
DRAFT STATUTORY INSTRUMENTS

2008 No.

The Consumer Protection from
Unfair Trading Regulations 2008

PART 2

PROHIBITIONS

Prohibition of unfair commercial practices

- 3.**—(1) Unfair commercial practices are prohibited.
- (2) Paragraphs (3) and (4) set out the circumstances when a commercial practice is unfair.
- (3) A commercial practice is unfair if—
- (a) it contravenes the requirements of professional diligence; and
 - (b) it materially distorts or is likely to materially distort the economic behaviour of the average consumer with regard to the product.
- (4) A commercial practice is unfair if—
- (a) it is a misleading action under the provisions of regulation 5;
 - (b) it is a misleading omission under the provisions of regulation 6;
 - (c) it is aggressive under the provisions of regulation 7; or
 - (d) it is listed in Schedule 1.