
STATUTORY INSTRUMENTS

2013 No. 783

**The Public Bodies (The Office of Fair Trading
Transfer of Consumer Advice Scheme Function and
Modification of Enforcement Functions) Order 2013**

Modification of enforcement functions

9.—(1) Section 214 of the 2002 Act (Consultation) is amended as follows.

(2) For subsection (1) substitute—

“(1) An enforcer must not make an application for an enforcement order unless—

- (a) the enforcer has engaged in appropriate consultation with the person against whom the enforcement order would be made, and
- (b) if the enforcer is not the OFT, the enforcer has given notice to the OFT of the enforcer’s intention to apply for the enforcement order, and the appropriate minimum period has elapsed.

(1A) The appropriate minimum period is—

- (a) in the case of an enforcement order, 14 days beginning with the day on which notice under subsection (1)(b) is given;
- (b) in the case of an interim enforcement order, seven days beginning with the day on which notice under subsection (1)(b) is given.”.

(3) In subsection (4), for “Subsection (1)” substitute “Subsection (1)(a)”.

(4) In subsection (7), for “(except subsection (4))” substitute “(except subsections (1A) and (4))”.