STATUTORY INSTRUMENTS

1976 No. 57 (N.I. 1)

Unsolicited Goods and Services (Northern Ireland) Order 1976

- - - - - - *[19th January 1976]*

Title and commencement

1.—(1) This Order may be cited as the Unsolicited Goods and Services (Northern Ireland) Order 1976.
Para.(2)(3)—Commencement

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

"acquire" includes hire;

"the Department" means the Department of Commerce;

"send" includes deliver;

"unsolicited" means, in relation to goods sent to any person, that they are sent without any prior request made by him or on his behalf.

(3) For the purposes of this Order any invoice or similar document stating the amount of any payment and not complying with **[**[F1]the conditions set out in paragraph 4 of the Schedule to the Unsolicited Services (Trade and Business Directories) Act (Northern Ireland) 2010**]** shall be regarded as asserting a right to the payment.

F1 Words in art. 2(3) substituted (16.2.2011) by Unsolicited Services (Trade and Business Directories) Act (Northern Ireland) 2010 (c. 15), **ss. 8(1)**, 9(2) (with s. 9(3))

Art. 3 rep. by SI 2000/2334

Demands and threats regarding payment

4.—(1) A person who, not having reasonable cause to believe that there is a right to payment, in the course of any trade or business makes a demand for payment, or asserts a present or prospective right to payment, for what he knows are unsolicited goods sent (after the coming into operation of this Article) to another person with a view to his acquiring them**[**[F2] for the purposes of his trade or business**]**, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding**[**[F3] level 4 on the standard scale**]**.

(2) A person who, not having reasonable cause to believe that there is a right to payment, in the course of any trade or business and with a view to obtaining any payment for what he knows are unsolicited goods sent as aforesaid—

(a) threatens to bring any legal proceedings; or

(b) places or causes to be placed the name of any person on a list of defaulters or debtors or threatens to do so; or

(c) invokes or causes to be invoked any other collection procedure or threatens to do so,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding**[**[F3] level 5 on the standard scale**]**.

F2 SI 2000/2334
F3 1984 NI 3

Directory entries

5. [F4]. . . . . .

F4 Art. 5 repealed (16.2.2011) by Unsolicited Services (Trade and Business Directories) Act (Northern Ireland) 2010 (c. 15), **ss. 8(2)**, 9(2) (with s. 9(3))

Contents and form of notes of agreement, invoices and similar documents

6. [F5]. . . . . .

F5 Art. 6 repealed (16.2.2011) by Unsolicited Services (Trade and Business Directories) Act (Northern Ireland) 2010 (c. 15), **ss. 8(2)**, 9(2) (with s. 9(3))

Unsolicited publications

7.—(1) A person shall be guilty of an offence if—

(a) he sends or causes to be sent to another person any book, magazine or leaflet which describes or illustrates human sexual techniques or any advertising material for any such publication; and

(b) he knows or ought reasonably to know that such publication or material is unsolicited.

(2) A person found guilty of an offence under this Article shall be liable on summary conviction to a fine not exceeding £100 for a first offence and to a fine not exceeding**[**[F6] level 5 on the standard scale**]** for any subsequent offence.

(3) A prosecution for an offence under this Article shall not be instituted except by, or with the consent of, the Director of Public Prosecutions for Northern Ireland.

F6 1984 NI 3

Status:
Point in time view as at 16/02/2011.

Changes to legislation:
Unsolicited Goods and Services (Northern Ireland) Order 1976 is up to date with all changes known to be in force on or before 10 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.