



House of Commons

NOTICES OF AMENDMENTS

given on

Thursday 8 May 2014

*For other Amendment(s) see the following page(s) of Supplement to Votes:
1829-30, 1833, 1835-36, 1837-39, 1861, 1921-22, 1959-61 and 2007-08*

CONSIDERATION OF BILL

CONSUMER RIGHTS BILL, AS AMENDED

Credit broker fees

Yvonne Fovargue

NC9

To move the following Clause:—

- ‘(1) The Consumer Credit Act 1974 is amended as follows.
- (2) In section 160A (Credit intermediaries) after subsection (4) insert—
 - “(4A) Persons engaged in credit intermediary activity under this section or credit broking activity under section 145 shall not charge or take any fee from a debtor in respect of these activities until such time as an introduction results in the debtor entering into a relevant agreement.”’.

Powers of the Information Commissioner: nuisance calls

Yvonne Fovargue

NC10

To move the following Clause:—

- ‘(1) The Data Protection Act 1998 is amended as follows.
- (2) In section 40 (Enforcement Notices), leave out subsection (2).
- (3) In section 55A (Power of Commissioner to impose monetary penalty), leave out subsection (1)(b).’.

Practices of rent to own companies

Yvonne Fovargue

NC11

To move the following Clause:—

Consumer Rights Bill, *continued*

- ‘(1) This section applies to credit agreements and consumer hire agreements taken out in respect of household goods specified in rules by the Financial Conduct Authority.
- (2) The rules under subsection (1) shall—
- (a) include a requirement on lenders to include in pre-contractual information adequate explanations and information allowing prospective customers to compare both the cash price of goods and the total cost of the credit agreement to a representative retail price for those goods;
 - (b) prohibit lenders from requiring customers to take out insurance sold or brokered by the lender as a condition of obtaining credit;
 - (c) set out specific steps lenders must take before taking action to enforce the agreement or recover possession of goods; and
 - (d) set out the steps lenders should take to check that the agreement is affordable and suitable for prospective consumers.’.

Right to full refund: ticketed events

Philip Davies

NC12

To move the following Clause:—

‘An event organiser must issue a full cash refund where their tickets are returned to them up to 24 hours before the start of the event.’.

Goods to be as described: meat products

Philip Davies
 Philip Hollobone
 Julian Sturdy
 Sir Gerald Howarth
 Jim Fitzpatrick
 Philip Davies

NC13

To move the following Clause:—

- ‘(1) All products containing halal and kosher meat shall be labelled as such at the point of sale by retail and food outlets.
- (2) A food outlet is anywhere where food is sold to the public.’.

Communications services: change of service provider

Philip Davies

NC14

To move the following Clause:—

- ‘(1) Section 3 of the Communications Act 2003 is amended as follows.
- (2) At the end of subsection (2)(b) insert “with a switching process that is led by the receiving communications service provider”.’.

Consumer Rights Bill, *continued*

Right to corrective action

Mark Durkan
Fiona O'Donnell
Mike Wood

NC15

To move the following Clause:—

- (1) This section applies if either—
 - (a) the responsible economic actor has identified that goods supplied present a health and safety risk to the consumer; or
 - (b) the appropriate authority has identified that goods supplied present a risk to the public safety; and
 as a result, the product is subject to corrective action by either party (a “recall action”).
- (2) The consumer has the right to expect that the responsible economic actor for any goods supplied subject to a recall action must take all reasonable steps to inform all persons affected, or likely to be affected by the safety risks from the goods, within the shortest period of time practicable.
- (3) The consumer, if placed at risk by goods subject to a recall action, has the right to prompt and effective action by the economic actor of that product to ensure that—
 - (a) the defect posing a safety risk to any persons affected or likely to be affected is eliminated;
 - (b) the actions required to achieve (a) do not cause significant inconvenience to the consumer; and
 - (c) all costs associated with the recall action are borne by the responsible economic actor.
- (4) The Secretary of State will periodically gather and make publicly available information relating to safety incidents caused by recalled goods, and estimates of how many such goods still remain unaccounted for.
- (5) The effectiveness of recall actions, and the procedures in place to achieve successful recalls, will be the subject of periodic review by the Secretary of State, with reference to public information on recalls in subsection (4) and any other relevant data.
- (6) The Secretary of State may create or designate a body to act as a consumer product safety and recall authority.
- (7) The Secretary of State may by regulations provide for the authority to—
 - (a) act to protect the public from identifiable and unreasonable risks of injury, death or household risk from consumer products;
 - (b) review products, test products, or receive or commission reports from other competent persons;
 - (c) direct corrective action to be taken by relevant economic actors, regulators or authorities;
 - (d) ensure and direct forms of consumer registration, from purchase of products, with databases which will be conducive to optimal fulfilment of (a) and (c) above;
 - (e) require notification by economic actors, including manufacturers, brand suppliers or traders, of significant evidence of concern in respect of the consumer safety of relevant products; and
 - (f) provide for accessible, intelligible information and advice to be available to consumers and relevant economic actors in respect of product safety, corrective actions and other guidances relevant to the authority’s work.

Consumer Rights Bill, *continued*

- (8) For the purposes of subsections (4), (5), (6) and (7), the Secretary of State must consult with—
 - (a) market regulators;
 - (b) relevant authorities; and
 - (c) any other bodies he thinks appropriate.
- (9) For the purposes of this section “economic actor” means—
 - (a) a “trader” as defined in section 2(2); or
 - (b) a manufacturer of “goods” as defined in section 2(8).’.

Philip Davies

19

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.’.

*Secondary ticketing platforms: product and seller information*Stella Creasy
Stephen Doughty

NC16

To move the following Clause:—

- ‘(1) The Secretary of State shall issue guidance to all traders who operate as secondary ticketing platforms on the application of the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013.
- (2) Guidance issued under section (1) shall include how secondary ticketing platforms must inform consumers of—
 - (a) the chosen identity of the seller;
 - (b) the country of residence of the seller;
 - (c) information provided by previous buyers on the reliability of the seller and the tickets he has sold;
 - (d) information on any complaints made against the seller for failing to supply tickets;
 - (e) information on any complaints made against the seller for supplying fraudulent or invalidated tickets; and
 - (f) information on all other accounts currently or previously held with the secondary ticketing platform linked to the seller by virtue of personal, financial and contact information provided by them.
- (3) Guidance issued under section (1) shall set out how information required under Part 2 of the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 shall be—
 - (a) accurate; and
 - (b) prominently displayed before a buyer is able to purchase.
- (4) Guidance issued under section (1) shall set out how secondary ticketing platforms must disclose clearly if the seller of the ticket is—

Consumer Rights Bill, *continued*

- (a) the secondary ticketing platform themselves;
 - (b) individuals employed by the secondary ticketing platform;
 - (c) other companies linked to employees, directors or shareholders of the secondary ticketing platform;
 - (d) the event organiser or an agent acting on their behalf; or
 - (e) any other party connected to the event organiser of the event.
- (5) Guidance issued under section (1) shall set out the status of tickets as unique goods with distinct characteristics which would affect—
- (a) the enjoyment of the good by the consumer;
 - (b) the use of the good by the consumer; or
 - (c) the inherent value of the good in questions.
- (6) Where a ticket is sold through a secondary ticketing platform, guidance issued under section (1) shall set out how the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 apply to tickets as unique goods, including—
- (a) how sellers must provide all relevant information about the ticket including but not limited to the face value of the ticket and a designated seat or ticket number;
 - (b) how secondary ticketing platforms will publish all the information about a ticket provided by the seller in a prominent and clear way; and
 - (c) what sanctions will apply for failing to provide this information under the regulations.’.

Secondary ticketing platforms: fraudulent tickets

Stella Creasy
Stephen Doughty

NC17

To move the following Clause:—

- ‘(1) Where a secondary ticketing platform becomes aware that sellers using their service have acquired tickets through illegal methods, or are selling fraudulent tickets, they have a duty to report this to the relevant law enforcement agency immediately.
 - (2) A secondary ticketing platform must meet any lawful requests for information on sellers made by law enforcement agencies or courts.
 - (3) Where a law enforcement agency has notified a secondary ticketing platform that a ticket advertised through their service is, or is suspected to be, fraudulent, the secondary ticketing platform must remove that ticket and suspend the seller’s activities immediately.’.
-