



Enterprise Act 2002

2002 CHAPTER 40

PART 8

ENFORCEMENT OF CERTAIN CONSUMER LEGISLATION

Interpretation

232 Goods and services

- (1) References in this Part to goods and services must be construed in accordance with this section.
- (2) Goods include—
 - (a) buildings and other structures;
 - (b) ships, aircraft and hovercraft.
- (3) The supply of goods includes—
 - (a) supply by way of sale, lease, hire or hire purchase;
 - (b) in relation to buildings and other structures, construction of them by one person for another.
- (4) Goods or services which are supplied wholly or partly outside the United Kingdom must be taken to be supplied to or for a person in the United Kingdom if they are supplied in accordance with arrangements falling within subsection (5).
- (5) Arrangements fall within this subsection if they are made by any means and—
 - (a) at the time the arrangements are made the person seeking the supply is in the United Kingdom, or
 - (b) at the time the goods or services are supplied (or ought to be supplied in accordance with the arrangements) the person responsible under the arrangements for effecting the supply is in or has a place of business in the United Kingdom.

Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2002, Cross Heading: Interpretation. (See end of Document for details)

233 Person supplying goods

- (1) This section has effect for the purpose of references in this Part to a person supplying or seeking to supply goods under—
 - (a) a hire-purchase agreement;
 - (b) a credit-sale agreement;
 - (c) a conditional sale agreement.
- (2) The references include references to a person who conducts any antecedent negotiations relating to the agreement.
- (3) The following expressions must be construed in accordance with section 189 of the Consumer Credit Act 1974 (c. 39) —
 - (a) hire-purchase agreement;
 - (b) credit-sale agreement;
 - (c) conditional sale agreement;
 - (d) antecedent negotiations.

234 Supply of services

- (1) References in this Part to the supply of services must be construed in accordance with this section.
- (2) The supply of services does not include the provision of services under a contract of service or of apprenticeship whether it is express or implied and (if it is express) whether it is oral or in writing.
- (3) The supply of services includes—
 - (a) performing for gain or reward any activity other than the supply of goods;
 - (b) rendering services to order;
 - (c) the provision of services by making them available to potential users.
- (4) The supply of services includes making arrangements for the use of computer software or for granting access to data stored in any form which is not readily accessible.
- (5) The supply of services includes making arrangements by means of a relevant agreement [^{F1}(within the meaning of paragraph 17 of Schedule 3A to the Communications Act 2003 (the electronic communications code)) for sharing the use of electronic communications apparatus.]
- (6) The supply of services includes permitting or making arrangements to permit the use of land in such circumstances as the Secretary of State specifies by order.
- (7) The power to make an order under subsection (6) must be exercised by statutory instrument.
- (8) But no such order may be made unless a draft of it has been laid before Parliament and approved by a resolution of each House.

Textual Amendments

- F1** Words in s. 234(5) substituted (28.12.2017) by [Digital Economy Act 2017 \(c. 30\)](#), s. 118(6), [Sch. 3 para. 44](#); S.I. 2017/1286, reg. 2(d)

Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2002, Cross Heading: Interpretation. (See end of Document for details)

F²235 Injunctions Directive

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Textual Amendments

- F2** S. 235 omitted (31.12.2020) by virtue of [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/203), regs. 1, [3\(17\)](#) (with reg. 9) (as amended by [S.I. 2020/1347](#), regs. 1(3), [3\(3\)\(g\)\(8\)](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

F³235A CPC Regulation

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Textual Amendments

- F3** S. 235A omitted (31.12.2020) by virtue of [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/203), regs. 1, [3\(17\)](#) (with reg. 9) (as amended by [S.I. 2020/1347](#), regs. 1(3), [3\(3\)\(g\)\(8\)](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

235B Dual enforcers

References in this Part to a general enforcer, a designated enforcer or a [^{F4}Schedule 13 enforcer] are to be read, in the case of a person or body which is more than one kind of enforcer, as references to that person or body acting in its capacity as a general enforcer, designated enforcer or (as the case may be) [^{F4}Schedule 13 enforcer].

Textual Amendments

- F4** Words in s. 235B substituted (31.12.2020) by [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/203), regs. 1, [3\(18\)](#) (with reg. 9) (as amended by [S.I. 2020/1347](#), regs. 1(3), [3\(8\)](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Enterprise Act 2002, Cross Heading: Interpretation.