**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Consumer Protection from Unfair Trading Regulations 2008 No. 1277

### SCHEDULE 2

### Amendments

# PART 1

### Amendments to Acts

## **Trade Descriptions Act 1968**

- **10.** In section 12 (false representations as to royal approval or award, etc), after subsection (2) add—
  - "(3) A person shall not be guilty of an offence under subsection (1) or (2) by reason of doing anything that is a commercial practice unless the commercial practice is unfair.

In this subsection "commercial practice" and "unfair" have the same meaning as in the Consumer Protection from Unfair Trading Regulations 2008.".