



# Enterprise Act 2002 (repealed)

## 2002 CHAPTER 40

### PART 1

#### THE OFFICE OF FAIR TRADING

##### *General functions of OFT*

##### **Textual Amendments applied to the whole legislation**

- F1** Act: for the words "solicitor of the Supreme Court of Northern Ireland" wherever they occur there is substituted (prosp.) the words "solicitor of the Court of Judicature of Northern Ireland" by virtue of [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148\(1\), Sch. 11 para. 5](#) [Editorial Note: this amendment will be carried through into the text of the Act at the same time as any other effects on the Act for the year in which the relevant commencement order (or first such order) is made]

#### **5 Acquisition of information etc.**

- (1) The OFT has the function of obtaining, compiling and keeping under review information about matters relating to the carrying out of its functions.
- (2) That function is to be carried out with a view to (among other things) ensuring that the OFT has sufficient information to take informed decisions and to carry out its other functions effectively.
- (3) In carrying out that function the OFT may carry out, commission or support (financially or otherwise) research.

#### **6 Provision of information etc. to the public**

- (1) The OFT has the function of—
  - (a) making the public aware of the ways in which competition may benefit consumers in, and the economy of, the United Kingdom; and

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*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Enterprise Act 2002 (repealed). Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

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(b) giving information or advice in respect of matters relating to any of its functions to the public.

(2) In carrying out those functions the OFT may—

- (a) publish educational materials or carry out other educational activities; or
- (b) support (financially or otherwise) the carrying out by others of such activities or the provision by others of information or advice.

## **7 Provision of information and advice to Ministers etc.**

(1) The OFT has the function of—

- (a) making proposals, or
- (b) giving other information or advice,

on matters relating to any of its functions to any Minister of the Crown or other public authority (including proposals, information or advice as to any aspect of the law or a proposed change in the law).

(2) A Minister of the Crown may request the OFT to make proposals or give other information or advice on any matter relating to any of its functions; and the OFT shall, so far as is reasonably practicable and consistent with its other functions, comply with the request.

## **8 Promoting good consumer practice**

(1) The OFT has the function of promoting good practice in the carrying out of activities which may affect the economic interests of consumers in the United Kingdom.

(2) In carrying out that function the OFT may (without prejudice to the generality of subsection (1)) make arrangements for approving consumer codes and may, in accordance with the arrangements, give its approval to or withdraw its approval from any consumer code.

(3) Any such arrangements must specify the criteria to be applied by the OFT in determining whether to give approval to or withdraw approval from a consumer code.

(4) Any such arrangements may in particular—

- (a) specify descriptions of consumer code which may be the subject of an application to the OFT for approval (and any such description may be framed by reference to any feature of a consumer code, including the persons who are, or are to be, subject to the code, the manner in which it is, or is to be, operated and the persons responsible for its operation); and
- (b) provide for the use in accordance with the arrangements of an official symbol intended to signify that a consumer code is approved by the OFT.

(5) The OFT shall publish any arrangements under subsection (2) in such manner it considers appropriate.

(6) In this section “consumer code” means a code of practice or other document (however described) intended, with a view to safeguarding or promoting the interests of consumers, to regulate by any means the conduct of persons engaged in the supply of goods or services to consumers (or the conduct of their employees or representatives).

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