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S T A T U T O R Y   I N S T R U M E N T S

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**1986 No. 1297 (C.42)**

**CONSUMER PROTECTION**

**The Consumer Safety Act 1978  
(Commencement No. 2) Order 1986**

*Made*   -   -   -   -   -                      *24th July 1986*

The Secretary of State, in exercise of the powers conferred upon him by section 12(2) of the Consumer Safety Act 1978 **(a)**, hereby makes the following Order:—

1. This Order may be cited as the Consumer Safety Act 1978 (Commencement No. 2) Order 1986.
2. Subsection (1) of section 10 of, and Schedule 3 to, the Consumer Safety Act 1978 shall come into force on 8th August 1986 for the purpose of repealing the enactments and instrument mentioned in the first column of the Schedule to this Order to the extent specified in the second column of that Schedule.

*Michael Howard,*  
Parliamentary Under-Secretary of State,  
Department of Trade and Industry.

24th July 1986.

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**(a)** 1978 c. 38.

## Article 2

## SCHEDULE

Short title	Extent of repeal
The Consumer Protection Act 1961 <b>(a)</b> .	In section 3, subsections (2A) and (2B).
The Consumer Protection Act (Northern Ireland) 1965 <b>(b)</b> .	In section 3, subsections (3) and (4).
The Consumer Protection Act 1971 <b>(c)</b> .	The whole Act.
The Consumer Protection and Advice (Northern Ireland) Order 1977 <b>(d)</b> .	Article 3.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order brings into force on 8th August 1986 section 10(1) of and Schedule 3 to the Consumer Safety Act 1978 for the purpose of repealing section 3(2A) and (2B) of the Consumer Protection Act 1961 and section 3(3) and (4) of the Consumer Protection Act (Northern Ireland) 1965, which relate to the defence of due diligence and proceedings against persons other than the principal offender (the so-called "by-pass" procedure).

8th August 1986 is the date of coming into force of the Consumer Safety (Amendment) Act 1986 (c. 29), section 12(5) and (6) of which contain provisions which are to apply in place of the repealed provisions of the 1961 and 1965 Acts. The repealed provisions were substituted in the 1961 and 1965 Acts by, respectively, the Consumer Protection Act 1971, and Article 3 of the Consumer Protection and Advice (Northern Ireland) Order 1977, which are also repealed on the same date.

All the provisions of the 1978 Act, with the exception of section 10(1) and Schedule 3, were brought into force on 1st November 1978 by the Consumer Safety Act 1978 (Commencement No. 1) Order 1978 (S.I. 1978/1445).

**(a)** 1961 c. 40.  
**(c)** 1971 c. 15.

**(b)** 1965 c. 14 (N.I.).  
**(d)** S.I. 1977/595 (N.I. 6).



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