



Unsolicited Goods and Services Act 1971

1971 CHAPTER 30

3 Directory entries.

- (1) A person shall not be liable to make any payment, and shall be entitled to recover any payment made by him, by way of charge for including or arranging for the inclusion in a directory of an entry relating to that person or his trade or business, unless there has been signed by him or on his behalf an order complying with this section or a note complying with this section of his agreement to the charge and, in the case of a note of agreement to the charge, before the note was signed, a copy of it was supplied, for retention by him, to him or to a person acting on his behalf.
- (2) A person shall be guilty of an offence punishable on summary conviction with a fine not exceeding £400 if, in a case where a payment in respect of a charge would, in the absence of an order or note of agreement to the charge complying with this section, be recoverable from him in accordance with the terms of subsection (1) above, he demands payment, or asserts a present or prospective right to payment, of the charge or any part of it, without knowing or having reasonable cause to believe that the entry to which the charge relates was ordered in accordance with this section or a proper note of agreement has been duly signed.
- (3) For the purposes of subsection (1) above, an order for an entry in a directory must be made by means of an order form or other stationery belonging to the person to whom, or to whose trade or business, the entry is to relate and bearing, in print, the name and address (or one or more of the addresses) of that person; and the note required by this section of a person's agreement to a charge must state the amount of the charge immediately above the place for signature, and—
 - (a) must identify the directory or proposed directory, and give the following particulars of it—
 - (i) the proposed date of publication of the directory or of the issue in which the entry is to be included and the name and address of the person producing it;
 - (ii) if the directory or that issue is to be put on sale, the price at which it is to be offered for sale and the minimum number of copies which are to be available for sale;

Status: This is the original version (as it was originally enacted).

- (iii) if the directory or that issue is to be distributed free of charge (whether or not it is also to be put on sale), the minimum number of copies which are to be so distributed; and
 - (b) must set out or give reasonable particulars of the entry in respect of which the charge would be payable.
- (4) Nothing in this section shall apply to a payment due under a contract entered into before the commencement of this Act, or entered into by the acceptance of an offer made before that commencement.