



Enterprise Act 2002

2002 CHAPTER 40

PART 8

ENFORCEMENT OF CERTAIN CONSUMER LEGISLATION

Enforcement procedure

220 Further proceedings

- (1) This section applies if the court—
 - (a) makes an enforcement order under section 217,
 - (b) makes an interim enforcement order under section 218, or
 - (c) accepts an undertaking under either of those sections.
- (2) In such a case the OFT has the same right to apply to the court in respect of a failure to comply with the order or undertaking as the enforcer who made the application for the order.
- (3) An application to the court in respect of a failure to comply with an undertaking may include an application for an enforcement order or for an interim enforcement order.
- (4) If the court finds that an undertaking is not being complied with it may make an enforcement order or an interim enforcement order (instead of making any other order it has power to make).
- (5) In the case of an application for an enforcement order or for an interim enforcement order as mentioned in subsection (3) sections 214 and 216 must be ignored and sections 215 and 217 or 218 (as the case may be) apply subject to the following modifications—
 - (a) section 215(1)(b) must be ignored;
 - (b) section 215(5) must be ignored and the application must be made to the court which accepted the undertaking;
 - (c) section 217(9) to (11) must be ignored;
 - (d) section 218(10) must be ignored.

Status: This is the original version (as it was originally enacted).

- (6) If an enforcer which is not the OFT makes an application in respect of the failure of a person to comply with an enforcement order, an interim enforcement order or an undertaking given under section 217 or 218 the enforcer must notify the OFT—
- (a) of the application;
 - (b) of any order made by the court on the application.