
STATUTORY INSTRUMENTS

2008 No. 1276

TRADE DESCRIPTIONS

The Business Protection from
Misleading Marketing Regulations 2008

Made - - - - - *8th May 2008*

Coming into force *26th May 2008*

THE BUSINESS PROTECTION FROM
MISLEADING MARKETING REGULATIONS 2008

PART 1

DEFINITIONS AND PROHIBITIONS

1. Citation and Commencement
2. Interpretation
3. Prohibition of advertising which misleads traders
4. Comparative advertising
5. Promotion of misleading advertising and comparative advertising which is not permitted

PART 2

OFFENCES

6. Misleading advertising
7. Penalty for offence under regulation 6
8. Offences committed by bodies of persons
9. Offence due to the default of another person
10. Time limit for prosecution
11. Due diligence defence
12. Innocent publication defence

PART 3

ENFORCEMENT

13. Duty to enforce
14. Notice to OFT of intended prosecution
15. Injunctions to secure compliance with the Regulations
16. Undertakings
17. Co-ordination

- 18. Powers of the court
- 19. Notifications of undertakings and orders to the OFT
- 20. Publication, information and advice

PART 4

INVESTIGATION POWERS

- 21. Powers of Enforcement Authorities to obtain information
 - 22. Power to make test purchases
 - 23. Power of entry and investigation, etc.
 - 24. Power to enter premises with a warrant
 - 25. Obstruction of authorised officers
 - 26. Notice of test and intended proceedings
 - 27. Compensation
 - 28. Crown
 - 29. Validity of agreements
- Signature
Explanatory Note