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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force most of the provisions of the Consumer Protection Act 1987 on 1st October 1987 and 1st March 1988. The main provisions not brought into force by the Order are those of Part III (misleading price indications) and that repealing the Trade Descriptions Act 1972 (c. 34), which relates to origin marking.

The provisions brought into force on 1st October 1987 are—

Part II (consumer safety);

Part IV (enforcement) for the purposes of Part II;

Part V (miscellaneous and supplemental) sections 37 to 47 for the purposes of Part II; section 48(1) and (3) in relation to the minor and consequential amendments (Schedule 4) and repeals (Schedule 5) mentioned below; section 48(2)(b) (repeal of the Fabrics (Misdescription) Act 1913); section 49 (Northern Ireland); and section 50 (short title, commencement and repeals);

Schedule 2 (prohibition notices and notices to warn);

Schedule 4 (minor and consequential amendments) paragraph 1 (amendment of the Explosives Act 1875 (c. 17)), paragraphs 2, 4, 6, 7, 9, 10 and 11 (relating to Part II) and paragraph 13 (amendment of the Motor Cycle Noise Act 1987 (c. 34));

Schedule 5 (repeals) the repeals set out in Part I of the Schedule to the Order (article 3).

The provisions brought into force on 1st March 1988 are—

Part I (product liability);

Part V (miscellaneous and supplemental) section 36 (amendment of Part I of the Health and Safety at Work etc. Act 1974); and sections 41(2) and (6) (civil proceedings), 45 (interpretation) and 46 (meaning of “supply”) for the purposes of Part I;

Schedule 1 (limitation of actions under Part I);

Schedule 3 (amendment of Part I of the Health and Safety at Work etc. Act 1974);

Schedule 4 (minor and consequential amendments) for the purposes of Part I (product liability);

Schedule 5 (repeals) the repeals set out in Part II of the Schedule to the Order (article 4).

The Order also makes provision, coming into force on 1st October 1987, for regulations made under the Consumer Protection Act 1961 and the Consumer Protection Act (Northern Ireland) 1965 to be treated as though they had been made under section 11 of the Consumer Protection Act 1987 (article 6).

The regulations are to be treated as including a provision prohibiting any person from supplying the goods in question, offering or agreeing to supply them, or exposing or possessing them for supply, except where that person reasonably believes that the goods will not be used in the United Kingdom. The prohibition will apply no matter when the goods were manufactured (articles 8 and 9).

“Supply” is defined by section 46 of the Consumer Protection Act 1987 and includes supply as an agent.