

2005 No. 2418

CONSUMER PROTECTION

**The Enterprise Act 2002 (Part 8 Community Infringements
Specified UK Laws) (Amendment) Order 2005**

<i>Made</i>	<i>25th August 2005</i>
<i>Laid before Parliament</i>	<i>31st August 2005</i>
<i>Coming into force</i>	<i>30th September 2005</i>

The Secretary of State, in exercise of the powers conferred upon him by section 212(3) of the Enterprise Act 2002 (a), hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Enterprise Act 2002 (Part 8 Community Infringements Specified UK Laws) (Amendment) Order 2005 and shall come into force on 30th September 2005.

Amendment

2.—(1) The Enterprise Act 2002 (Part 8 Community Infringements Specified UK Laws) Order 2003(b) is amended as follows.

(2) In the Schedule the entry in the right hand column (Specified UK Laws) for Part V of the Telecommunications (Data Protection and Privacy) Regulations 1999 is replaced by:

“Regulations 19 to 24 of the Privacy and Electronic Communications (EC Directive) Regulations 2003 in their application to consumers (use of telecommunications services for direct marketing purposes)”.

25th August 2005

Barry Gardiner
Parliamentary Under-Secretary of State for Competitiveness
Department of Trade and Industry

(a) 2002 c.40.

(b) SI 2003/1374 to which there are amendments not relevant to this Order.

EXPLANATORY NOTE

(This note is not part of the Order)

Part 8 of the Enterprise Act 2002 (“the Act”) implements Directive 98/27/EC of the European Parliament and of the Council of 19th May 1998 on injunctions for the protection of consumers’ interests (OJ L 166, 11.6.98, p.51) (“the Injunctions Directive”). Schedule 13 to the Act lists the Directives which may be enforced under Part 8, which include Directive 1997/7/EC of the European Parliament and of the Council of 20th May 1997 on the protection of consumers in respect of distance contracts. This Order specifies the provisions of the Privacy and Electronic Communications (EC Directive) Regulations 2003 (SI 2003/2426) which give effect to article 10 of that Directive, in place of Part V of the Telecommunications (Data Protection and Privacy) Regulations 1999 which previously gave effect to article 10 and which Regulations have been revoked.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business. Copies of a transposition note relating to this Order have been placed in the libraries of both Houses of Parliament. Copies are also available to the public from the Consumer and Competition Policy Directorate of the Department of Trade and Industry, 1 Victoria Street, London SW1H 0ET.

£3.00

© Crown copyright 2005

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s
Stationery Office and Queen’s Printer of Acts of Parliament.

E1295 9/2005 151295T 19585

ISBN 0-11-073305-3



9 780110 733050