BCLP. Client Intelligent

COMMERCIAL CONTRACTS

OVERVIEW

Our global Commercial Contracts practice has specialist lawyers in the major European, US, Asian and Middle Eastern locations assisting clients on their ongoing business and trading requirements, from strategic relationships to business as usual arrangements. Our lawyers work with clients around the world on a wide variety of commercial agreements, ranging from agency, manufacturing and distribution agreements to franchising, concession and technology and non-technology licensing arrangements, from e-commerce, sourcing, IT services, procurement, software, advertising, sponsorship and marketing to joint ventures and supply of goods and services. We support businesses across a broad range of industry sectors from hospitality, hotels and leisure to sports and entertainment, from manufacturing, food and agribusiness to retail, from technology to financial services. Many of our team have spent time on secondment with the in-house teams at our major clients giving them a true commercial focus with deep industry knowledge.

LEGAL 500

Ranked tier 2 in Commercial Contracts in the Legal 500 2023

MEET THE TEAM

Richard Shaw

Partner, London

richard.shaw@bclplaw.com
+44 (0) 20 3400 4154

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The DMCCA: taking a closer look at the impact on subscription contracts

The Digital Markets, Competition and Consumers Act 2024 (DMCCA) has recently received royal assent, following the announcement of the July General Election. We examine the key developments in our previous article. One very significant area of focus in the DMCCA (following the UK Government's 2021 consumer protection consultation and the earlier Penrose report) is subscription contracts. Subscription contracts are big business, with estimated consumer spending in the UK on subscriptions said to be between £28 billion and £34 billion a year across multiple sectors, with 8 in 10 UK consumers having at least one subscription. The reforms in the DMCCA were prompted by concerns that consumers may be spending as much as £1.8 billion per year on subscriptions they do not think are good value for money and can find difficult to exit when they no longer require the relevant goods/services. The new…

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Recent case law has highlighted various challenges in structuring payment provisions for referral arrangements, such as introduction, intermediary, brokerage and ‘finder’s fee’ agreements. Together, these provide useful guidance for those dealing with these types of contract, in particular, how pitfalls relating to payment may be avoided.

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