

SCHEDULES

SCHEDULE 4

Section 48.

MINOR AND CONSEQUENTIAL AMENDMENTS

The Explosives Act 1875

- 1 In sections 31 and 80 of the Explosives Act 1875 (prohibitions on selling gunpowder to children and on use of fireworks in public places), for the words from "shall be liable" onwards there shall be substituted the words "shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale".

The Trade Descriptions Act 1968

- 2 (1) In section 2 of the Trade Descriptions Act 1968 (meaning of trade description)—
- (a) for paragraph (g) of subsection (4) (marks and descriptions applied in pursuance of the Consumer Safety Act 1978) there shall be substituted the following paragraph—
 - “(g) the Consumer Protection Act 1987;” and
 - (b) in subsection (5)(a) (descriptions prohibited under certain enactments), for the words "or the Consumer Safety Act 1978" there shall be substituted the words "or the Consumer Protection Act 1987".
- (2) In section 28(5A) of the said Act of 1968 (disclosure of information authorised for purpose specified in section 174(3) of the Consumer Credit Act 1974), for the words from "section 174(3)" onwards there shall be substituted the words "section 38(2) (a), (b) or (c) of the Consumer Protection Act 1987."

The Fair Trading Act 1973

- 3 In section 130(1) of the Fair Trading Act 1973 (notice of intended prosecution by weights and measures authority to Director General of Fair Trading), after the words "that Act," there shall be inserted the words "or for an offence under any provision made by or under Part III of the Consumer Protection Act 1987,".

The Consumer Credit Act 1974

- 4 In section 174(3)(a) of the Consumer Credit Act 1974 (exceptions to general restrictions on disclosure of information), after the words "or the Airports Act 1986" there shall be inserted the words "or the Consumer Protection Act 1987".

The Torts (Interference with Goods) Act 1977

- 5 In section 1 of the Torts (Interference with Goods) Act 1977 (meaning of "wrongful interference"), after paragraph (d) there shall be inserted the following words—

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“and references in this Act (however worded) to proceedings for wrongful interference or to a claim or right to claim for wrongful interference shall include references to proceedings by virtue of Part I of the Consumer Protection Act 1987 (product liability) in respect of any damage to goods or to an interest in goods or, as the case may be, to a claim or right to claim by virtue of that Part in respect of any such damage.”

The Estate Agents Act 1979

- 6 In section 10(3)(a) of the Estate Agents Act 1979 (exceptions to general restrictions on disclosure of information), after the words "or the Airports Act 1986" there shall be inserted the words "or the Consumer Protection Act 1987."

The Competition Act 1980

- 7 In section 19(3) of the Competition Act 1980 (enactments specified in exceptions to general restrictions on disclosure of information), after paragraph (i) there shall be inserted the following paragraph—
 “(j) the Consumer Protection Act 1987.”

The Employment Act 1982

- 8 In section 16(2) of the Employment Act 1982 (proceedings against trade unions in relation to which the appropriate limit does not apply), after paragraph (b) there shall be inserted the following words—
 “or to any proceedings by virtue of Part I of the Consumer Protection Act 1987 (product liability).”

The Telecommunications Act 1984

- 9 (1) In sections 28(6) and 85(5)(b) of the Telecommunications Act 1984 (meaning of "supply"), for the words "be construed in accordance with section 9 of the Consumer Safety Act 1978" there shall be substituted the words "have the same meaning as it has in Part II of the Consumer Protection Act 1987".
 (2) In section 101(3) of the said Act of 1984 (enactments specified in exceptions to general restrictions on disclosure of information), after paragraph (g) there shall be inserted the following paragraph—
 “(h) the Consumer Protection Act 1987.”

The Airports Act 1986

- 10 In section 74(3) of the Airports Act 1986 (enactments specified in exceptions to general restrictions on disclosure of information), after paragraph (h) there shall be inserted the following paragraph—
 “(i) the Consumer Protection Act 1987.”

The Gas Act 1986

- 11 In section 42 of the Gas Act 1986—

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(a) in subsection (3) (restrictions on disclosure of information except for the purposes of certain enactments), at the end there shall be inserted the following paragraph—

“(j) the Consumer Protection Act 1987”;

(b) after subsection (5) there shall be inserted the following subsection—

“(6) In relation to the Consumer Protection Act 1987 the reference in subsection (2)(b) above to a weights and measures authority shall include a reference to any person on whom functions under that Act are conferred by regulations under section 27(2) of that Act.”

The Insolvency Act 1986

12 In section 281(5)(a) of the insolvency Act 1986 (discharge from bankruptcy not to release bankrupt from liability in respect of personal injuries), for the word "being" there shall be substituted the words "or to pay damages by virtue of Part I of the Consumer Protection Act 1987, being in either case".

The Motor Cycle Noise Act 1987

13 For paragraphs 3 to 5 of the Schedule to the Motor Cycle Noise Act 1987 (enforcement) there shall be substituted the following paragraph—

“3 Part IV of the Consumer Protection Act 1987 (enforcement), except section 31 (power of customs officers to detain goods), shall have effect as if the provisions of this Act were safety provisions within the meaning of that Act: and in Part V of that Act (miscellaneous and supplemental), except in section 49 (Northern Ireland), references to provisions of the said Part IV shall include references to those provisions as applied by this paragraph.”