



Consumer Protection Act 1987

1987 CHAPTER 43

PART III

MISLEADING PRICE INDICATIONS

23 Application to provision of accommodation etc.

- (1) Subject to subsection (2) below, references in this Part to accommodation or facilities being available shall not include references to accommodation or facilities being available to be provided by means of the creation or disposal of an interest in land except where—
 - (a) the person who is to create or dispose of the interest will do so in the course of any business of his; and
 - (b) the interest to be created or disposed of is a relevant interest in a new dwelling and is to be created or disposed of for the purpose of enabling that dwelling to be occupied as a residence, or one of the residences, of the person acquiring the interest.
- (2) Subsection (1) above shall not prevent the application of any provision of this Part in relation to—
 - (a) the supply of any goods as part of the same transaction as any creation or disposal of an interest in land; or
 - (b) the provision of any services or facilities for the purposes of, or in connection with, any transaction for the creation or disposal of such an interest.
- (3) In this section—

"new dwelling" means any building or part of a building in Great Britain which—

 - (a) has been constructed or adapted to be occupied as a residence; and
 - (b) has not previously been so occupied or has been so occupied only with other premises or as more than one residence, and includes any yard, garden, out-houses or appurtenances which belong to that building or part or are to be enjoyed with it;

Status: This is the original version (as it was originally enacted).

"relevant interest"—

- (a) in relation to a new dwelling in England and Wales, means the freehold estate in the dwelling or a leasehold interest in the dwelling for a term of years absolute of more than twenty-one years, not being a term of which twenty-one years or less remains unexpired;
- (b) in relation to a new dwelling in Scotland, means the dominium utile, of the land comprising the dwelling, or a leasehold interest in the dwelling where twenty-one years or more remains unexpired.