

2004 No. 1517

COMPETITION

CONSUMER PROTECTION

The Enterprise Act 2002 (Bodies Designated to make Super-complaints) Order 2004

<i>Made</i> - - - -	<i>16th June 2004</i>
<i>Laid before Parliament</i>	<i>17th June 2004</i>
<i>Coming into force</i> - -	<i>14th July 2004</i>

Whereas it appears to the Secretary of State that each body listed in the Schedule to this Order represents the interests of consumers and satisfies the other criteria published by her pursuant to section 11(6) of the Enterprise Act 2002(a);

Now, therefore, the Secretary of State in exercise of the powers conferred on her by section 11 of the Enterprise Act 2002 hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Enterprise Act 2002 (Bodies Designated to make Super-complaints) Order 2004 and shall come into force on 14th July 2004.

Designation of Bodies

2. Each body listed in the Schedule to this Order is hereby designated under section 11(5) and (6) of the Enterprise Act 2002 as a designated consumer body for the purpose of making super-complaints under section 11 of that Act.

Gerry Sutcliffe,
Parliamentary Under Secretary of State for
Employment Relations, Competition and Consumers
Department of Trade and Industry

16th June 2004

SCHEDULE

Article 2

DESIGNATED CONSUMER BODIES

1. The Consumers' Association.
2. The National Association of Citizens Advice Bureaux.
3. The National Consumer Council.

EXPLANATORY NOTE

(This note is not part of the Order)

The Secretary of State has the power to designate any body that appears to her to represent the interests of consumers and satisfies the other criteria published by her^(a) as a designated consumer body for the purpose of submitting a “super-complaint” under section 11 of the Enterprise Act 2002. This Order designates the Consumers' Association, the National Association of Citizens Advice Bureaux and the National Consumer Council as designated consumer bodies for this purpose.

A designated consumer body may submit a “super-complaint” where it considers that there is any market feature in the United Kingdom, or combination of features, such as the structure of a market or the conduct of those operating within it, that is or appears to be significantly harming the interests of consumers. Where such a complaint is made to the Office of Fair Trading or one of the sectoral regulators specified in the Enterprise Act 2002 (Super-complaints to Regulators) Order 2003^(b), the relevant regulator will be obliged to publish a response to such a complaint within a maximum of 90 calendar days stating how it proposes to deal with the complaint and the reasons for the proposals.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

^(a) Published on the DTI website www.dti.gov.uk on 31st March 2003.

^(b) S.I. 2003/1368.

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