
STATUTORY INSTRUMENTS

2008 No. 1277

The Consumer Protection from
Unfair Trading Regulations 2008

[^{F1}PART 4A

CONSUMERS' RIGHTS TO REDRESS

[^{F1}When does a consumer have a right to redress?

- 27A.**—(1) A consumer has a right to redress under this Part if—
- (a) the conditions in this regulation are met, and
 - (b) the conditions (if any) in the following provisions of this Part for the availability of that right are met.
- (2) The first condition is that—
- (a) the consumer enters into a contract with a trader for the sale or supply of a product by the trader (a “business to consumer contract”),
 - (b) the consumer enters into a contract with a trader for the sale of goods to the trader (a “consumer to business contract”), or
 - (c) the consumer makes a payment to a trader for the supply of a product (a “consumer payment”).
- (3) Paragraph (2)(b) does not apply if, under the contract, the trader supplies or agrees to supply a product to the consumer as well as paying or agreeing to pay the consumer.
- (4) The second condition is that—
- (a) the trader engages in a prohibited practice in relation to the product, or
 - (b) in a case where a consumer enters into a business to consumer contract for goods or digital content—
 - (i) a producer engages in a prohibited practice in relation to the goods or digital content, and
 - (ii) when the contract is entered into, the trader is aware of the commercial practice that constitutes the prohibited practice or could reasonably be expected to be aware of it.
- (5) In paragraph (4)(b) “producer” means—
- (a) a manufacturer of the goods or digital content,
 - (b) an importer of the goods or digital content into the [^{F2}United Kingdom], or
 - (c) a person who purports to be a producer by placing the person’s name, trade mark or other distinctive sign on the goods or using it in connection with the digital content,
- and includes a producer acting personally or through another person acting in the producer’s name or on the producer’s behalf.

(6) The third condition is that the prohibited practice is a significant factor in the consumer's decision to enter into the contract or make the payment.]

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| <p>F1 Pt. 4A inserted (with application in accordance with reg. 1(3) of the amending S.I.) by The Consumer Protection (Amendment) Regulations 2014 (S.I. 2014/870), regs. 1(3), 3</p> <p>F2 Words in reg. 27A(5)(b) substituted (31.12.2020) by The Consumer Protection (Amendment etc.) (EU Exit) Regulations 2018 (S.I. 2018/1326), regs. 1(3), 6(2) (with reg. 11) (as amended by S.I. 2020/1347, regs. 1(3), 4(8)); 2020 c. 1, Sch. 5 para. 1(1)</p> |
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Changes to legislation:

There are currently no known outstanding effects for the The Consumer Protection from Unfair Trading Regulations 2008, Section 27A.