

*These notes refer to the Consumer Rights Act 2015
(c.15) which received Royal Assent on 26 March 2015*

CONSUMER RIGHTS ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Unfair Terms

What are the general rules about fairness of contract terms and notices?

Section 67: Effect of an unfair term on the rest of a contract

326. As explained above, a court can find a particular term to be unfair, rendering it unenforceable. However, it may not be in the interests of the consumer or the business for the entire contract not to be binding any more. Therefore, in so far as is practical, the contract will continue even if one or more terms within it are deemed unfair.
327. This section reflects regulation 6(1) of the UTCCD, which is implemented by Article 8(2) of the UTCCRs.