



# Enterprise Act 2002 (repealed)

## 2002 CHAPTER 40

### PART 8

#### ENFORCEMENT OF CERTAIN CONSUMER LEGISLATION

##### *Introduction*

#### **212 Community infringements**

- (1) In this Part a Community infringement is an act or omission which harms the collective interests of consumers and which—
  - (a) contravenes a listed Directive as given effect by the laws, regulations or administrative provisions of an EEA State, or
  - (b) contravenes such laws, regulations or administrative provisions which provide additional permitted protections.
- (2) The laws, regulations or administrative provisions of an EEA State which give effect to a listed Directive provide additional permitted protections if—
  - (a) they provide protection for consumers which is in addition to the minimum protection required by the Directive concerned, and
  - (b) such additional protection is permitted by that Directive.
- (3) The Secretary of State may by order specify for the purposes of this section the law in the United Kingdom which—
  - (a) gives effect to the listed Directives;
  - (b) provides additional permitted protections.
- (4) References to a listed Directive must be construed in accordance with section 210.
- (5) An EEA State is a State which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993.

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*Status: Point in time view as at 20/06/2003. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2002 (repealed), Section 212. (See end of Document for details)*

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- (6) An order under this section must be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

**Textual Amendments applied to the whole legislation**

- F1** Act: for the words "solicitor of the Supreme Court of Northern Ireland" wherever they occur there is substituted (prosp.) the words "solicitor of the Court of Judicature of Northern Ireland" by virtue of [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148\(1\), Sch. 11 para. 5](#) [Editorial Note: this amendment will be carried through into the text of the Act at the same time as any other effects on the Act for the year in which the relevant commencement order (or first such order) is made]

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**Changes to legislation:**

There are currently no known outstanding effects for the Enterprise Act 2002 (repealed), Section 212.