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STATUTORY INSTRUMENTS

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**2018 No. 1397**

**EXITING THE EUROPEAN UNION  
CONSUMER PROTECTION**

**The Timeshare, Holiday Products, Resale and Exchange  
Contracts (Amendment etc.) (EU Exit) Regulations 2018**

*Made - - - - 12th December 2018*

*Coming into force in accordance with regulation 1*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 <sup>M1</sup>.

In accordance with paragraph 1(1) of Schedule 7 to that Act a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

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**Marginal Citations**

**M1** 2018 c. 16.

**PART 1**

Introduction

**Citation and commencement**

**1.** These Regulations may be cited as the Timeshare, Holiday Products, Resale and Exchange Contracts (Amendment etc.) (EU Exit) Regulations 2018 and come into force on exit day.

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**Commencement Information**

**II** Reg. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1](#)

## PART 2

### Amendment of subordinate legislation

#### Amendment of the Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010

2.—(1) The Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010<sup>M2</sup> are amended as follows.

- (2) In regulation 5 (holiday accommodation contracts to which these Regulations apply)—
  - (a) in paragraph (3)(b), before “an EEA State”, insert “ the United Kingdom or ”;
  - (b) in paragraph (5)(b), for “an EEA State”, substitute “ the United Kingdom ”.
- (3) In regulation 12 (key information)—
  - (a) for paragraph (6), substitute—
 

“(6) The information must be provided in English and may, in addition, be provided in another language.”;
  - (b) omit paragraph (7).
- (4) In regulation 17 (language of the contract)—
  - (a) for paragraph (2), substitute—
 

“(2) The contract must be drawn up in English and may, in addition, be drawn up in another language.”;
  - (b) omit paragraphs (3) and (4);
  - (c) in paragraph (5), for “comply with paragraph (4)”, substitute “ draw up the contract in English ”.
- (5) In Schedule 1 (standard information form for timeshare contracts)—
  - (a) in Part 2, for “Member State in which the consumer is resident or is habitually domiciled”, in both places where it occurs, substitute “ United Kingdom ”;
  - (b) in Part 3, omit “within the territory of the Member States(s) in which the property or properties concerned are situated”.
- (6) In Schedule 2 (standard information form for long-term holiday product contracts) in Part 2, for “Member State in which the consumer is resident or is habitually domiciled”, in both places where it occurs, substitute “ United Kingdom ”.
- (7) In Schedule 3 (standard information form for resale contracts) in Part 2, for “Member State in which the consumer is resident or is habitually domiciled”, in both places where it occurs, substitute “ United Kingdom ”.
- (8) In Schedule 4 (standard information form for exchange contracts) in Part 2, for “Member State in which the consumer is resident or is habitually domiciled”, substitute “ United Kingdom ”, and for “Member State in which the consumer is resident or habitually domiciled”, substitute “ United Kingdom ”.

#### Commencement Information

- I2** Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

**Marginal Citations**

**M2** [S.I. 2010/2960](#) to which there are amendments not relevant to these Regulations.

## **PART 3**

### Supplementary

#### **Transitional provision**

**3.** Nothing in these Regulations applies to a contract entered into before [<sup>F1</sup>IP completion day].

**F1** Words in reg. 3 substituted (31.12.2020 immediately before IP completion day) by [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1347\)](#), regs. 1(3), **6(2)**

#### **Commencement Information**

**I3** Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Department for Business, Energy and Industrial  
Strategy

*Kelly Tolhurst*  
Parliamentary Under Secretary of State

**Changes to legislation:** There are currently no known outstanding effects for the The Timeshare, Holiday Products, Resale and Exchange Contracts (Amendment etc.) (EU Exit) Regulations 2018. (See end of Document for details)

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## EXPLANATORY NOTE

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

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(c), 8(2)(g) and 8(3)(a) of the 2018 Act) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations amend the Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010 (S.I. 2010/2960). They extend the range of holiday accommodation contracts governed by the 2010 Regulations, amend provision with respect to the languages that must be used in contracts and key information and make changes to the content of standard information forms.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

**Changes to legislation:**

There are currently no known outstanding effects for the The Timeshare, Holiday Products, Resale and Exchange Contracts (Amendment etc.) (EU Exit) Regulations 2018.