
STATUTORY INSTRUMENTS

1997 No. 1081

The Timeshare Regulations 1997

Advance payments

10. After section 5A of the 1992 Act there is inserted—

“Advance payments.

5B.—(1) A person who enters, or proposes to enter, in the course of a business into a timeshare agreement to which this Act applies as offeror must not (either in person or through another person) request or accept from the offeree or proposed offeree any advance payment before the end of the period during which notice of cancellation of the agreement may be given under section 5 or 5A of this Act.

(2) A person who contravenes this section is guilty of an offence and liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum, and
- (b) on conviction on indictment, to a fine.

(3) Subsection (1) above only applies if the offeree or proposed offeree—

- (a) is an individual, and
- (b) is not acting in the course of a business.

(4) Subsection (1) above only applies if—

- (a) the accommodation which is the subject of the agreement or proposed agreement is accommodation in a building, or
- (b) some or all of the accommodation in the pool of accommodation which is the subject of the agreement or proposed agreement is accommodation in a building,

as the case may be.”