



House of Commons
NOTICES OF AMENDMENTS
 given on
Thursday 27 February 2014

For other Amendment(s) see the following page(s):
 Consumer Rights Bill 46-57

PUBLIC BILL COMMITTEE

CONSUMER RIGHTS BILL

Jenny Willott

76

Schedule 5, page 65, line 13, after 'under', insert '—(a)'.

Member's explanatory statement

This amendment and amendments 77 to 86 reflect the fact that enforcement action is sometimes taken under legislation under which the enforcer's legislation is made, not under the enforcer's legislation itself. For example, a breach of safety regulations under the Consumer Protection Act 1987 is an offence under that Act not the regulations.

Jenny Willott

77

Schedule 5, page 65, line 14, at end insert ', or

(b) legislation under which the enforcer's legislation is made.'

Member's explanatory statement

The explanatory statement for amendment 76 also applies to this amendment.

Jenny Willott

78

Schedule 5, page 84, line 9, leave out 'under that legislation' and insert 'by the enforcer'.

Member's explanatory statement

The explanatory statement for amendment 76 also applies to this amendment.

Jenny Willott

79

Schedule 5, page 84, line 10, leave out 'under the enforcer's legislation' and insert 'by the enforcer'.

Member's explanatory statement

The explanatory statement for amendment 76 also applies to this amendment.

Consumer Rights Bill, *continued*

- Jenny Willott 80
 Schedule 5, page 87, line 7, after ‘enforce’, insert—
 ‘(ca) legislation under which legislation mentioned in paragraph (c) is made.’
Member’s explanatory statement
The explanatory statement for amendment 76 also applies to this amendment.
- Jenny Willott 81
 Schedule 5, page 87, line 36, at end insert—
 ‘(aa) an offence under legislation under which legislation within paragraph (a) is made.’
Member’s explanatory statement
The explanatory statement for amendment 76 also applies to this amendment.
- Jenny Willott 82
 Schedule 5, page 87, line 42, after ‘(a)’, insert ‘, (aa)’.
Member’s explanatory statement
The explanatory statement for amendment 76 also applies to this amendment.
- Jenny Willott 83
 Schedule 5, page 88, line 7, at end insert—
 ‘(aa) an offence under legislation under which legislation within paragraph (a) is made.’
Member’s explanatory statement
The explanatory statement for amendment 76 also applies to this amendment.
- Jenny Willott 84
 Schedule 5, page 88, line 9, after ‘(a)’, insert ‘ or (aa)’.
Member’s explanatory statement
The explanatory statement for amendment 76 also applies to this amendment.
- Jenny Willott 85
 Schedule 5, page 88, line 17, at end insert—
 ‘(aa) an offence under legislation under which legislation within paragraph (a) is made.’
Member’s explanatory statement
The explanatory statement for amendment 76 also applies to this amendment.
- Jenny Willott 86
 Schedule 5, page 88, line 19, after ‘(a)’, insert ‘ or (aa)’.
Member’s explanatory statement
The explanatory statement for amendment 76 also applies to this amendment.
- Jenny Willott 87
 Schedule 6, page 92, line 17, at end insert—
 ‘44A In section 44(4) (service of documents)—

Consumer Rights Bill, continued

- (a) omit “28(2) or”, and
- (b) omit “purchased or” in each place.’.

Member’s explanatory statement

This amendment makes a consequential amendment to section 44(4) of the Consumer Protection Act 1987 which is necessary following the repeal of section 28 of that Act by the Bill.

Jenny Willott

88

Schedule 6, page 95, line 5, leave out ‘(h)’.

Member’s explanatory statement

This amendment modifies the amendments to the Criminal Justice and Police Act 2001 following the proposal to retain specific powers within section 29(4) of the Consumer Protection Act 1987 and regulation 22(4) of the General Product Safety Regulations 2005. Those specific powers will now be carved out of the repeals in the 2001 Act.

Jenny Willott

89

Schedule 6, page 95, line 5, leave out ‘(o)’.

Member’s explanatory statement

The explanatory statement for amendment 88 also applies to this amendment.

Jenny Willott

90

Schedule 6, page 95, line 5, at end insert—

- ‘(aa) in paragraph (h) for “29” substitute “29(4)”,
- (ab) in paragraph (o) for “22” substitute “22(4)”’.

Member’s explanatory statement

The explanatory statement for amendment 88 also applies to this amendment.

Jenny Willott

91

Schedule 6, page 95, line 34, leave out paragraph (g).

Member’s explanatory statement

The explanatory statement for amendment 88 also applies to this amendment.

Jenny Willott

92

Schedule 6, page 95, line 36, leave out ‘first and second paragraphs’ and insert ‘first paragraph’.

Member’s explanatory statement

The explanatory statement for amendment 88 also applies to this amendment.

Jenny Willott

93

Schedule 6, page 95, line 40, at end insert—

- ‘(2A) In paragraph 45 for “29(4), (5) and (6)” substitute “29(4)”.
- (2B) In the second paragraph 73G for “22(4) to (6)” substitute “22(4)”’.

Member’s explanatory statement

The explanatory statement for amendment 88 also applies to this amendment.

Jenny Willott

94

Schedule 6, page 96, line 2, leave out ‘3, 4A’.

Consumer Rights Bill, continued
Member's explanatory statement

The explanatory statement for amendment 88 also applies to this amendment.

Jenny Willott

95

Schedule 6, page 96, line 2, leave out '8, 9A,'.

Member's explanatory statement

The explanatory statement for amendment 88 also applies to this amendment.

Jenny Willott

96

Schedule 6, page 96, line 2, at end insert—

(2A) In paragraph 3 for "29" in each place substitute "29(4)".

(2B) In paragraph 4A—

(a) for "23" substitute "22(4)", and

(b) for "22" substitute "22(4)".

(2C) In paragraph 8 for "29" in each place substitute "29(4)".

(2D) In paragraph 9A—

(a) for the first "22" substitute "22(4)", and

(b) for "products under regulations 22 of those Regulations." substitute "those items, as it applies to the seizure and detention of products under regulation 22(4) of those Regulations.".

Member's explanatory statement

The explanatory statement for amendment 88 also applies to this amendment. This amendment also makes changes to remedy pre-existing errors in paragraphs 4A and 9A of Schedule 2 to the Criminal Justice and Police Act 2001

Jenny Willott

97

Schedule 6, page 97, line 11, at end insert—

Fireworks Act 2003 (c. 22)

79A (1) Section 12 of the Fireworks Act 2003 (enforcement) is amended as follows.

(2) In subsection (2)—

(a) omit paragraph (a), and

(b) in paragraph (b), for "29(1) to (5), (6)(a) and (7)" substitute "29(4) and (7)".

(3) After subsection (2) insert—

"(2A) For the investigatory powers available to a local weights and measures authority for the purposes of the duty to enforce imposed by virtue of subsection (1) (in addition to the powers in Part 4 of the Consumer Protection Act 1987), see Schedule 5 to the Consumer Rights Act 2014.".

Member's explanatory statement

This amendment introduces consequential amendments to the Fireworks Act 2003 so as to remove references within the 2003 Act to those parts of the Consumer Protection Act 1987 which are to be repealed and instead insert a reference to the generic set of investigatory powers contained within the Bill.
