
STATUTORY INSTRUMENTS

2008 No. 1276

**The Business Protection from
Misleading Marketing Regulations 2008**

PART 3

ENFORCEMENT

Injunctions to secure compliance with the Regulations

15.—(1) This regulation applies where an enforcement authority considers that there has been or is likely to be a breach of regulation 3, 4 or 5.

(2) Where this regulation applies an enforcement authority may, subject to paragraph (3), if it thinks it appropriate to do so, bring proceedings for an injunction (in which proceedings it may also apply for an interim injunction) against any person appearing to it to be concerned or likely to be concerned with the breach.

(3) Where the enforcement authority is a local weights and measures authority in Great Britain [^{F1}or GEMA] it may apply for an injunction only if—

- (a) it has notified the [^{F2}CMA] of its intention to apply for an injunction at least fourteen days before the date on which the application is made; or
- (b) the [^{F2}CMA] consents to the application for an injunction being made within a shorter period.

(4) Proceedings referred to in paragraph (2) are not invalid by reason only of the failure to comply with paragraph (3).

F1 Words in reg. 15(3) inserted (14.11.2013) by [The Business Protection from Misleading Marketing \(Amendment\) Regulations 2013 \(S.I. 2013/2701\)](#), regs. 1, **5**

F2 Word in reg. 15(3) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) \(No. 2\) Order 2014 \(S.I. 2014/549\)](#), art. 1(1), **Sch. 1 para. 34(5)** (with art. 3)

Changes to legislation:

There are currently no known outstanding effects for the The Business Protection from Misleading Marketing Regulations 2008, Section 15.