
STATUTORY INSTRUMENTS

2010 No. 2960

**The Timeshare, Holiday Products, Resale
and Exchange Contracts Regulations 2010**

PART 3

PRE-CONTRACTUAL MATTERS

Key information

- 12.**—(1) Before entering into a regulated contract, the trader must—
- (a) give the consumer the key information in relation to the contract, and
 - (b) ensure that the information meets the requirements of this regulation.
- (2) The trader must comply with paragraph (1) in good time before entering into the contract.
- (3) The “key information” in relation to a contract means—
- (a) the information required by Part 1 of the standard information form (see regulation 13(2)),
 - (b) the information set out in Part 2 of that form, and
 - (c) any additional information required by Part 3 of that form.
- (4) The information must be—
- (a) clear, comprehensible and accurate, and
 - (b) sufficient to enable the consumer to make an informed decision about whether or not to enter into the contract.
- (5) The information must be provided—
- (a) in the standard information form, completed in accordance with regulation 13(1),
 - (b) in writing,
 - (c) free of charge, and
 - (d) in a manner which is easily accessible to the consumer.
- (6) If the consumer is resident in, or a national of, an EEA State, the information must be provided in a language which is an official language of an EEA State and which is—
- (a) the language, or one of the languages, of the EEA State in which the consumer is resident,
or
 - (b) the language, or one of the languages, of the EEA State of which the consumer is a national.
- (7) If there are two or more languages in which the information could be provided under paragraph (6), the trader must give the consumer the opportunity to nominate one of them and—
- (a) where the consumer does make a nomination, the information must be provided in the nominated language;
 - (b) where the consumer does not make any nomination, the information may be provided in any one of those languages.

- (8) A trader who contravenes paragraph (5) of this regulation commits an offence.

Completing the standard information form

- 13.**—(1) The standard information form must be completed as follows—
- (a) the information required by Part 1 of the form must be inserted in the appropriate places (without deleting the existing text in that Part),
 - (b) Part 2 of the form must not be amended, and
 - (c) the information required by Part 3 of the form must be inserted in the appropriate places in accordance with any applicable notes (which may then be deleted).
- (2) The “standard information form” means the form set out in—
- (a) Schedule 1, in the case of a timeshare contract;
 - (b) Schedule 2, in the case of a long-term holiday product contract;
 - (c) Schedule 3, in the case of a resale contract; and
 - (d) Schedule 4, in the case of an exchange contract.

Marketing and sales

- 14.**—(1) Any advertising related to a regulated contract must indicate how the key information in relation to the contract can be obtained.
- (2) A trader must not offer an opportunity to enter into a regulated contract to a consumer at a promotion or sales event unless—
- (a) the invitation to the event clearly indicates the commercial purpose and nature of the event, and
 - (b) the key information in relation to the proposed regulated contract is made available to the consumer for the duration of the event.
- (3) A trader must not market or sell a proposed timeshare contract or long-term holiday product contract as an investment if the proposed contract would be a regulated contract.
- (4) The references to key information in this regulation are references to key information which meets the requirements of regulations 12(4) to (7).
- (5) A trader who contravenes paragraph (3) commits an offence.