

SCHEDULE 4

Regulation 47

Consequential amendments

Unsolicited Goods and Services Act 1971

1. In section 6 of the Unsolicited Goods and Services Act 1971 (interpretation)(1), for subsection (3) substitute—

“(3) Nothing in section 3 or 3B affects the rights of any consumer under the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013.”

Consumer Credit Act 1974

2. In section 74 of the Consumer Credit Act 1974 (entry into credit or hire agreements: exclusion of certain agreements)(2), for subsection (2A) substitute—

“(2A) In the case of an agreement to which Part 2 or 3 of the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 applies, the reference in subsection (2) to a small agreement is to be read as if in section 17(1)(a) and (b) “£42” were substituted for “£50”.”

Companies Act 1985

3. In paragraph 26 of Schedule 15D to the Companies Act 1985 (company investigations: disclosure for purposes of enforcement authority under Regulations)(3), for “the Consumer Protection (Distance Selling) Regulations 2000 (SI 2000/2334)” substitute “the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013”.

Financial Services (Distance Marketing) Regulations 2004

4. In regulation 11(1) of the Financial Services (Distance Marketing) Regulations 2004 (exceptions to right to cancel under those regulations)(4), for paragraph (e) substitute—

“(e) a credit agreement terminated under regulation 50(1) of the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 (automatic termination of related agreements)”.

Supply of Extended Warranties on Domestic Electrical Goods Order 2005

5. In article 2 of the Supply of Extended Warranties on Domestic Electrical Goods Order 2005(5), for the words from “distance contracts” to the end substitute “distance or off-premises contracts to which Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EC and Directive 97/7/EC of the European Parliament and of the Council applies.”

(1) 1971 c.30.
(2) 1974 c.39.
(3) 1985 c.6.
(4) S.I. 2004/2095.
(5) S.I. 2005/37.

Companies Act 2006

6. In the following provisions of the Companies Act 2006 (provisions permitting disclosure of information for purposes of enforcement authority under Regulations)(**6**), for “the Consumer Protection (Distance Selling) Regulations 2000 ([SI 2000/2334](#))” substitute “the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013”—

- (a) Schedule 2, Part 2, paragraph 34;
- (b) in Schedule 11A, paragraph 49.

Waste Electrical & Electrical Equipment Regulations 2006

7. In regulation 2 of the Waste Electrical & Electrical Equipment Regulations 2006(**7**), in the definition of “producer”—

- (a) omit the words from “in accordance with” to “distance contacts”;
- (b) at the end insert—

“(and distance communication here has the same meaning as in Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council [Directive 93/13/EEC](#) and [Directive 1999/44/EC](#) of the European Parliament and of the Council and repealing Council [Directive 85/577/EC](#) and [Directive 97/7/EC](#) of the European Parliament and of the Council;)”.

Legislative and Regulatory Reform (Regulatory Functions) Order 2007

8.—(1) In the Schedule to the Legislative and Regulatory Reform (Regulatory Functions) Order 2007 (functions to which sections 21 and 22 of the Legislative and Regulatory Reform Act 2006 apply)(**8**)—

- (a) in Part 3, omit “Consumer Protection (Distance Selling) Regulations 2000” and “Cancellation of Contracts made in a Consumer’s Home or Place of Work etc Regulations 2008”;
- (b) in Part 6, omit “Consumer Protection (Distance Selling) Regulations 2000”;
- (c) in Parts 3 and 6, insert in the appropriate place “Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013”.

Consumer Protection from Unfair Trading Regulations 2008

9. In Schedule 1 to the Consumer Protection from Unfair Trading Regulations 2008(**9**), omit paragraph 29.

Payment Services Regulations 2009

10.—(1) In regulation 62 of the Payment Services Regulations 2009 (payer’s liability for unauthorised payment transaction)(**10**), for paragraph (4) substitute—

“(4) In paragraph (3)(c)—

“distance contract” means a distance contract as defined by regulation 5 of the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013;

(6) [2006 c.46](#).

(7) [S.I. 2006/3289](#).

(8) [S.I. 2007/3544](#).

(9) [S.I. 2008/1277](#).

(10) [S.I. 2009/209](#).

“excepted contract” means a contract that—

- (a) falls to any extent within regulation 6(1) of those Regulations, or
- (b) falls within regulation 6(2) of those Regulations.”

Co-ordination of Regulatory Enforcement (Regulatory Functions in Scotland and Northern Ireland) Order 2009

11. In Part 2 of Schedule 1 to the Co-ordination of Regulatory Enforcement (Regulatory Functions in Scotland and Northern Ireland) Order 2009 (functions specified for the purposes of Part 2 of the Regulatory Enforcement and Sanctions Act 2008)(11), for “Consumer Protection (Distance Selling) Regulations 2000” substitute “Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013”.

Waste Batteries and Accumulators Regulations 2009

12. In regulation 2 of the Waste Batteries and Accumulators Regulations 2009(12), in the definition of “producer”—

- (a) omit the words from “as defined in” to “distance contacts”;
- (b) at the end insert—

“(and distance communication here has the same meaning as in Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EC and Directive 97/7/EC of the European Parliament and of the Council;)”.

Unsolicited Services (Trade and Business Directories) Act (Northern Ireland) 2010

13. In section 1(2) of the Unsolicited Services (Trade and Business Directories) Act (Northern Ireland) 2010 (control of charges for directory entries)(13), for “the Consumer Protection (Distance Selling) Regulations 2000 (No. 2334)” substitute “the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013”.

Postal Services Act 2011 (Disclosure of Information) Order 2012

14. In regulation 4 of the Postal Services Act 2011 (Disclosure of Information) Order 2012 (prescribed enactments for disclosure of information)(14)—

- (a) omit “the Consumer Protection (Distance Selling) Regulations 2000”;
- (b) at the appropriate place insert “the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013, so far as they apply to distance contracts;”.

Consumer Rights (Payment Surcharges) Regulations 2012

15.—(1) The Consumer Rights (Payment Surcharges) Regulations 2012(15) are amended as follows.

- (2) In regulation 2, for the definition of “trader” substitute—

(11) S.I. 2009/669.

(12) 2009/890.

(13) 2010 c.15 (N.I.).

(14) 2012/1128.

(15) S.I. 2012/3110.

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

“trader” means a person acting for purposes relating to that person’s trade, business, craft or profession, whether acting personally or through another person acting in the trader’s name or on the trader’s behalf.”

(3) In regulation 3

(a) in the appropriate place insert—

““business” includes the activities of any government department or local or public authority;”.

(b) in the definition of “sales contract” for “(whether or not the contract also covers services)” substitute “, including any contract that has both goods and services as its object”.

Enterprise Act (Part 8 Domestic Infringements) Order 2013

16. The Enterprise Act (Part 8 Domestic Infringements) Order 2013(**16**) is revoked.