

STATUTORY INSTRUMENTS

2011 No. 1065

CONSUMER PROTECTION

The Timeshare (Amendment) Regulations 2011

Made - - - - 2nd April 2011
Laid before Parliament 5th April 2011
Coming into force - - 28th April 2011

The Secretary of State is a Minister designated ^{M1} for the purposes of section 2(2) of the European Communities Act 1972 ^{M2} in relation to measures relating to consumer protection.

The Secretary of State makes these Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972.

Marginal Citations

- M1** S.I. 1993/2661.
M2 1972 c.68. Section 2(2) was amended by section 27(1)(a) of the [Legislative and Regulatory Reform Act 2006 \(c.51\)](#).

Citation and Commencement **U.K.**

- 1.—(1) These Regulations may be cited as the Timeshare (Amendment) Regulations 2011.
(2) They come into force on 28th April 2011.

Amendments to the Criminal Justice and Police Act 2001 **U.K.**

^{F1}2.

Textual Amendments

- F1** [Reg. 2](#) revoked (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 85\(I\)](#); S.I. 2015/1630, art. 3(i) (with art. 8)

Amendments to the Consumer Credit (Agreements) Regulations 1983 **U.K.**

- 3.—(1) The Consumer Credit (Agreements) Regulations 1983 ^{M3} are amended as follows.

Changes to legislation: There are currently no known outstanding effects for the
The Timeshare (Amendment) Regulations 2011. (See end of Document for details)

(2) For paragraph 23 in Schedule 1 substitute—

“23. Agreements that cannot be cancelled by the debtor under the Act or the Financial Services (Distance Marketing) Regulations 2004. (3) A statement that the debtor has no right to cancel the agreement under the Consumer Credit Act 1974 or the Financial Services (Distance Marketing) Regulations 2004.”

Marginal Citations

M3 [S.I. 1983/1553](#); relevant amending instruments are [S.I. 2004/1482](#) and [S.I. 2010/2960](#).

Department for Business, Innovation and Skills

Edward Davey
Minister for Employment Relations, Consumer
and Postal Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, issued free of charge, amend the Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010 (S.I. 2010/2960) (“the principal Regulations”) to correct drafting errors. The principal Regulations implement Directive [2008/122/EC](#) of the European Parliament and of the Council on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts (OJ No L 33, 3.2.2009 p10). Regulation 2 amends the Criminal Justice and Police Act 2001 to correct cross referencing errors in the amendments made by the principal Regulations. Regulation 3 amends paragraph 23 of Schedule 1 to the Consumer Credit (Agreements) Regulations 1983 (S.I. 1983/1553) to remove the reference to the principal Regulations. Paragraph 23 provides that where a credit agreement under the principal Regulations cannot be cancelled, the creditor must provide a statement to the debtor to this effect. In fact, all credit contracts which are subject to the principal Regulations benefit from a right to cancellation by the debtor and the reference to the principal Regulations is therefore otiose.

An impact assessment has not been prepared for these Regulations since they have the same effect on the costs to business and the voluntary sector as the Principal Regulations. A copy of the transposition note and impact for the principal Regulations is available from the BIS website (www.bis.gov.uk) and was placed in the libraries of both Houses of Parliament.

Changes to legislation:

There are currently no known outstanding effects for the The Timeshare (Amendment) Regulations 2011.