STATUTORY INSTRUMENTS

2016 No. 1259

CONSUMER PROTECTION

The Consumer Rights (Enforcement and Amendments) Order 2016

Made - - - - 21st December 2016

Coming into force in accordance with article 1

The Secretary of State makes this Order in exercise of the powers conferred by section 96(1) and (2) of, and paragraph 12(1)(a) and (b) of Schedule 5 to, the Consumer Rights Act 2015(**1**) ("the Act").

In accordance with paragraph 12(2) of Schedule 5 to the Act, the Secretary of State thinks that on and after the changes made by the Schedule to this Order (where a power of entry in legislation other than the Act is replaced by a power of entry in the Act), the condition in paragraph 12(3) of Schedule 5, that the safeguards applicable to the new power of entry, taken together, provide a greater level of protection than any safeguards applicable to the old power of entry, is met.

In accordance with section 96(3) of, and paragraph 12(6) of Schedule 5 to, the Act, a draft of this statutory instrument was laid before, and approved by a resolution of, each House of Parliament.

Citation and commencement

1. This Order may be cited as the Consumer Rights (Enforcement and Amendments) Order 2016 and comes into force 21 days after the day on which it is made.

Interpretation

2. In this Order "the Act" means the Consumer Rights Act 2015.

Consequential and other amendments

3. The Schedule to this Order (amendments consequential on Schedules 5 and 6 to the Act, and amendments to Schedule 5 to the Act) has effect.

Transitional and saving provisions in respect of investigatory powers

4.—(1) In this article—

(**1**) 2015 c.15.

(a) an "old enforcement provision" means a provision of Article 41 of the Weights and Measures (Northern Ireland) Order 1981(**2**), and

(b) a "new enforcement provision" means a provision of Schedule 5 to the Act which applies in place of an old enforcement provision.

(2) The replacement of an old enforcement provision by a new enforcement provision does not affect the continuity of the law.

(3) Paragraph (2) does not apply to any change in the law made by Schedule 5 to the Act.

(4) A reference, express or implied, in an enactment, instrument or document to a new enforcement provision is, subject to its context, to be read as being or including a reference to the old enforcement provision which corresponds to it, in relation to times, circumstances or purposes in relation to which the old enforcement provision had effect.

(5) A reference, express or implied, in an enactment, instrument or document to an old enforcement provision is, subject to its context, to be read as being or including a reference to the new enforcement provision which corresponds to it, in relation to times, circumstances or purposes in relation to which the new enforcement provision has effect.

(6) Anything done, or having effect as if done, under (or for the purposes of or in reliance on) an old enforcement provision, and in force or effective immediately before the day this Order comes into force, has effect on and after the day this Order comes into force as if done under (or for the purposes of or in reliance on) the new enforcement provision which corresponds to it.

(7) Paragraphs (2) to (6) have effect in place of section 17(2) of the Interpretation Act 1978; but nothing in this Order affects any other provision of that Act.

Signed by authority of the Secretary of State for Health.

Prior
Parliamentary Under-Secretary of State,
Department of Health

21st December 2016

(**2**) S.I.1981/231 (N.I.10).