



Enterprise Act 2002

2002 CHAPTER 40

PART 8

ENFORCEMENT OF CERTAIN CONSUMER LEGISLATION

Miscellaneous

228 Evidence

- (1) Proceedings under this Part are civil proceedings for the purposes of—
 - (a) section 11 of the Civil Evidence Act 1968 (c. 64) (convictions admissible as evidence in civil proceedings);
 - (b) section 10 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1968 (c. 70) (corresponding provision in Scotland);
 - (c) section 7 of the Civil Evidence Act (Northern Ireland) 1971 (c. 36 (N.I.)) (corresponding provision in Northern Ireland).
- (2) In proceedings under this Part any finding by a court in civil proceedings that an act or omission mentioned in section 211(2)(b), (c) or (d) or 212(1) has occurred—
 - (a) is admissible as evidence that the act or omission occurred;
 - (b) unless the contrary is proved, is sufficient evidence that the act or omission occurred.
- (3) But subsection (2) does not apply to any finding—
 - (a) which has been reversed on appeal;
 - (b) which has been varied on appeal so as to negative it.