



# Consumer Protection Act 1987

## 1987 CHAPTER 43

### PART III

#### MISLEADING PRICE INDICATIONS

#### **20 Offence of giving misleading indication**

- (1) Subject to the following provisions of this Part, a person shall be guilty of an offence if, in the course of any business of his, he gives (by any means whatever) to any consumers an indication which is misleading as to the price at which any goods, services, accommodation or facilities are available (whether generally or from particular persons).
- (2) Subject as aforesaid, a person shall be guilty of an offence if—
  - (a) in the course of any business of his, he has given an indication to any consumers which, after it was given, has become misleading as mentioned in subsection (1) above; and
  - (b) some or all of those consumers might reasonably be expected to rely on the indication at a time after it has become misleading; and
  - (c) he fails to take all such steps as are reasonable to prevent those consumers from relying on the indication.
- (3) For the purposes of this section it shall be immaterial—
  - (a) whether the person who gives or gave the indication is or was acting on his own behalf or on behalf of another;
  - (b) whether or not that person is the person, or included among the persons, from whom the goods, services, accommodation or facilities are available; and
  - (c) whether the indication is or has become misleading in relation to all the consumers to whom it is or was given or only in relation to some of them.
- (4) A person guilty of an offence under subsection (1) or (2) above shall be liable—
  - (a) on conviction on indictment, to a fine;
  - (b) on summary conviction, to a fine not exceeding the statutory maximum.

---

*Status: This is the original version (as it was originally enacted).*

---

- (5) No prosecution for an offence under subsection (1) or (2) above shall be brought after whichever is the earlier of the following, that is to say—
- (a) the end of the period of three years beginning with the day on which the offence was committed; and
  - (b) the end of the period of one year beginning with the day on which the person bringing the prosecution discovered that the offence had been committed.
- (6) In this Part—
- "consumer"—
- (a) in relation to any goods, means any person who might wish to be supplied with the goods for his own private use or consumption;
  - (b) in relation to any services or facilities, means any person who might wish to be provided with the services or facilities otherwise than for the purposes of any business of his; and
  - (c) in relation to any accommodation, means any person who might wish to occupy the accommodation otherwise than for the purposes of any business of his;
- "price", in relation to any goods, services, accommodation or facilities, means—
- (a) the aggregate of the sums required to be paid by a consumer for or otherwise in respect of the supply of the goods or the provision of the services, accommodation or facilities; or
  - (b) except in section 21 below, any method which will be or has been applied for the purpose of determining that aggregate.