

# No more extra charges for card payments

Trading Standards Information

[www.southwark.gov.uk](http://www.southwark.gov.uk)

## 1. Introduction

Charging extra to customers using payment cards has been banned since January 2018. This leaflet explains what you can and cannot do regarding alternative methods of payment.

## 2. Main legal requirements

You cannot charge extra fees to consumers who pay by:

- consumer credit cards, debit cards or charge cards
- apple pay or other similar payment methods that are not card-based
- electronic payment services (for example, PayPal) cards or other non-cash methods

The rules apply to both shops and online sellers of goods and services.

## 3. Can I refuse to accept non-cash payments for certain goods or services?

Yes, under contract law you do not have to sell anything to anyone if you do not wish to. So you can refuse to take non-cash payments for certain goods or services if you wish to. However you should check that you are not in breach of any supplier terms and conditions before doing so.

## 4. Can impose a minimum spend for non-cash payments?

Yes, some traders may refuse to accept card payments for low value transactions, for example under £10. What you must not do is then charge extra for any one off card payment if you chose to vary your policy for a particular customer.

## 5. What happens if I don't comply with these requirements?

The Council has a duty to enforce the regulations and investigate complaints. Any traders found to be breaching the law could be the subject of injunctive legal proceedings under the Enterprise Act 2002. Breaching injunctive orders could lead to up to two years imprisonment and/or an unlimited fine.

NOTE: only the Courts can interpret statutory legislation with authority. This leaflet is subject to change without notice (Ref: ECCC2019v1.0)