



Consumer Rights Act 2015

2015 CHAPTER 15

PART 3

MISCELLANEOUS AND GENERAL

CHAPTER 1

ENFORCEMENT ETC.

77 Investigatory powers etc

- (1) Schedule 5 (investigatory powers etc) has effect.
- (2) Schedule 6 (investigatory powers: consequential amendments) has effect.

Commencement Information

- I1** S. 77 in force at 27.5.2015 for specified purposes by S.I. 2015/1333, art. 2(a)
- I2** S. 77 in force at 27.5.2015 for specified purposes for E. by S.I. 2015/965, art. 2(b)
- I3** S. 77 in force at 1.10.2015 in so far as not already in force by S.I. 2015/1630, art. 3(d)

78 Amendment of weights and measures legislation regarding unwrapped bread

- (1) In the Weights and Measures (Packaged Goods) Regulations 2006 (S.I. 2006/659), Schedule 5 (application to bread) is amended in accordance with subsections (2) and (3).

- (2) For paragraph 9 substitute—

“9 Regulation 9(1)(b)(ii) (duty to keep records) does not apply to bread which is sold unwrapped or in open packs.”

Changes to legislation: There are currently no known outstanding effects for the Consumer Rights Act 2015, CHAPTER 1. (See end of Document for details)

(3) After paragraph 13 insert—

“14 Transitional provision

- (1) Regulation 9(1)(b)(ii) (duty to keep records) does not apply to a packer who holds a notice of exemption which is in force.
- (2) A “notice of exemption” means a notice issued under paragraph 9 as it stood before section 78 of the Consumer Rights Act 2015 came into force.”
- (4) The use of this Act to make amendments to the Weights and Measures (Packaged Goods) Regulations 2006 has no effect on the availability of any power in the Weights and Measures Act 1985 to amend or revoke those Regulations, including the provision substituted by subsection (2) and that inserted by subsection (3).
- (5) In the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011 (SR 2011/331), Schedule 5 (application to bread) is amended in accordance with subsections (6) and (7).
- (6) For paragraph 9 substitute—

“9 Regulation 9(1)(b)(ii) (duty to keep records) does not apply to bread which is sold unwrapped or in open packets.”

(7) After paragraph 13 insert—

“14 Transitional provision

- (1) Regulation 9(1)(b)(ii) (duty to keep records) does not apply to a packer who holds a notice of exemption which is in force.
- (2) A “notice of exemption” means a notice issued under paragraph 9 as it stood before section 78 of the Consumer Rights Act 2015 came into force.”
- (8) The use of this Act to make amendments to the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011 has no effect on the availability of any power in the Weights and Measures (Northern Ireland) Order 1981 (SI 1981/231 (NI 10)) to amend or revoke those Regulations, including the provision substituted by subsection (6) and that inserted by subsection (7).

Commencement Information

I4 S. 78 in force at 1.10.2015 by S.I. 2015/1630, art. 3(e)

79 Enterprise Act 2002: enhanced consumer measures and other enforcement

- (1) Schedule 7 contains amendments of Part 8 of the Enterprise Act 2002 (enforcement of certain consumer legislation).
- (2) The amendments have effect only in relation to conduct which occurs, or which is likely to occur, after the commencement of this section.

Changes to legislation: There are currently no known outstanding effects for the Consumer Rights Act 2015, CHAPTER 1. (See end of Document for details)

Commencement Information

I5 S. 79 in force at 1.10.2015 by S.I. 2015/1630, art. 3(e)

80 Contravention of code regulating premium rate services

- (1) In section 120(3) of the Communications Act 2003 (conditions under section 120 must require compliance with directions given in accordance with an approved code or with an order under section 122) before paragraph (a) insert—
- “(za) the provisions of an approved code;”.
- (2) In section 121(5) of that Act (provision about enforcement that may be made by approved code) after paragraph (a) insert—
- “(aa) provision that applies where there is or has been more than one contravention of the code or directions given in accordance with it by a person and which enables—
- (i) a single penalty (which does not exceed that maximum penalty) to be imposed on the person in respect of all of those contraventions, or
- (ii) separate penalties (each of which does not exceed that maximum penalty) to be imposed on the person in respect of each of those contraventions,
- according to whether the person imposing the penalty determines that a single penalty or separate penalties are appropriate and proportionate to those contraventions;”.
- (3) Section 123 of that Act (enforcement by OFCOM of conditions under section 120) is amended as follows.
- (4) After subsection (1) insert—
- “(1A) Subsection (1B) applies where a notification under section 94 as applied by this section relates to more than one contravention of—
- (a) a code approved under section 121,
- (b) directions given in accordance with such a code, or
- (c) an order under section 122.
- (1B) Section 96(3) as applied by this section enables OFCOM to impose—
- (a) a single penalty in respect of all of those contraventions, or
- (b) separate penalties in respect of each of those contraventions,
- according to whether OFCOM determine that a single penalty or separate penalties are appropriate and proportionate to those contraventions.”
- (5) In subsection (2) (maximum amount of penalty) for “the penalty” substitute “ each penalty ”.

Commencement Information

I6 S. 80 in force at 1.10.2015 by S.I. 2015/1630, art. 3(e) (with art. 7)

Changes to legislation:

There are currently no known outstanding effects for the Consumer Rights Act 2015, CHAPTER 1.