PART 2
PROHIBITIONS

Prohibition of unfair commercial practices

3.—(1) Unfair commercial practices are prohibited.
(2) Paragraphs (3) and (4) set out the circumstances when a commercial practice is unfair.
(3) A commercial practice is unfair if—
   (a) it contravenes the requirements of professional diligence; and
   (b) it materially distorts or is likely to materially distort the economic behaviour of the average consumer with regard to the product.
(4) A commercial practice is unfair if—
   (a) it is a misleading action under the provisions of regulation 5;
   (b) it is a misleading omission under the provisions of regulation 6;
   (c) it is aggressive under the provisions of regulation 7; or
   (d) it is listed in Schedule 1.