
DRAFT STATUTORY INSTRUMENTS

2008 No.

TRADE DESCRIPTIONS

The Business Protection from
Misleading Marketing Regulations 2008

Made - - - - - 2008

Coming into force 26th May 2008

THE BUSINESS PROTECTION FROM
MISLEADING MARKETING REGULATIONS 2008

PART 1

DEFINITIONS AND PROHIBITIONS

1. Citation and Commencement
2. Interpretation
3. Prohibition of advertising which misleads traders
4. Comparative advertising
5. Promotion of misleading advertising and comparative advertising which is not permitted

PART 2

OFFENCES

6. Misleading advertising
7. Penalty for offence under regulation 6
8. Offences committed by bodies of persons
9. Offence due to the default of another person
10. Time limit for prosecution
11. Due diligence defence
12. Innocent publication defence

PART 3

ENFORCEMENT

13. Duty to enforce
14. Notice to OFT of intended prosecution
15. Injunctions to secure compliance with the Regulations

16. Undertakings
17. Co-ordination
18. Powers of the court
19. Notifications of undertakings and orders to the OFT
20. Publication, information and advice

PART 4

INVESTIGATION POWERS

21. Powers of Enforcement Authorities to obtain information
 22. Power to make test purchases
 23. Power of entry and investigation, etc.
 24. Power to enter premises with a warrant
 25. Obstruction of authorised officers
 26. Notice of test and intended proceedings
 27. Compensation
 28. Crown
 29. Validity of agreements
- Signature
Explanatory Note