

Assured Advice for eBay Sellers for Effective Age Verification on the eBay Marketplace



About this Assured Advice

This advice was developed by Cambridgeshire County Council Trading Standards as part of a Primary Authority coordinated partnership with VerifyMyAge. This Advice has statutory effect in accordance with the provisions of the Regulatory Enforcement and Sanctions Act 2008.

Assured Advice means that if you adopt this policy in your business, it must be respected by all other local authorities and they cannot ask you to adopt a different policy or carry out additional checks. You are required to sign up to the VerifyMyAge **terms of sale** which include terms relating to the coordinated Primary Authority scheme.



Most age restricted goods are prohibited from sale on eBay, but there are some permitted exceptions that are covered by this Assured Advice:

- Adult Items*
- E-Cigarettes & Vaping
- Alcohol

*Assured Advice does not currently extend to these products, but they are included in this document to comply with eBay's policies and best practice.

It is a criminal offence to supply age restricted goods, content or services to a person under 18 years of age. To do so may result in a fine or imprisonment. You may also be banned from selling certain types of goods again (even outside of eBay). Failure to comply with these requirements may result in your listing being removed and your suspension or termination as an eBay Seller.





Scope of the Assured Advice

This Assured Advice covers:

What you need to do to advise consumers that their purchase of age restricted goods, content or services will be subject to age verification

The permitted and certified methodologies for age verification that will be available to you through the VerifyMyAge eBay compatible application

What you need to do if you are notified that a person that has placed an order with you cannot be age verified

The monitoring and test purchasing framework that will be applied to ensure that all eBay sellers remain compliant with age restriction laws and regulations



The VerifyMyAge System

VerifyMyAge is an eBay compatible application that provides automatic, seamless and cost-effective age verification for your customers. It works within the eBay system to ensure a full audit trail of age verification is available to your business in the event of any enquiry from eBay, customers or Trading Standards Officers. If you receive an enquiry from Trading Standards Officers, you should also show them this advice.

The system provides a live feed to eBay showing seller compliance, monitors the level of products shipped versus sales age verified and enables sellers to comply with age restricted sales legislation.

The VerifyMyAge System

You **must** notify all potential customers of any age restricted listings on your eBay Marketplace that their purchase will be subject to age verification by displaying the following text in the listing description for each age restricted product.



You must be over 18 to purchase this product. We have an effective and monitored age verification process provided by VerifyMyAge. We will not sell to persons that do not meet the age restrictions for this product and by continuing with this purchase you hereby consent to the processing of your personal data for age verification purposes.



Permitted Methodologies

The **VerifyMyAge** eBay compatible application will present an age verification result to you within the eBay system having undertaken one or more permitted and certified methodologies. The mission of **VerifyMyAge** is to ensure that all 18+ customers can seamlessly, frictionlessly and securely verify their age. This means that you do not need to obtain ID documents directly from your customers.

The methodologies have been independently certified as meeting the requirements of **PAS 1296:2018 – Code of Practice for Online Age Verification**. The systems are sufficiently robust and operational to an acceptable level of confidence so that eBay sellers can rely upon age verification results for the purpose of securing compliance with age restricted sales legislation.



AI-powered Age Estimation

After taking a short selfie video, artificial intelligence can indicate if your customer is over 25



Database Check

By capturing some information from your customer's eBay buyer account, our systems can verify their age



Credit Card

By enquiring into a credit card record, we can verify that the holder is over 18



Mobile Phone Number

By sending a text to a UK mobile telephone, we can verify that the phone is authorised for use by a person over 18



Passport or Driver's Licence Scan

By taking a photo of a government identity document, we can verify age and authenticity

Notification of Unverified Customers

VerifyMyAge aims to ensure that all 18+ customers can verify their age, so if an unverified result is returned to you that is a **strong indication** that the customer is likely to be under 18 years of age.

You will be notified via eBay that the customer is unverified. The order status will be: "Customer Failed Verification"

You will be able to check verification status via the eBay Seller Hub or the VerifyMyAge dashboard

You must reverse the transaction by arranging for a refund or enable automatic refunds for unverified customers through the VerifyMyAge Dashboard

You should only ship orders when you see the following status: "Verified 18+"

Monitoring & Test Purchasing

You are required by eBay's listing policies to **exercise due diligence** to ensure that you do not supply age restricted goods, content or services to underage customers. This includes regular checks that your systems are working properly. The monitoring and test purchasing framework is undertaken on your behalf in accordance with your **Terms of Service** with **VerifyMyAge** by the **Age Check Certification Scheme**.



This service includes:

Monitoring of 'verified sales' vs. 'fulfilled sales' – you should not have shipped more orders than you have verified

Monitoring of 'age check warnings' required to be displayed on seller listings of age restricted items

A test purchase at a rate of 1:2500 age restricted items sold to ensure that sellers remain compliant with age restrictions in place

Applicability & Review of this Assured Advice

This Assured Advice is applicable to any seller of the age restricted goods, content or services mentioned in this document via the eBay system that has agreed to the VerifyMyAge terms of sale. It covers the following UK legislation:

Licensing Act 2003

Children and Families Act 2014 and Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015

Where the seller is based in Scotland, Wales or Northern Ireland, this Advice is applicable insofar as it does not relate to a devolved matter. This Advice will be subject to regular review by the Primary Authority.

This Advice was issued in **December 2019**.