



Consumer Safety Act 1978

1978 CHAPTER 38

6 Civil liability

- (1) Any obligation imposed on a person by safety regulations or a prohibition order or a prohibition notice is a duty owed by him to any other person who may be affected by a failure to perform the obligation, and a breach of that duty is actionable (subject to the defences and other incidents applying to actions for breach of statutory duty).
- (2) An agreement shall be void so far as it would, apart from this subsection, have the effect of excluding or restricting an obligation mentioned in the preceding subsection or liability for a breach of such an obligation.
- (3) References in the preceding provisions of this section to an obligation imposed by safety regulations do not include such an obligation as to which the regulations state that those provisions do not apply to it.
- (4) A contravention of any provision of safety regulations, a prohibition order or a prohibition notice and the commission of an offence under section 2 or 3 of this Act shall not affect the validity of any contract or rights arising under any contract except so far as the contract provides otherwise.