP provisions. Indeed, the CMA has already seen examples of businesses proactively making changes to achieve compliance with the new rules – the CMA welcomes these changes.

- 1.11 To help support businesses improve their compliance with the UCP provisions, the CMA has now produced this Draft Guidance on price transparency in the context of invitations to purchase. The Draft Guidance:
- Explains what an invitation to purchase is – and therefore when the new rules will apply (**Chapter 2**).
 - Explains what pricing information needs to be included in an invitation to purchase – and what to avoid (**Chapter 3**).
 - Explains what traders need to do to ensure they are complying with the new requirements to provide the total price of the product in their invitations to purchase – and what they need to do instead if this is not possible (**Chapter 4**).
 - Explains how the new requirements apply to specific types of charges and pricing practices – and the steps that traders can take to ensure they are complying with the new requirements (**Chapter 5**).
- 1.12 While the UCP provisions have created new legal requirements that businesses need to comply with, what the new law requires may differ between some products, and in practice between different stages of the purchase process. There is not only one way to comply with the requirements – businesses can take different decisions about how to present information. The CMA’s Draft Guidance therefore focuses on explaining the core principles that underpin the requirements of the UCP provisions and provides examples of what lawful practices would look like in different contexts. These examples are not intended to be exhaustive. The Draft Guidance should not be taken to preclude the possibility of businesses complying in other ways, and the CMA welcomes feedback on other ways in which businesses might reasonably comply with the requirements introduced by the DMCC Act.

How does the draft guidance relate to the CMA’s other UCP guidance?

- 1.13 The CMA has already published guidance on the new legislation ([Guidance on the protection from unfair trading provisions in the Digital Markets, Competition and Consumers Act 2024](#) (CMA207)). Chapter 4 of CMA207 provided guidance on the material information that must be provided by

traders when making invitations to purchase. The guidance in CMA207 covered all material information that must be provided when making invitations to purchase, not just pricing information. However, a significant portion of the responses that the CMA received in relation to its original consultation on CMA207 related to how the new law applied to pricing information. Therefore, when the CMA published CMA207 it also committed to consult on further guidance related specifically to price transparency in the context of invitations to purchase.

- 1.14 Once the final version of the Draft Guidance is published post consultation, the guidance on material pricing information currently in Chapter 4 of CMA207 will be replaced with a cross reference to the finalised guidance on price transparency in the context of invitations to purchase.
- 1.15 The CMA has taken account of this feedback when preparing the Draft Guidance. The Draft Guidance includes guidance on the new DMCC Act requirements for material pricing information to be provided by traders when making invitations to purchase. The CMA has also incorporated references to relevant requirements imposed by other UCP provisions in relation to pricing (in particular the prohibitions on misleading actions and omissions). Where applicable, the Draft Guidance draws on relevant aspects of previous CMA sector guidance.
- 1.16 The Draft Guidance does not address other pricing practices such as misleading reference pricing and banned practices such as bait and switch advertising. If businesses need guidance on how the law applies more broadly to commercial practices, they should refer to CMA207.
- 1.17 The Draft Guidance expands upon the guidance previously given in Chapter 4 of CMA207 including:
 - providing further guidance on when charges are mandatory and must be included in the total price; and
 - offering additional examples to help traders understand how they can comply with their legal requirements.
- 1.18 The UCP provisions apply to a wide array of commercial practices with the potential to affect consumers. While the Draft Guidance is intended to help traders, their advisers, enforcement authorities and others in understanding what actions are prohibited, it is non-exhaustive and is not a substitute for, or a definitive interpretation of, the law and should be read in conjunction with it.

Responding to this consultation

- 1.19 The CMA is inviting comments on the Draft Guidance. Details of the consultation process and how to respond are set out in **section 2** of this consultation document. The specific questions on which the CMA is seeking respondents' views are listed in **section 3** of this consultation document.
- 1.20 The CMA intends to undertake further engagement with businesses and other interested stakeholders during the consultation period, including:
- A webinar on the Draft Guidance at **2pm on 9 July 2025** and a further online event to hear from businesses in **early September 2025**.
 - Roundtables at **4pm on 17 July 2025** and **2pm on 24 July 2025** for industry bodies and trade associations.
- 1.21 You can find out more and register for these events by filling out the form [available here](#).

2. Consultation process

- 2.1 The CMA is consulting for 9 weeks with a closing date of **11.59pm on 8 September 2025**.
- 2.2 The CMA intends to undertake further engagement with businesses and other interested stakeholders during the consultation period, including:
- A webinar on the Draft Guidance at **2pm on 9 July 2025** and a further online event to hear from businesses in **early September 2025**.
 - Roundtables at **4pm on 17 July 2025** and **2pm on 24 July 2025** for industry bodies and trade associations.
- 2.3 You can find out more and register for these events by filling out the form [available here](#).
- 2.4 Written responses to the consultation should be submitted by email to consumerguidance@cma.gov.uk. Any queries about this consultation should be sent to consumerguidance@cma.gov.uk.
- 2.5 When responding to this consultation, please state whether you are responding as an individual or are representing the views of a group or organisation. If the latter, please make clear who you are representing and their role or interest.
- 2.6 In pursuance of the CMA's policy of openness and transparency, the CMA will publish a non-confidential version of responses on its webpages. If your response contains any information that you regard as sensitive and that you would not wish to be published, please provide a non-confidential version for publication on the CMA's webpages which omits that material. You should at the same time explain why you regard the omitted material as sensitive.

Use of information and personal data that is supplied in consultation responses

- 2.7 Any personal data that you supply in responding to this consultation will be processed by the CMA, as controller, in line with data protection legislation. This legislation is the General Data Protection Regulation 2016 and the Data Protection Act 2018. 'Personal data' is information which relates to a living individual who may be identifiable from it.
- 2.8 The CMA is processing this personal data for the purposes of its work under section 6 of the Enterprise Act 2002 (providing the public with information or advice on matters relating to its functions). This processing is necessary for

the performance of the CMA's functions and is carried out in the public interest, in order to take consultation responses into account.

- 2.9 For more information about how the CMA processes personal data, your rights in relation to that personal data, how to contact the CMA, details of the CMA's Data Protection Officer, and how long the CMA retains personal data, see the [CMA's Privacy Notice](#).
- 2.10 The CMA's use of all information, including personal data, that it receives is also subject to Part 9 of the Enterprise Act 2002.⁷
- 2.11 The CMA may wish to refer to comments received in response to this consultation in future publications. In deciding whether to do so, the CMA will have regard to the need for excluding from publication, so far as practicable, any information relating to the private affairs of an individual or any commercial information relating to a business, where the CMA considers that disclosure might significantly harm the interests of that individual or business.
- 2.12 Please note that information, including personal data, provided in response to this consultation may be the subject of requests by members of the public under the Freedom of Information Act 2000. In responding to such requests, the CMA will take fully into consideration representations made by you in support of confidentiality. The CMA will also be mindful of its responsibilities under the data protection legislation referred to above and under the Enterprise Act 2002.
- 2.13 If you are replying by email, this statement overrides any standard confidentiality disclaimer that may be generated by your organisation's IT system.

After the consultation

- 2.14 Following this consultation, the CMA will publish a non-confidential version of responses received during the consultation on its webpages.
- 2.15 Taking into account feedback received as part of this consultation, the CMA will publish its final guidance on price transparency in the context of invitations to purchase. The guidance on material pricing information currently in Chapter 4 of CMA207 will be replaced with a cross reference to the finalised guidance.

⁷ Part 9 of the EA02 imposes a general restriction on the disclosure of information which the CMA obtains during the exercise of any of its functions (referred to as 'specified information') to other persons. Guidance on the application of Part 9 EA02 and when disclosure of specified information may be permitted is set out in [Transparency and disclosure - statement of CMA's policy and approach: CMA6 - GOV.UK](#).

2.16 The CMA may restructure the Draft Guidance and related documents at final publication.

3. Consultation questions

In responding to these questions, please have regard to the Draft Guidance. Please give your reasons and any relevant supporting information or evidence in relation to your response.

- Q1. Do you have any comments on the structure or clarity of the Draft Guidance?
- Q2. Do you have any comments about what an invitation to purchase is (**Chapter 2**)?
- Q3. Do you have any comments about what needs to be included in an invitation to purchase (**Chapter 3**)? Is the guidance on when the presentation of prices might be misleading clear? Are there topics covered in this section that would benefit from further guidance?
- Q4. Do you have any comments about the core principles for what the 'total price' must include and what businesses need to do if it is not reasonably possible to calculate it (**Chapter 4**)? Are there topics covered in this section that would benefit from further guidance?
- Q5. Do you have any comments about the guidance on specific types of charges and pricing (**Chapter 5**)? In particular:
 - a. Is the guidance on how businesses should present 'per-transaction charges' such as administration or booking fees in early-stage advertising and on traders' websites respectively clear? Is it clear when delivery fees will be mandatory? Are there additional means of providing this information to consumers that businesses may be able to use to comply with the UCP provisions, particularly in the context of how the prices are presented on a trader's website/app, that the CMA should consider providing guidance on?
 - b. Is the guidance on how businesses should present 'delivery fees' in early-stage advertising and on traders' websites/apps respectively clear? Is it clear when delivery fees will be mandatory? As above, are there other ways of providing this information to consumers that the CMA should consider providing guidance on?
 - c. Is the guidance on how businesses should present 'local charges and taxes' in early-stage advertising and on traders' websites/apps respectively clear? This guidance reflects the guidance that the CMA has previously provided in relation to [car rental](#) and [online hotel booking](#), is it helpful for businesses to have this consolidated in the Draft Guidance?
 - d. Is the guidance on how businesses should present 'monthly pricing' clear?

- e. Are there other types of charges or pricing that the CMA should consider providing specific guidance on?
- Q6. Do you have any comments on the illustrative examples provided in the Draft Guidance? Are there any areas where you think additional examples could usefully be reflected in the Draft Guidance?
- Q7. Do you have any other comments on topics not covered by the specific questions above?

4. Feedback from the CMA's previous consultation

- 4.1 As set out above, the CMA received a sizeable number of responses in relation to its original draft guidance on the material information that must be provided by traders when making invitations to purchase. A significant portion of the responses the CMA received in relation to its original draft guidance related to how the new law applied to pricing information.
- 4.2 Throughout the consultation the CMA received many requests for clarifications to concepts and interpretation, and requests for further examples, both generally and on specific issues. The CMA recognises the value that clear examples can offer to businesses and has sought to provide further examples in the Draft Guidance to help businesses understand how they can present pricing information in a way which complies with the requirements of the UCP provisions.
- 4.3 The Draft Guidance applies to a wide array of sectors and products with different pricing structures and ways of communicating with consumers. Where the CMA has provided lawful examples, these are intended to help illustrate ways in which businesses can comply with the requirements of the UCP provisions. These examples are not, however, intended to be exhaustive and there is potential for business to comply in other ways.
- 4.4 A summary of the other main feedback received and the CMA's responses to this is set out below.

Mandatory versus optional charges

- 4.5 Over 10 respondents asked for further clarity on the scope of mandatory charges both in general and with respect to a number of specific sectors including booking fees, travel, restaurant service charges, gratuities on all-inclusive holidays and delivery. Several points were made around subjectivity, variability and the viability of alternatives, as well as the need to strictly reflect the wording of the relevant legal provisions.
- 4.6 The CMA has updated the Draft Guidance to provide further guidance and examples to help businesses understand when additional charges will be mandatory rather than optional. In particular, the CMA had included additional sections in the guidance that deal specifically with common issues including 'per-transaction' fees (such as administration and booking fees), delivery fees and local charges and taxes (see Chapter 5 of the Draft Guidance). This includes replacing the guidance previously provided on when delivery charges will be considered 'genuinely optional'.

The reasonable calculability test

- 4.7 Eight respondents sought additional information about how the price should be presented to consumers when ‘if owing to the nature of the product, the whole or any part of the total price cannot reasonably be calculated in advance’ and one respondent also asked about how to present ‘indicative pricing’.
- 4.8 A few respondents requested that the CMA amend the section on the interpretation of the reasonable calculability test to explain especially where it is not reasonable to expect advance calculation.
- 4.9 Some respondents also requested that the CMA clarify that there is no requirement to display all potential charges with equal prominence to the base price but only the information to enable consumers to calculate the price where a total price is not calculable in advance.
- 4.10 In response to this feedback, the CMA has updated the Draft Guidance to provide further guidance and examples to help businesses understand when mandatory charges can legitimately be considered not to be reasonably calculable. The Draft Guidance also includes options for how businesses may present information about the price of their products in this context. The Draft Guidance confirms that where a total price is not calculable in advance the information the consumer needs to calculate the total price must be provided with the same prominence as the part of the price that is calculable (see paragraphs 4.9 to 4.15). Other pricing information does not have to be presented with the same prominence as the total price.

The treatment of mandatory, one-off fees

- 4.11 Six respondents requested further clarification on the treatment of mandatory, one-off fees. Specifically, how to present such fees when they apply to an entire basket in a transparent way while being accurate and not causing confusion to the consumer.
- 4.12 The Draft Guidance has been updated to provide further details relating to the presentation of one-off fees, together with examples of good practice for businesses. There will likely be more than one way to comply with the legislation and it is up to businesses to determine how to do so. Where possible, we have sought to ground these examples in solutions we have seen businesses adopting (see paragraphs 5.2 to 5.9).

Collection as a viable alternative to delivery

- 4.13 Three respondents expressed views relating to collection as a viable alternative to delivery, making specific points on the difficulty of assessing

national coverage, the exclusion of charges and the potential use of different prices, and requesting in general that the CMA provides further clarity on this topic.

- 4.14 The CMA has taken this feedback on board and the Draft Guidance now recognises that, broadly speaking, businesses may treat the question of whether delivery charges are mandatory or optional as a binary question. If a business offers consumers a collection option, then it will normally be legitimate for the business to treat delivery as optional (see paragraphs 5.10 to 5.19).

The presentation of delivery charges

- 4.15 Around ten respondents made submissions in relation to the presentation of delivery charges, for both variable and fixed delivery charges. There was particular interest in basket-based charges, fixed delivery charges, transaction fees, free delivery on orders above a certain value, different sales channels, and other complexities.
- 4.16 The CMA has included a specific section on the treatment of delivery charges in the draft guidance, along with additional examples of how businesses may choose to comply (see paragraphs 5.10 to 5.19).

What constitutes a ‘realistic, meaningful, and attainable’ indicative price

- 4.17 Five respondents commented on the need for clarity on what constitutes a ‘realistic, meaningful, and attainable’ indicative price. Specifically, respondents requested further clarity on acceptable methods for communicating ‘indicative pricing’.
- 4.18 The CMA had included further guidance on what constitutes a ‘realistic, meaningful, and attainable’ price, including in the context of indicative pricing (see paragraphs 3.1 to 3.7).

The treatment of refundable damage deposits and pre-authorised holds placed on a customer’s card

- 4.19 Many respondents commented on the treatment of refundable damage deposits and pre-authorised holds placed on a customer’s card. Specifically, they explicitly requested that the guidance states that fully refundable charges are exempt from headline pricing requirements, provided they are disclosed early during the booking process.

- 4.20 The Draft Guidance clarifies that deposits, or holds on a consumer's card, such as those which may be taken when checking into a hotel, which are automatically refundable (unless called upon) would not be considered mandatory charges (see footnote 26).

The treatment of charges imposed by multiple parties

- 4.21 Five respondents commented on the treatment of charges and the provision of pricing information where the headline price is made up of charges imposed by multiple parties.
- 4.22 The Draft Guidance includes specific guidance confirming that the requirement to give the total price, inclusive of all mandatory charges, applies irrespective of whether the charges are to be paid by the consumer to the trader making the invitation to purchase or to another trader (see paragraph 5.27).

Space limitations and level of detail

- 4.23 Eight respondents commented that space limitations in marketing touchpoints make it difficult to provide every detail to consumers in short-form communications. Furthermore, they explained that overloading consumers with unnecessary details could detract from the overall user experience and unfairly impact competition. Several specific examples and clarifications were requested.
- 4.24 The CMA recognises that businesses must work within limits imposed by the means of communication, including restrictions on space or time. In most cases however, it considers it will be possible to provide a total price, or if the total price cannot be calculated, the information necessary to enable the consumer to calculate the price themselves. This is set out in the Draft Guidance (see paragraphs 4.16 to 4.18).

Tourist taxes

- 4.25 Many respondents expressed views relating to the treatment of tourist taxes and were of the view that they should be dealt with under the exception provided for in the DMCC Act where part of the price cannot be calculated in advance, as local taxes differ by destination.
- 4.26 Local taxes are mandatory, and the CMA considers that, in most cases, these charges will be reasonably calculable. While the charges may differ across locations, the CMA understands that the information about the requirement to pay these taxes, and how they are to be calculated is readily available to businesses. The CMA also understands that the obligation to pay or collect

the tax normally sits with the business, even though it is calculated (for example) on the basis of the number of people or the number of nights stayed. In most cases business should, therefore, be able to incorporate these charges into their headline price, as they would for any other mandatory levy or tax.

- 4.27 A consumer may be required to pay these charges at the time of purchase or locally (for example when checking into a hotel or picking up a rental car). While the UCP provisions are neutral as between these options, the timing of the payment cannot change the businesses' obligations under the DMCC Act to provide the total price, including the mandatory local charges and taxes.
- 4.28 To help assist businesses with how to present these charges the CMA has included further guidance on tourist taxes – and other mandatory local charges such as resort fees – in the Draft Guidance, including guidance on how to display charges which may be payable in foreign currencies (see paragraphs 5.20 to 5.26). This builds on guidance that the CMA has previously provided in relation to [car rental](#) and [online hotel booking](#). While this guidance predates the DMCC Act, the substance of the relevant rules has not changed so businesses who are active in these sectors should already be complying with this guidance.

The requirement to state the price for the entire minimum length of the contract

- 4.29 Around ten respondents submitted that the provisions on invitations to purchase do not require traders (in the telecoms sector in particular) to state the total cumulative price for the entire minimum length of the contract. They submitted that, where prices are paid monthly, it is consistent with the intentions and requirements of the DMCC Act for the monthly price to be treated as the 'total price'. Similarly, some respondents asked the CMA to clarify that it is possible to satisfy the statutory obligation to provide a 'total price' under section 230(2)(b) of the Act by providing a per month charge and the number of months for fixed period contracts, thereby allowing consumers to calculate the cumulative price for the entire minimum length of the contract themselves. Other specific requests and points were made by respondents, including a request for a sector-specific exclusion.
- 4.30 The CMA notes that the relevant UCP provisions apply to all sectors. Unlike some other parts of the DMCC Act, the legislation does not provide for any sector specific exclusions. However, how the new law will apply may vary between different types of products and charges.
- 4.31 The CMA has updated the Draft Guidance with additional detail on monthly (or other periodic) pricing (see paragraphs 5.28 to 5.34). The CMA agrees

that when a monthly service is provided in exchange for a monthly price, traders should be able to satisfy the ‘total price’ of the contract (along with the minimum number of months the consumer will have to pay that price for). The total monthly price should include all the mandatory charges which will fall due for payment in that month. Traders may instead choose to provide a total cumulative price for the fixed term of the contract, and if they do this would also comply, but it is not required if the total monthly price is given alongside the minimum number of months for which the monthly price will be payable. This guidance also addresses the presentation of prices for contracts where one-off, upfront charges (such as administration or set-up fees) are payable.

- 4.32 In the context of the telecom sector specifically, Ofcom published a [statement](#) on new sector specific price information requirements in July 2024. These new [rules](#) (see in particular General Conditions C1.3 and C1.5) and [guidance](#) took effect on 17 January 2025. Any queries relating to these sector specific rules and guidance can be raised with Ofcom.
- 4.33 For completeness, the CMA notes that the ‘device plans’ sold in the telecom sector (eg contracts for the purchase of a handset or tablet) are not contracts for the provision of a rolling monthly service but separate agreements to pay for the purchase of the device. As such, the reasoning at paragraph 4.31 above does not apply to these types of products. For device plans, the total cost of the product must be provided in the same way that it should be for any other product purchased on finance (eg a sofa). The total cost of the device does not necessarily have to be the most prominent price, as long as it is presented clearly and in a way the consumer is likely to see it.

The property and estate agency sectors

- 4.34 Six respondents commented that the final UCP guidance should include additional illustrative examples relating to the property and estate agency sectors. In particular, there was interest in additional guidance on the inclusion of taxes, service charges, stamp duty, ground rent and other fees (relevant to property transactions) in the total price.
- 4.35 Many of the questions raised in relation to the property and estate agency sectors were requests for examples related to non-price related material information and are therefore outside the scope of this Draft Guidance. In relation to pricing information, as explained above, the CMA has provided additional guidance on when charges can be considered mandatory, when the total price of a product may not be reasonably calculable and what information must be provided to consumers if it is not. These principles also apply to the property and estate agency sectors and should help traders to determine when charges are mandatory and therefore need to be included in the total

purchase price. The Ministry of Housing, Communities and Local Government are considering next steps, including the possibility of further guidance for the property and estate agency sectors.