



Consumer Protection Act 1987

1987 CHAPTER 43

PART V

MISCELLANEOUS AND SUPPLEMENTAL

45 Interpretation.

(1) In this Act, except in so far as the context otherwise requires—

“aircraft” includes gliders, balloons and hovercraft;

“business” includes a trade or profession and the activities of a professional or trade association or of a local authority or other public authority;

“conditional sale agreement”, “credit—sale agreement” and “hire-purchase agreement” have the same meanings as in the ^{M1}Consumer Credit Act 1974 but as if in the definitions in that Act “goods” had the same meaning as in this Act;

“contravention” includes a failure to comply and cognate expressions shall be construed accordingly;

“enforcement authority” means the Secretary of State, any other Minister of the Crown in charge of a Government department, any such department and any authority, council or other person on whom functions under this Act are conferred by or under section 27 above;

“gas” has the same meaning as in Part I of the ^{M2}Gas Act 1986;

“goods” includes substances, growing crops and things comprised in land by virtue of being attached to it and any ship, aircraft or vehicle;

“information” includes accounts, estimates and returns;

“magistrates’ court”, in relation to Northern Ireland, means a court of summary jurisdiction;

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“modifications” includes additions, alterations and omissions, and cognate expressions shall be construed accordingly;

“motor vehicle” has the same meaning as in [^{F2}the Road Traffic Act 1988];

“notice” means a notice in writing;

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“notice to warn” means a notice under section 13(1)(b) above;

“officer”, in relation to an enforcement authority, means a person authorised in writing to assist the authority in carrying out its functions under or for the purposes of the enforcement of any of the safety provisions or of any of the provisions made by or under Part III of this Act;

“personal injury” includes any disease and any other impairment of a person’s physical or mental condition;

“premises” includes any place and any ship, aircraft or vehicle;

“prohibition notice” means a notice under section 13(1)(a) above;

“records” includes any books or documents and any records in non-documentary form;

“safety provision” means ^{F3} . . . any provision of safety regulations, a prohibition notice or a suspension notice;

“safety regulations” means regulations under section 11 above;

“ship” includes any boat and any other description of vessel used in navigation;

“subordinate legislation” has the same meaning as in the ^{M3}Interpretation Act 1978;

“substance” means any natural or artificial substance, whether in solid, liquid or gaseous form or in the form of a vapour, and includes substances that are comprised in or mixed with other goods;

“supply” and cognate expressions shall be construed in accordance with section 46 below;

“suspension notice” means a notice under section 14 above.

(2) Except in so far as the context otherwise requires, references in this Act to a contravention of a safety provision shall, in relation to any goods, include references to anything which would constitute such a contravention if the goods were supplied to any person.

(3) References in this Act to any goods in relation to which any safety provision has been or may have been contravened shall include references to any goods which it is not reasonably practicable to separate from any such goods.

^{F4}(4)

(5) In Scotland, any reference in this Act to things comprised in land by virtue of being attached to it is a reference to moveables which have become heritable by accession to heritable property.

Textual Amendments

- F1** Definitions in s. 45(1) repealed (31.10.1994) by 1994 c. 26, s. 106(2), **Sch. 5**; S.I. 1994/2550, **art. 2**
- F2** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 35**
- F3** Words in definition of "safety provision" in s. 45(1) omitted (1.10.2005) by virtue of The General Product Safety Regulations 2005 (S.I. 2005/1803), **reg. 46(7)** (with regs. 42, 43)
- F4** S. 45(4) repealed (31.10.1994) by 1994 c. 26, s. 106(2), **Sch. 5**; S.I. 1994/2550, **art. 2**

Modifications etc. (not altering text)

- C1** S. 45 applied (with modifications) (17.8.2015) by The Pyrotechnic Articles (Safety) Regulations 2015 (S.I. 2015/1553), **reg. 1, Sch. 7 paras. 1(n), 2**

Changes to legislation: There are currently no known outstanding effects for the Consumer Protection Act 1987, Section 45. (See end of Document for details)

- C2** S. 45 applied (with modifications) (8.12.2016) by [The Lifts Regulations 2016 \(S.I. 2016/1093\)](#), reg. 1, Sch. 7 paras. 1(m), 2 (with regs. 3-5)
- C3** S. 45 applied (with modifications) (8.12.2016) by [The Electrical Equipment \(Safety\) Regulations 2016 \(S.I. 2016/1101\)](#), reg. 1, Sch. 3 paras. 1, 2 (with reg. 3)
- C4** S. 45 applied (with modifications) (8.12.2016) by [The Simple Pressure Vessels \(Safety\) Regulations 2016 \(S.I. 2016/1092\)](#), reg. 1, Sch. 5 paras. 1(n), 2 (with reg. 3)
- C5** S. 45 applied (with modifications) (8.12.2016) by [The Electromagnetic Compatibility Regulations 2016 \(S.I. 2016/1091\)](#), reg. 1, Sch. 7 paras. 1, 2 (with regs. 74, 75(5))
- C6** S. 45 applied (with modifications) (8.12.2016) by [The Pressure Equipment \(Safety\) Regulations 2016 \(S.I. 2016/1105\)](#), reg. 1, Sch. 7 paras. 1(n), 2 (with reg. 88)
- C7** S. 45 applied (with modifications) (3.8.2017) by [The Recreational Craft Regulations 2017 \(S.I. 2017/737\)](#), reg. 1, Sch. 13 paras. 1(o), 2 (with reg. 89)
- C8** S. 45 applied (with modifications) (26.12.2017) by [The Radio Equipment Regulations 2017 \(S.I. 2017/1206\)](#), reg. 1, Sch. 10 paras. 1, 2 (with regs. 3-5, 77)
- C9** S. 45 applied (with modifications) (21.4.2018) by [The Gas Appliances \(Enforcement\) and Miscellaneous Amendments Regulations 2018 \(S.I. 2018/389\)](#), reg. 1(1), **Sch. 1** (with reg. 2)
- C10** S. 45 applied (with modifications) (21.4.2018) by [The Personal Protective Equipment \(Enforcement\) Regulations 2018 \(S.I. 2018/390\)](#), reg. 1(1), **Sch. 1** (with reg. 2(1)-(3))
- C11** S. 45 applied (with modifications) (N.I.) (16.7.2021) by [The Market Surveillance \(Northern Ireland\) Regulations 2021 \(S.I. 2021/858\)](#), reg. 1(1), Sch. 2 paras. 1, 2 (with reg. 3)
- C12** By the [Low Voltage Electrical Equipment \(Safety\) Regulations 1989, S.I. 1989/728](#), **reg. 14(1)** it is provided that those Regulations shall be treated for all purposes as if they were safety regulations within the meaning of section 45(1) of this Act

Marginal Citations

- M1** 1974 c. 39.
- M2** 1986 c. 44.
- M3** 1978 c. 30.

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