



# Christmas Day (Trading) Act 2004

## 2004 CHAPTER 26

### 3 Enforcement

(1) It is the duty of every local authority to enforce within their area the provisions of sections 1 and 2.

(2) For the purposes of their duties under subsection (1), it is the duty of every local authority to appoint inspectors, who may be the same persons as those appointed as inspectors by the local authority under paragraph 2 of Schedule 2 to the 1994 Act.

<sup>F1</sup>(3) .....

[<sup>F2</sup>(3A) For the powers available to a local authority and the inspectors appointed by it under subsection (3) for the purposes of the duty in subsection (1), see Schedule 5 to the Consumer Rights Act 2015.]

(4) Paragraphs 5, 6 and 7 of Schedule 2 to the 1994 Act (offences due to fault of other person, offences by body corporate and defence of due diligence) apply in respect of the offences under sections 1 and 2 as they apply in respect of offences under the 1994 Act.

(5) In this section “local authority” has the meaning given by section 8 of the 1994 Act.

#### Textual Amendments

**F1** S. 3(3) omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 83\(2\)](#); [S.I. 2015/1630](#), art. 3(i) (with art. 8)

**F2** S. 3(3A) inserted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 83\(3\)](#); [S.I. 2015/1630](#), art. 3(i)

#### Commencement Information

**I1** S. 3 in force at 9.12.2004 by [S.I. 2004/3235](#), art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Christmas Day (Trading) Act 2004, Section 3.