

EU Consumer Law Acquis Compendium

Legislation

United Kingdom (UK) Nr. 13



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Full name and/or number of the statute (in original language):

The Sale and Supply of Goods to Consumers Regulations 2002

Translation of the name:

The Sale and Supply of Goods to Consumers Regulations 2002

Reference in Official Journal (if appropriate):

Statutory Instrument 2003 No. 3045

Date of coming into force:

31.03.2003

Subsequent amendments:

Amended by the Consumer Protection from Unfair Trading Regulations 2008, (SI 2008/1277), reg. 30(1) and Sch. 2, para 97, as of 26.5.2008

Text:

The Sale and Supply of Goods to Consumers Regulations 2002

(operative provisions only)

Title, commencement and extent

1. (1) These Regulations may be cited as the Sale and Supply of Goods to Consumers Regulations 2002 and shall come into force on 31/03/03.

(2) These Regulations extend to Northern Ireland.

Interpretation

2. In these Regulations-

“consumer” means any natural person who, in the contracts covered by these Regulations, is acting for purposes which are outside his trade, business or profession;

“consumer guarantee” means any undertaking to a consumer by a person acting in the course of his business, given without extra charge, to reimburse the price paid or to replace, repair or handle consumer goods in any way if they do not meet the specifications set out in the guarantee statement or in the relevant advertising”;

“court” in relation to England and Wales and Northern Ireland means a county court or the High Court, and in relation to Scotland, the sheriff or the Court of Session;

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“enforcement authority” means the Director General of Fair Trading, every local weights and measures authority in Great Britain and the Department of Enterprise, Trade and Investment for Northern Ireland;

“goods” has the same meaning as in section 61 of the Sale of Goods Act 1979;

“guarantor” means a person who offers a consumer guarantee to a consumer; and

“supply” includes supply by way of sale, lease, hire or hire-purchase.

15. Consumer guarantees

(1) Where goods are sold or otherwise supplied to a consumer which are offered with a consumer guarantee, the consumer guarantee takes effect at the time the goods are delivered as a contractual obligation owed by the guarantor under the conditions set out in the guarantee statement and the associated advertising.

(2) The guarantor shall ensure that the guarantee sets out in plain intelligible language the contents of the guarantee and the essential particulars necessary for making claims under the guarantee, notably the duration and territorial scope of the guarantee as well as the name and address of the guarantor.

(2A) The guarantor shall also ensure that the guarantee contains a statement that the consumer has statutory rights in relation to the goods which are sold or supplied and that those rights are not affected by the guarantee.

(3) On request by the consumer to a person to whom paragraph (4) applies, the guarantee shall within a reasonable time be made available in writing or in another durable medium available and accessible to him.

(4) This paragraph applies to the guarantor and any other person who offers to consumers the goods which are the subject of the guarantee for sale or supply.

(5) Where consumer goods are offered with a consumer guarantee, and where those goods are offered within the territory of the United Kingdom, then the guarantor shall ensure that the consumer guarantee is written in English.

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(6) If the guarantor fails to comply with the provisions of paragraphs (2) or (5) above, or a person to whom paragraph (4) applies fails to comply with paragraph (3) then the enforcement authority may apply for an injunction or (in Scotland) an order of specific implement against that person requiring him to comply.

(7) The court on an application under this Regulation may grant an injunction or (in Scotland) an order of specific implement on such terms as it thinks fit.