
STATUTORY INSTRUMENTS

1997 No. 1081

The Timeshare Regulations 1997

Rights to cancel timeshare agreement

9.—(1) At the end of section 5(3)(b) of the 1992 Act (offeree who affirms agreement more than fourteen days after it is entered into may not subsequently give cancellation notice) there is inserted “under subsection (2) above”.

(2) In section 5(4) of the 1992 Act (notice of cancellation under section 5 has effect of cancelling agreement) after “section” there is inserted “or section 5A of this Act”.

(3) In section 5(5) of the 1992 Act (effect of giving notice of cancellation before agreement entered into) after “cancellation of the agreement” there is inserted “under this section”.

(4) In section 5(6) of the 1992 Act (effect of cancellation under section 5) after “this section” there is inserted “or section 5A of this Act”.

(5) In section 5(9) of the 1992 Act (enforceability after cancellation under section 5 of timeshare agreement which includes credit provisions) after “this section” there is inserted “or section 5A of this Act”.

(6) After section 5 of the 1992 Act there is inserted—

“Additional right to cancel timeshare agreement.

5A.—(1) If a timeshare agreement to which this Act applies does not include, as terms set out in it, the information referred to in paragraph (a), (b), (c), (d)(i), (d)(ii), (h), (i), (k), (l) and (m) of Schedule 1 to this Act, the agreement may not be enforced against the offeree before the end of the period of three months and ten days beginning with the day on which the agreement was entered into, and the offeree may give notice of cancellation of the agreement to the offeror at any time during that period.

(2) If the information referred to in subsection (1) above is provided to the offeree before the end of the period of three months beginning with the day on which the agreement was entered into—

(a) the offeree may give notice of cancellation of the agreement to the offeror at any time within the period of ten days beginning with the day on which the information is received by the offeree, but

(b) the offeree may not at any subsequent time give notice of cancellation of the agreement to the offeror under subsection (1) above.

(3) If the last day of the period referred to in subsection (1) above or the last day of the period of ten days referred to in subsection (2) above is a public holiday, the period concerned shall not end until the end of the first working day after the public holiday.

(4) The reference in subsection (1) above to a timeshare agreement to which this Act applies includes a reference to a binding preliminary agreement.

(5) This section only applies if the offeree—

(a) is an individual, and

(b) is not acting in the course of a business.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (6) This section only applies if—
- (a) the accommodation which is the subject of the agreement is accommodation in a building, or
 - (b) some or all of the accommodation in the pool of accommodation which is the subject of the agreement is accommodation in a building,
- as the case may be.”