
STATUTORY INSTRUMENTS

1997 No. 1081

The Timeshare Regulations 1997

Form of agreement and language of brochure and agreement

6. After section 1C of the 1992 Act there is inserted—

“Form of agreement and language of brochure and agreement

1D.—(1) A person must not in the course of a business enter into a timeshare agreement to which this Act applies as offeror unless the agreement is in writing and complies with subsections (3) to (5) below, so far as applicable.

(2) A person who is required to provide a document under subsection (1) of section 1A of this Act contravenes that subsection if he does not provide a document which complies with subsections (3) and (4) below, so far as applicable.

(3) If the customer is resident in, or a national of, an EEA State, the agreement or document (as the case may be) must be drawn up in a language which is—

- (a) the language, or one of the languages, of the EEA State in which he is resident, or
- (b) the language, or one of the languages, of the EEA State of which he is a national,

and is an official language of an EEA State.

(4) If, in a case falling within subsection (3) above, there are two or more languages in which the agreement or document may be drawn up in compliance with that subsection and the customer nominates one of those languages, the agreement or document must be drawn up in the language he nominates.

(5) If the offeree is resident in the United Kingdom and the agreement would not, apart from this subsection, be required to be drawn up in English, it must be drawn up in English (in addition to any other language in which it is drawn up).

(6) A person who contravenes subsection (1) above is guilty of an offence and liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum, and
- (b) on conviction on indictment, to a fine.

(7) In this section “the customer” means—

- (a) for the purposes of subsection (1) above, the offeree, and
- (b) for the purposes of subsection (2) above, the person to whom the document is required to be provided.

(8) Subsection (1) above only applies if the offeree—

- (a) is an individual, and
- (b) is not acting in the course of a business.

(9) Subsection (1) above only applies if—

- (a) the accommodation which is the subject of the agreement is accommodation in a building, or

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(b) some or all of the accommodation in the pool of accommodation which is the subject of the agreement is accommodation in a building,
as the case may be.”