



Digital Markets, Competition and Consumers Act 2024

2024 CHAPTER 13

PART 3

ENFORCEMENT OF CONSUMER PROTECTION LAW

CHAPTER 3

CONSUMER PROTECTION ORDERS AND UNDERTAKINGS

Jurisdiction etc

173 **Appropriate court**

- (1) This section applies for the purposes of determining the appropriate court in relation to an application for, or the making of, a consumer protection order against a person (“the respondent”) in connection with a relevant infringement.
- (2) If the respondent has a place of business in, or carries on business in, a part of the United Kingdom, the appropriate court is—
 - (a) the High Court or the county court in England and Wales, if the respondent carries on business in England and Wales or has a place of business in England and Wales;
 - (b) the High Court or a county court in Northern Ireland, if the respondent carries on business in Northern Ireland or has a place of business in Northern Ireland;
 - (c) the Court of Session or the sheriff, if the respondent carries on business in Scotland or has a place of business in Scotland.
- (3) If the respondent does not have a place of business in, and does not carry on business in, any part of the United Kingdom, the appropriate court is—

Status: This is the original version (as it was originally enacted).

- (a) the High Court or the county court in England and Wales, if a relevant consumer is domiciled in England or Wales;
 - (b) the High Court or a county court in Northern Ireland, if a relevant consumer is domiciled in Northern Ireland;
 - (c) the Court of Session or the sheriff, if a relevant consumer is domiciled in Scotland.
- (4) References in subsection (3) to a “relevant consumer” are to any consumer—
- (a) to or for whom goods, services or digital content are supplied in connection with which the relevant infringement has, or is alleged to have, taken place,
 - (b) to whom activities are directed the carrying out of which constitutes, or is alleged to constitute, the relevant infringement, or
 - (c) from whom goods are received in connection with which the relevant infringement has, or is alleged to have, taken place.
- (5) Section 41 of the Civil Jurisdiction and Judgments Act 1982 applies for the purposes of determining the part of the United Kingdom in which a relevant consumer is domiciled.

174 Effect of orders in other parts of the United Kingdom

A consumer protection order made in a part of the United Kingdom by a court specified in relation to that part in the second or third column of the Table has effect in another part of the United Kingdom as if made by a court specified in relation to that other part in the same column of the Table—

England and Wales	The High Court	The county court
Scotland	The Court of Session	The sheriff
Northern Ireland	The High Court	A county court.

175 Evidence

- (1) Proceedings under [this Chapter](#) are civil proceedings for the purposes of—
- (a) section 11 of the Civil Evidence Act 1968 (convictions admissible as evidence in civil proceedings);
 - (b) section 10 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1968 (corresponding provision in Scotland);
 - (c) section 7 of the Civil Evidence Act (Northern Ireland) 1971 (c.36 (N.I.)) (corresponding provision in Northern Ireland).
- (2) In proceedings under [this Chapter](#) any finding by a court in civil proceedings that a person has engaged in infringing conduct—
- (a) is admissible as evidence that the conduct has occurred;
 - (b) unless the contrary is proved, is sufficient evidence that the conduct has occurred.
- (3) But [subsection \(2\)](#) does not apply to any finding—
- (a) which has been reversed on appeal;
 - (b) which has been varied on appeal so as to negate it.

- (4) For the purposes of subsection (2), a person engages in “infringing conduct” if—
- (a) the person has engaged in a commercial practice that constitutes a relevant infringement, or
 - (b) the person is an accessory to such a practice.