

2006 No. 3372

CONSUMER PROTECTION

**The Enterprise Act 2002 (Part 8 Community Infringements
Specified UK Laws) Order 2006**

<i>Made</i>	- - - -	<i>15th December 2006</i>
<i>Laid before Parliament</i>		<i>18th December 2006</i>
<i>Coming into force</i>	- -	<i>8th January 2007</i>

The Secretary of State makes the following Order in exercise of the power conferred on him by section 212(3) and (6) of the Enterprise Act 2002(a).

Citation and commencement

1.—(1) This Order may be cited as the Enterprise Act 2002 (Part 8 Community Infringements Specified UK Laws) Order 2006.

(2) This Order shall come into force on 8th January 2007.

Listed Directives and Regulations and Specified Law

2. The law set out in the Schedule to this Order is hereby specified for the purposes of section 212(3) of the Enterprise Act 2002 to the extent that it gives effect to the listed Directives or provides additional permitted protections, or gives effect to the listed Regulation.

15th December 2006

Ian McCartney
Minister of State for Trade, Investment and Foreign Affairs
Department of Trade and Industry

(a) 2002 c.40.

SCHEDULE

Article 2

LISTED DIRECTIVES AND REGULATION

Directives and Regulation

Directive 97/55/EC of the European Parliament and of the Council of 6 October 1997 amending Directive 84/450/EEC concerning misleading advertising(**a**) so as to include comparative advertising(**b**)

Directive 98/6/EC of the European Parliament and of the Council of 16 February 1998 on consumer protection in the indication of prices of products offered to consumers(**d**)

Regulation (EC) No. 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights(**f**)

Specified UK law

Regulation 4A of the Control of Misleading Advertisements Regulations 1988(**c**)

Price Marking Order 2004(**e**)

Civil Aviation (Denied Boarding, Compensation and Assistance) Regulations 2005(**g**)

(a) OJ No. L250, 19.9.1984, p.17.
(b) OJ No. L 290, 23.10.1997, p.18.
(c) SI 1988/915.
(d) OJ No. L 80, 18.3.1998, p.27.
(e) SI 2004/102.
(f) OJ No. L 46, 17.2.2004, p.1.
(g) SI 2005/975.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies, for the purposes of section 212 of the Enterprise Act 2002 (the “2002 Act”) the UK law which gives effect to the two directives and the regulation referred to in the Schedule (the “EC legislation”).

The EC legislation has come within the scope of Part 8 of the 2002 Act as a result of the coming into force of Regulation (EC) No. 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws, as amended by Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market (the “CPC Regulation”).

This Order has been made following amendments to the 2002 Act by the Enterprise Act (Amendment) Regulations 2006 (“the Amendment Regulations”). The Amendment Regulations amongst other things, amended Schedule 13 of the 2002 Act to add the EC legislation to bring that legislation within the scope of Part 8; and amended sections 210 and 212 of the 2002 Act, to enable the power to specify UK laws implementing such legislation to be exercised in relation to regulations as well as directives.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business is available from the Department of Trade & Industry, 1 Victoria Street, London, SW1H 0ET.

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