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STATUTORY INSTRUMENTS

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**2018 No. 1153**

**The Geo-Blocking (Enforcement) Regulations 2018**

**Actionable breach**

3.—(1) A breach of an obligation by a trader to comply with Article 3 (access to online interfaces), Article 4(1) (access to goods or services) or Article 5(1) (non-discrimination for reasons related to payment) of Regulation 2018/302 in relation to a customer is to be treated as a breach of a duty owed by the trader to that customer.

(2) Where the customer suffers loss or damage due to such a breach by the trader, that loss or damage is actionable by the customer against that trader.

(3) In this regulation—

- (a) “Regulation 2018/302” means Regulation (EU) 2018/302 of the European Parliament and of the Council of 28 February 2018 on addressing unjustified geo-blocking and other forms of discrimination based on customers’ nationality, place of residence or place of establishment within the internal market and amending Regulations (EC) No. 2006/2004 and (EU) 2017/2394 and [Directive 2009/22/EC](#);
- (b) “customer” and “trader” each have the meaning given in Article 2 of that Regulation.