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STATUTORY INSTRUMENTS

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**2006 No. 3371**

**CONSUMER PROTECTION**

**The Enterprise Act 2002 (Part 8 Notice to OFT of  
Intended Prosecution Specified Enactments) Order 2006**

<i>Made</i>	- - - -	<i>15th December 2006</i>
<i>Laid before Parliament</i>		<i>18th December 2006</i>
<i>Coming into force</i>	- -	<i>8th January 2007</i>

The Secretary of State makes the following Order in exercise of the power conferred on him by section 230(1) and (7) of the Enterprise Act 2002(1).

**Citation and commencement**

1.—(1) This Order may be cited as the Enterprise Act 2002 (Part 8 Notice to OFT of Intended Prosecution Specified Enactments) Order 2006.

(2) This Order shall come into force on 8th January 2007.

**Specified enactments**

2. The subordinate legislation referred to in Article 3 of this Order is hereby specified for the purposes of section 230 of the Enterprise Act 2002 (notice to OFT of intended prosecution).

3. The subordinate legislation is the Civil Aviation (Denied Boarding, Compensation and Assistance) Regulations 2005(2).

15th December 2006

*Ian McCartney*  
Minister of State for Trade, Investment and  
Foreign Affairs  
Department of Trade and Industry

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(1) [2002 c.40.](#)  
(2) [SI 2005/975.](#)

**Status:** This is the original version (as it was originally made).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

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## EXPLANATORY NOTE

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

This Order specifies, for the purpose of section 230 of the Enterprise Act 2002 (the “2002 Act”) the Civil Aviation (Denied Boarding, Compensation and Assistance) Regulations 2005 (the “denied boarding regulations”) as legislation under which local weights and measures authorities in England and Wales must inform the Office of Fair Trading where they intend to start proceedings for an offence under that legislation.

The denied boarding regulations have come within the scope of Part 8 of the 2002 Act as a result of the coming into force of Regulation (EC) No. 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws, as amended by Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market (the “CPC Regulation”).

The CPC Regulation provides an enforcement structure in relation to a number of pieces of EC legislation including Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights, which is implemented by the denied boarding regulations.

Part 8 of the 2002 Act has been amended to take account of the CPC Regulation.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business is available from the Department of Trade & Industry, 1 Victoria Street, London, SW1H 0ET.