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## What rights do I have to return Christmas presents which I am buying online?

*By Anthony Corps, Director*

If you are buying presents, other goods or services online or over the telephone then the supplier should give you a “cooling off period”. The right to cancel comes from The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013.

Your right to cancel commences at the point you place your order and finishes 14 days from when you receive the goods.

To exercise your right to cancel you must inform the supplier of your decision within the “cooling off period”. You should do this in writing to ensure that you have a written record of cancellation, cancellation by e-mail is usually sufficient. If you cancel by telephone, then follow this up in writing by e-mail or post.

There are exceptions to your right to cancel, for example in relation to digital content. If you want to download digital content before the end of the cancellation period, you will have to give your consent to waive the right to cancel in the 14 day “cooling off period”; if you fail to give your consent to the supplier you will not be able to download any digital content purchased until after the 14 day cooling off period. This provision is intended to stop you from changing your mind after you have downloaded the digital content.

The Regulations are designed to apply to traders selling online and not individuals selling; certain goods are excluded for example bespoke items made to your specification, goods which will perish or deteriorate rapidly and goods where price is dependent on fluctuations within the financial markets.

Please be aware that it is not usually the supplier’s responsibility to collect the goods and you must arrange for them to be sent back within 14 days of cancellation. Unless the trader has agreed to pay the cost of returning the goods you will bear those costs.

Our expert team of lawyers are on hand to help if you need further advice or guidance.

Call us on **01904 528223**.

The above is not intended to provide advice.

