



# Consumer Protection Act 1987

## 1987 CHAPTER 43

### PART III

#### MISLEADING PRICE INDICATIONS

#### 26 Power to make regulations.

- (1) The Secretary of State may, after consulting the Director General of Fair Trading and such other persons as the Secretary of State considers it appropriate to consult, by regulations make provision—
  - (a) for the purpose of regulating the circumstances and manner in which any person—
    - (i) gives any indication as to the price at which any goods, services, accommodation or facilities will be or are available or have been supplied or provided; or
    - (ii) indicates any other matter in respect of which any such indication may be misleading;
  - (b) for the purpose of facilitating the enforcement of the provisions of section 20 above or of any regulations made under this section.
- (2) The Secretary of State shall not make regulations by virtue of subsection (1)(a) above except in relation to—
  - (a) indications given by persons in the course of business; and
  - (b) such indications given otherwise than in the course of business as—
    - (i) are given by or on behalf of persons by whom accommodation is provided to others by means of leases or licences; and
    - (ii) relate to goods, services or facilities supplied or provided to those others in connection with the provision of the accommodation.
- (3) Without prejudice to the generality of subsection (1) above, regulations under this section may—
  - (a) prohibit an indication as to a price from referring to such matters as may be prescribed by the regulations;

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Consumer Protection Act 1987, Section 26. (See end of Document for details)*

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- (b) require an indication as to a price or other matter to be accompanied or supplemented by such explanation or such additional information as may be prescribed by the regulations;
  - (c) require information or explanations with respect to a price or other matter to be given to an officer of an enforcement authority and to authorise such an officer to require such information or explanations to be given;
  - (d) require any information or explanation provided for the purposes of any regulations made by virtue of paragraph (b) or (c) above to be accurate;
  - (e) prohibit the inclusion in indications as to a price or other matter of statements that the indications are not to be relied upon;
  - (f) provide that expressions used in any indication as to a price or other matter shall be construed in a particular way for the purposes of this Part;
  - (g) provide that a contravention of any provision of the regulations shall constitute a criminal offence punishable—
    - (i) on conviction on indictment, by a fine;
    - (ii) on summary conviction, by a fine not exceeding the statutory maximum;
  - (h) apply any provision of this Act which relates to a criminal offence to an offence created by virtue of paragraph (g) above.
- (4) The power to make regulations under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament and shall include power—
- (a) to make different provision for different cases; and
  - (b) to make such supplemental, consequential and transitional provision as the Secretary of State considers appropriate.
- (5) In this section “lease” includes a sub-lease and an agreement for a lease and a statutory tenancy (within the meaning of the <sup>M1</sup>Landlord and Tenant Act 1985 or the <sup>M2</sup>Rent (Scotland) Act 1984).

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**Marginal Citations**

**M1** 1985 c. 70.

**M2** 1984 c. 58.

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