

# CMA welcomes Sony and Nintendo's gaming subscription improvements

Press release

The CMA welcomes improvements made by Sony and Nintendo to their gaming subscription practices and has now closed its investigation into the online gaming sector.



The Competition and Markets Authority's (CMA) sector-wide investigation looked at subscriptions for online gaming services where people automatically continue to be charged indefinitely until they take action to end their contract. The CMA was particularly concerned that people might find themselves locked into paying for services they no longer want or use.

The CMA has secured an undertaking from Sony relating to its PlayStation Plus product, a service which allows users to play online together. In particular, Sony has agreed to put in place measures to protect customers who haven't used their memberships for a long time but are still paying. Sony will contact these customers to remind them how to stop payments and, if they continue not to use their memberships, Sony will ultimately stop taking further payments.

The CMA also engaged with Nintendo, which changed its business practices during the course of the investigation so that Nintendo Switch Online Service is no longer sold with automatic renewal set as the default option. This means people will not be automatically entering into renewing contracts, addressing a number of the CMA's concerns about people becoming locked in.

Michael Grenfell, Executive Director of Enforcement at the CMA, said:

As a result of our investigations, a number of changes have been made across this sector to protect customers and help tackle concerns about auto-renewing subscriptions.

Today's announcement therefore concludes our investigations into

the online video gaming sector. Companies in other sectors which offer subscriptions that auto-renew should review their practices to ensure they comply with consumer protection law.

This announcement follows undertakings [agreed with Microsoft in January 2022](#) in relation to its online gaming subscriptions.

More information about the CMA's investigation is available on the [online gaming sector case page](#).

The CMA also recently launched the '[Online Rip-Off Tip-Off](#)', a campaign designed to make shoppers aware of the importance of understanding the terms of any deal they sign up to, giving out practical tips to help them protect themselves when shopping online.

1. For media enquiries, contact the CMA press office on 020 3738 6460 or [press@cma.gov.uk](mailto:press@cma.gov.uk).
2. Sony, as referred above, refers to Sony Interactive Entertainment Network Europe Limited.
3. Nintendo, as referred above, refers to Nintendo of Europe GmbH.
4. The undertaking referred to above applies to contracts between Sony and consumers for the supply of (a) PlayStation Plus, or (b) any online video gaming product which replaces, rebrands or includes PlayStation Plus (in whole or in part) and which is associated with a console and (in the case of either (a) or (b)) which is or can be subject to recurring billing. The undertaking builds on Sony's existing practices which include providing information and notifications to consumers when entering into PlayStation Plus subscriptions.
5. For the avoidance of doubt, the offering of this undertaking is not an admission that any person or firm has breached the law. Only a court can decide whether a breach has occurred.
6. An undertaking is a voluntary agreement a firm makes to address an enforcement authority's concerns and resolve an investigation without the need for court action.
7. The key pieces of consumer protection legislation relevant to the CMA's investigation are: the Consumer Protection from Unfair Trading Regulations 2008 (CPRs); Part 2 of the Consumer Rights Act 2015 (CRA); and the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 (CCRs). The CPRs contain a general prohibition against unfair commercial practices and specific prohibitions against misleading actions, misleading omissions and aggressive commercial practices. Part 2 of the CRA aims to protect consumers against unfair contract terms and notices and requires contract terms to be fair and transparent. The CCRs regulate the information that should be provided to consumers before they make a purchase, cancellation rights for certain contracts and the use of pre-ticked boxes for additional payments.
8. As part of its broader programme of work investigating unfair auto-renewal terms and practices, the CMA also secured undertakings from businesses offering anti-virus software services and published compliance principles for the sector. Details of the undertakings and

the compliance principles can be found on the [Anti-virus software investigation case page](#).

Published 13 April 2022