



# Consumer Rights Act 2015

## 2015 CHAPTER 15

### PART 1

#### CONSUMER CONTRACTS FOR GOODS, DIGITAL CONTENT AND SERVICES

### CHAPTER 5

#### GENERAL AND SUPPLEMENTARY PROVISIONS

#### **58 Powers of the court**

- (1) In any proceedings in which a remedy is sought by virtue of section 19(3) or (4), 42(2) or 54(3), the court, in addition to any other power it has, may act under this section.
- (2) On the application of the consumer the court may make an order requiring specific performance or, in Scotland, specific implement by the trader of any obligation imposed on the trader by virtue of section 23, 43 or 55.
- (3) Subsection (4) applies if—
  - (a) the consumer claims to exercise a right under the relevant remedies provisions, but
  - (b) the court decides that those provisions have the effect that exercise of another right is appropriate.
- (4) The court may proceed as if the consumer had exercised that other right.
- (5) If the consumer has claimed to exercise the final right to reject, the court may order that any reimbursement to the consumer is reduced by a deduction for use, to take account of the use the consumer has had of the goods in the period since they were delivered.
- (6) Any deduction for use is limited as set out in section 24(9) and (10).
- (7) The court may make an order under this section unconditionally or on such terms and conditions as to damages, payment of the price and otherwise as it thinks just.

*Status: This is the original version (as it was originally enacted).*

---

- (8) The “relevant remedies provisions” are—
- (a) where Chapter 2 applies, sections 23 and 24;
  - (b) where Chapter 3 applies, sections 43 and 44;
  - (c) where Chapter 4 applies, sections 55 and 56.