
STATUTORY INSTRUMENTS

2010 No. 2960

**The Timeshare, Holiday Products, Resale
and Exchange Contracts Regulations 2010**

PART 8

ENFORCEMENT

Enforcement authorities

32.—(1) “Enforcement authority” means—

(a) a local weights and measures authority in Great Britain (within the meaning of section 69 of the Weights and Measures Act 1985 ^{M1});

(b) the Department of Enterprise Trade and Investment in Northern Ireland.

(2) An enforcement authority in Great Britain must enforce these Regulations within its area.

(3) The enforcement authority in Northern Ireland must enforce these Regulations within Northern Ireland.

(4) Nothing in this regulation authorises any enforcement authority to bring proceedings in Scotland for an offence under these Regulations.

Marginal Citations

M1 1985 c. 72: section 69 was amended by [Local Government \(Wales\) Act 1994 \(c. 19\)](#), [Schedule 16](#), paragraph 75, and the [Local Government \(Scotland\) Act 1994 \(c. 34\)](#), [Schedule 13](#), paragraph 144.

Powers of officers

^{F1}**33.**

F1 [Reg. 33](#) revoked (1.10.2015) by [The Consumer Rights Act 2015 \(Commencement No. 3, Transitional Provisions, Savings and Consequential Amendments\) Order 2015 \(S.I. 2015/1630\)](#), art. 1, [Sch. 2 para. 120](#) (with art. 8)

Obstruction of authorised officers

34.—(1) A person commits an offence if the person—

(a) intentionally obstructs an officer of an enforcement authority acting in pursuance of these Regulations,

(b) intentionally fails to comply with any requirement properly made of the person by such an officer under regulation 33,

- (c) without reasonable cause fails to give such an officer any other assistance or information which the officer may reasonably require of the person for the purpose of the officer's functions under these Regulations.
- (2) A person guilty of an offence under paragraph (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (3) A person commits an offence if the person, in giving information to an officer of an enforcement authority who is acting in pursuance of these Regulations—
 - (a) makes a statement which the person knows to be false in a material particular, or
 - (b) recklessly makes a statement which is false in a material particular.
- (4) A person guilty of an offence under paragraph (3) is liable—
 - (a) on summary conviction to a fine not exceeding level 5 on the standard scale, or
 - (b) on conviction on indictment, to a fine.

Civil proceedings

- 35.**—(1) The obligation to comply with regulation 12(1) is a duty owed by the trader who proposes to enter into a regulated contract to any person with whom the trader is required to provide with information under that provision.
- (2) The obligation to comply with Regulations 15(1), 16(1), 17(1) and 18(2) is, in each case, a duty owed by the trader who enters into a regulated contract to the consumer.
- (3) The obligation to comply with regulation 23(3) is a duty owed by the trader who enters into a regulated contract to the creditor under a related credit agreement.
- (4) A contravention of any of the obligations mentioned in paragraphs (1) to (3) is to be actionable accordingly.
- (5) Liability by virtue of paragraphs (1) to (3) is not to be limited or excluded by any contractual term, by any notice or by any other provision.

Changes to legislation:

There are currently no known outstanding effects for the The Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010, PART 8.