

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Consumer Protection (Distance Selling) Regulations 2000. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

STATUTORY INSTRUMENTS

2000 No. 2334

The Consumer Protection (Distance Selling) Regulations 2000

PROSPECTIVE

Payment by card

21.—(1) Subject to paragraph (4), the consumer shall be entitled to cancel a payment where fraudulent use has been made of his payment card in connection with a contract to which this regulation applies by another person not acting, or to be treated as acting, as his agent.

(2) Subject to paragraph (4), the consumer shall be entitled to be recredited, or to have all sums returned by the card issuer, in the event of fraudulent use of his payment card in connection with a contract to which this regulation applies by another person not acting, or to be treated as acting, as the consumer's agent.

(3) Where paragraphs (1) and (2) apply, in any proceedings if the consumer alleges that any use made of the payment card was not authorised by him it is for the card issuer to prove that the use was so authorised.

(4) Paragraphs (1) and (2) shall not apply to an agreement to which section 83(1) of the Consumer Credit Act 1974 applies.

(5) Section 84 of the Consumer Credit Act 1974 (misuse of credit-tokens) is amended by the insertion after subsection (3) of—

“(3A) Subsections (1) and (2) shall not apply to any use, in connection with a distance contract (other than an excepted contract), of a card which is a credit-token.

(3B) In subsection (3A), “distance contract” and “excepted contract” have the meanings given in the Consumer Protection (Distance Selling) Regulations 2000.”

(6) For the purposes of this regulation—

“card issuer” means the owner of the card; and

“payment card” includes credit cards, charge cards, debit cards and store cards.

Commencement Information

I1 Reg. 21 in force at 31.10.2000, see [reg. 1\(1\)](#)

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Changes and effects yet to be applied to :

- Regulations excluded by [S.I. 2013/3134 reg. 2\(a\)](#)
- reg. 21 coming into force by [S.I. 2000/2334 reg. 1\(1\)](#)
- reg. 21 revoked by [S.I. 2009/209 Sch. 6 para. 3](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 6(4)(5) inserted by [S.I. 2004/2095 reg. 25\(4\)](#)
- reg. 26(1)(c) and word inserted by [S.I. 2013/783 art. 11\(3\)\(b\)](#)
- reg. 26(1)(c) word substituted by [S.I. 2014/549 Sch. 1 para. 28\(3\)\(b\)](#)
- reg. 26A inserted by [S.I. 2013/783 art. 11\(4\)](#)
- reg. 26A word substituted by [S.I. 2014/549 Sch. 1 para. 28\(4\)](#)
- reg. 26A heading word substituted by [S.I. 2014/549 Sch. 1 para. 28\(4\)](#)