

Does your charity charge different amounts for membership depending on payment method?

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The Consumer Rights (Payment Surcharges) Regulations 2012 (*'the Regulations'*) as amended by the Payment Services Regulations 2017 contain an absolute prohibition on any surcharges imposed on consumers for using a particular payment method (such as credit or debit card or PayPal). The Regulations derive from EU law and were introduced to combat the situation where excessive charges were imposed on consumers who wished to pay by credit card, with one of the most frequent examples cited being when booking flights and holidays.

We are aware of a number of charities who offer incentives to members who purchase their membership using a particular payment method – whether with a lower annual fee or with additional months' free membership. Care needs to be taken with these arrangements and thought given as to whether the specific arrangements under consideration will fall foul of the Regulations.

If you have any questions, please speak to [Chris Priestley](#).