



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Tuesday 13 May 2014

New Amendments handed in are marked thus ★

CONSIDERATION OF BILL

CONSUMER RIGHTS BILL, AS AMENDED

NOTE

The Amendments have been arranged in accordance with the Order of the House [13 May 2014].

Hilary Benn [R]
Emma Reynolds
Stella Creasy

20

Clause **84**, page **43**, line **14**, at end insert—

‘(2A) Section [*Prohibition of fees in contracts for services: letting of residential accommodation*] extends only to England.’

Stella Creasy
Stephen Doughty

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Schedule **2**, page **50**, line **9**, at end insert—

‘1A A term which requires a consumer to pay a charge for, or be liable for, an element of a good or service that another party has also been charged for in the course of the same transaction.’

Consumer Rights Bill, *continued*Stella Creasy
Stephen Doughty

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Schedule 2, page 50, line 15, at end insert—

- ‘2A A term which relies upon any bill of sale, as defined in section 3 (Construction of Act) of the Bills of Sale Act (1878) Amendment Act 1882, to reduce the level of consumer protection in relation to contracts concerning consumer credit.’.

Stella Creasy
Stephen Doughty

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Schedule 2, page 50, line 18, at end insert—

- ‘3A A term that directly causes financial detriment to the consumer such that it can reasonably be seen to alter the capacity of the consumer to pay the costs of the contract, where the contract is for a financial service.’.

Stella Creasy
Stephen Doughty

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Schedule 2, page 52, line 2, at end insert—

- ‘20A A term which either—
- (a) requires or encourages a consumer to contract third party services without informing them of their right to seek independent advice; or
 - (b) seeks to limit a consumer’s access to independent advice regarding third party contracts where there is a potential conflict of interest for the third party involved.’.

Philip Davies

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Schedule 2, page 52, line 2, at the end insert—

- ‘20A A term which has the object or effect of permitting a trader block, restrict or otherwise hinder the access of a consumer to any lawful electronic communications network or electronic communications service on the basis of an unreasonable or unusual definition of “internet access”, “data”, “web access” or similar word or phrase.
- Nothing in this prohibition shall affect filters for the purpose of child protection.
- Electronic communications network or electronic communication service shall have the same meaning as in the Communications Act 2003.’.

Secretary Vince Cable

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Schedule 5, page 67, line 11, at end insert—

Consumer Rights Bill, *continued*

‘A local weights and measures authority in Great Britain or the Department of Enterprise, Trade and Investment in Northern Ireland	Section 35ZA of the Registered Designs Act 1949’
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Member’s explanatory statement

This amendment inserts a reference to section 35ZA of the Registered Designs Act 1949 into the table in paragraph 11 of Schedule 5 so that it falls within the enforcer’s legislation within the meaning of paragraph 9(1)(b) of the same Schedule. It also lists the relevant domestic enforcers of this provision.

Stella Creasy
Stephen Doughty

Schedule 5, page 74, line 39, leave out sub-paragraphs (3) to (9).

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Stella Creasy
Stephen Doughty

Schedule 5, page 75, line 38, leave out sub-paragraph (11).

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Secretary Vince Cable

Schedule 6, page 88, line 27, at end insert—

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Registered Designs Act 1949 (c. 88)

A1 (1) Section 35ZB of the Registered Designs Act 1949 (enforcement) is amended as follows.

(2) Omit subsection (1).

(3) Before subsection (2) insert—

“(1A) For the investigatory powers available to a local weights and measures authority or the Department of Enterprise, Trade and Investment in Northern Ireland for the purposes of the enforcement of section 35ZA, see Schedule 5 to the Consumer Rights Act 2014.”.

Member’s explanatory statement

This amendment makes a consequential amendment to section 35ZB of the Registered Designs Act 1948 in Schedule 6 by replacing reference to the investigatory powers contained in the Trade Descriptions Act 1968, which are being repealed by the Consumer Rights Bill, with those contained in Schedule 5 to the Bill.

Secretary Vince Cable

Schedule 6, page 97, line 33, leave out ‘local weights and measures authority’ and insert ‘person’.

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Member’s explanatory statement

This amendment modifies the consequential amendment to the Fireworks Act 2003 in Schedule 6

Consumer Rights Bill, continued

by replacing the words “local weights and measures authority” with “person” so that it is consistent with the consequential amendment to the Consumer Protection Act 1987 also in this Schedule.

ORDER OF THE HOUSE [28 JANUARY 2014]

That the following provisions shall apply to the Consumer Rights Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 13th March 2014.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion three hours after the commencement of the proceedings.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion four hours after the commencement of proceedings on Consideration.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.
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ORDER OF THE HOUSE [13 MAY 2014]

That the Order of 28 January 2014 (Consumer Rights Bill (Programme)) be varied as follows:

1. Paragraphs 4 and 5 of the Order shall be omitted.
2. Proceedings on Consideration and Third Reading shall be taken in two days in accordance with the following provisions of this Order.
3. Proceedings on Consideration shall be taken on the days shown in the first column of the following Table and in the order so shown.
4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Consumer Rights Bill, *continued*

TABLE

First day

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
New Clauses and new Schedules relating to public services, guidance or access to data	Two hours after the commencement of proceedings on Consideration on the first day
New Clauses and new Schedules relating to consumer credit or debt management; new Clauses and new Schedules relating to Part 1; amendments to Part 1	The moment of interruption on the first day

Second day

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
New Clauses and new Schedules relating to Parts 2 or 3; amendments to Parts 2 or 3; remaining new Clauses and new Schedules; remaining proceedings on Consideration	Two hours after the commencement of proceedings on Consideration on the second day

- Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion three hours after the commencement of proceedings on Consideration on the second day.