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## EXPLANATORY NOTE

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

This Order implements Directive [98/6/EC](#) of the European Parliament and of the Council (OJNo. L180, 18.3.98 p. 27) on consumer protection in the indication of prices of products offered to consumers. It revokes the [Price Marking Order 1999 \(S.I. 1999 No. 3042\)](#) which previously implemented the Directive.

Article 4 requires traders to indicate the selling prices of all products offered for sale to consumers except those offered in the course of the provision of a service, those sold by auction, works of art or antiques (article 3(1)) and products sold from bulk. Article 1 defines the selling price as the final price including VAT and other taxes.

Article 3(2) applies to this Order the requirements of the [Electronic Commerce \(EC Directive\) Regulations 2002 \(S.I. 2002 No. 2013\)](#).

Article 5 requires, with exceptions, that the unit price must be indicated for all products sold from bulk and pre-packaged products that are required by or under Parts IV or V of the Weights and Measures Act 1985 to be marked with quantity or to be made up in a prescribed quantity. Article 14 specifies the units of quantity to be used for unit prices of the items listed in Schedule 1 to the Order.

Article 6 requires selling and unit prices to be indicated in sterling but provides for additional indications to be given where a trader indicates that he is willing to accept payment in a foreign currency.

Article 7 requires prices and other indications required under the Order to be given in a clear and unambiguous manner.

The Order includes specific provisions relating to general price reductions (article 9), precious metals the selling price of which varies from day to day (article 10), and changes in VAT or other taxes which cause adjustments in prices (article 11).

A regulatory impact assessment and a Transposition Note in relation to these Regulations have been prepared and are available from the Consumer and Competition Policy Directorate, Department of Trade and Industry, 1 Victoria Street, London SW1H 0ET or at [www.dti.gov.uk/ccp/](http://www.dti.gov.uk/ccp/). Copies of both these documents have also been placed in the libraries of both Houses of Parliament.