



Enterprise Act 2002

2002 CHAPTER 40

PART 8

ENFORCEMENT OF CERTAIN CONSUMER LEGISLATION

[^{F1}Enforcement orders and interim enforcement orders]

215 Applications

- (1) An application for an enforcement order must name the person the enforcer thinks—
 - (a) has engaged or is engaging in conduct which constitutes a domestic or a [^{F1}Schedule 13 infringement], or
 - (b) is likely to engage in conduct which constitutes a [^{F1}Schedule 13 infringement].
- (2) A general enforcer may make an application for an enforcement order in respect of any infringement.
- (3) A designated enforcer may make an application for an enforcement order in respect of an infringement to which his designation relates.
- ^{F2}(4)
- ^{F3}(4A) A [^{F4}Schedule 13 enforcer] may make an application for an enforcement order in respect of a [^{F5}Schedule 13 infringement].
- (5) The following courts have jurisdiction to make an enforcement order—
 - ^{F6}(za) the High Court or the county court if the person against whom the order is sought carries on business or has a place of business in England and Wales;
 - (a) the High Court or a county court if the person against whom the order is sought carries on business or has a place of business in ^{F7}...Northern Ireland;
 - (b) the Court of Session or the sheriff if the person against whom the order is sought carries on business or has a place of business in Scotland.
- ^{F8}(6)

Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2002, Section 215. (See end of Document for details)

^{F9}(7)

^{F10}(8)

(9) An enforcer which is not the [^{F11}CMA] must notify the [^{F11}CMA] of the result of an application under this section.

Textual Amendments

- F1** Words in s. 215(1) substituted (31.12.2020) by [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/203), regs. 1, **3(6)(a)** (with reg. 9) (as amended by S.I. 2020/1347, regs. 1(3), 3(8)); 2020 c. 1, Sch. 5 para. 1(1)
- F2** S. 215(4) omitted (31.12.2020) by virtue of [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/203), regs. 1, **3(6)(b)** (with reg. 9) (as amended by S.I. 2020/1347, regs. 1(3), 3(8)); 2020 c. 1, Sch. 5 para. 1(1)
- F3** S. 215(4A) inserted (8.1.2007) by [The Enterprise Act 2002 \(Amendment\) Regulations 2006](#) (S.I. 2006/3363), **reg. 12**
- F4** Words in s. 215(4A) substituted (31.12.2020) by [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/203), regs. 1, **3(6)(c)(i)** (with reg. 9) (as amended by S.I. 2020/1347, regs. 1(3), 3(8)); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in s. 215(4A) substituted (31.12.2020) by [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/203), regs. 1, **3(6)(c)(ii)** (with reg. 9) (as amended by S.I. 2020/1347, regs. 1(3), 3(8)); 2020 c. 1, Sch. 5 para. 1(1)
- F6** S. 215(5)(za) inserted (22.4.2014) by [Crime and Courts Act 2013](#) (c. 22), s. 61(3), **Sch. 9 para. 81(c)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F7** Words in s. 215(5)(a) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013](#) (c. 22), s. 61(3), **Sch. 9 para. 81(b)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F8** S. 215(6) omitted (31.12.2020) by virtue of [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/203), regs. 1, **3(6)(d)** (with reg. 9) (as amended by S.I. 2020/1347, regs. 1(3), 3(8)); 2020 c. 1, Sch. 5 para. 1(1)
- F9** S. 215(7) omitted (31.12.2020) by virtue of [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/203), regs. 1, **3(6)(d)** (with reg. 9) (as amended by S.I. 2020/1347, regs. 1(3), 3(8)); 2020 c. 1, Sch. 5 para. 1(1)
- F10** S. 215(8) omitted (31.12.2020) by virtue of [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/203), regs. 1, **3(6)(d)** (with reg. 9) (as amended by S.I. 2020/1347, regs. 1(3), 3(8)); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Word in s. 215(9) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013](#) (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 8** (with art. 3)

Changes to legislation:

There are currently no known outstanding effects for the Enterprise Act 2002, Section 215.