

MODERN MARKETS: CONFIDENT CONSUMERS
REPORT ON THE IMPLEMENTATION PLAN OF THE 1999 CONSUMER WHITE PAPER



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Commitment	Para	Milestones	Target dates/Background
1. The Government will publish a study of international price comparisons in France, Germany, the US and the UK.	2.08	<ul style="list-style-type: none"> • advertise research tender in EU Official Journal • appoint research company • publish findings 	<ul style="list-style-type: none"> • achieved – July 1999 • achieved – October 1999 • achieved – Report published June 2001 “International Price comparisons: branded consumer goods in France, Germany, Sweden, the UK and the US”. – Available from DTI publications (http://www.dti.gov.uk/ccp/topics2/pdf2/ipc.pdf).
2. DTI will publish a consultation paper on mergers	2.09	<ul style="list-style-type: none"> • publish consultation paper • analyse responses • announce outcome of review 	<ul style="list-style-type: none"> • achieved - 6 August 1999 • achieved – October 2000. “Mergers: The Response to the consultation on the Proposal for Reform”, fed into Competition White Paper 2001 – Enterprise Act 2002.
3. The Government will review competition in airports and water sectors	2.13		<ul style="list-style-type: none"> • Concluded 9th November 2000. • Review completed – Water Bill will introduce competition to large water users. To be reviewed by 2006.
4. The Government will discuss proposals for modernising EU competition law procedures with the European Commission (EC) and other member states and will take account of views of consumer organisations	2.14	<ul style="list-style-type: none"> • take part in series of working group meetings, with other member states • write to interested parties in the UK for their views 	<ul style="list-style-type: none"> • achieved – the EC’s aim was to introduce a new regime in 2003 • achieved - involvement of other parties. Considered and welcomed EU plans in 2001 White Paper. New Regulation agreed by Council of Ministers in November 2002 – DTI has consulted on proposals for giving effect to Regulation 1/2003 and for aligning the Competition Act 1998. Regulation and UK statutory instrument came into force on 1 May 2004.
5. The Government will lift restrictions on commercial imports of motor vehicles	2.15	<ul style="list-style-type: none"> • plans announced progressively to lift restrictions, which are likely to end in 2001 	<ul style="list-style-type: none"> • This was fully achieved by the introduction of new regulations controlling the approval of single vehicles in early 2001. The relevant regulations are the “The Motor Vehicles (Approval) Regulations 2001”, Statutory Instrument 2001 No. 25 (http://www.hmso.gov.uk/si/si2001/20010025.htm) which came

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<p>6. The Government will seek greater trade liberalisation in the DDA (Doha Development Agenda) next WTO Round. To secure agreement to a significant reduction in trade barriers leading to improved trading opportunities for the UK and developing countries.</p>	<p>2.16</p>	<ul style="list-style-type: none"> • Next Ministerial (date to be agreed) • Progress towards agreeing a framework for negotiations for the DDA round. 	<p>into force on 1 February 2001.</p> <ul style="list-style-type: none"> • Original milestones referred to launch of a new Trade Round and ensuring EUs negotiating line favoured liberalising trade. These have been met. A comprehensive round of WTO trade talks was launched at Doha in December 2001 with a deadline of 1 January 2005. • The failure to reach agreement at the Cancun Ministerial (September 2003) was a setback. The differences in views between WTO Members means that reaching an agreement by the official deadline will be extremely difficult. But, this does not mean the end of the Round. Past trade talks also suffered from setbacks. What is important is getting the DDA back on track. <p>There have been some achievements:</p> <ul style="list-style-type: none"> • The EUs CAP reform package agreed in June 2003, which injected new momentum into the WTO negotiations on agriculture liberalisation. • An agreement on TRIPS/access to medicines. • Some indications of flexibility at Cancun and since e.g. flexibility on the treatment of the “Singapore issues” especially competition and investment. • Emergence of stronger and more coordinated developing country voices which although arguably one of the causes of the breakdown at Cancun showed how the views of developing countries are significant.
<p>7. DTI will initiate a rolling review of areas of particular complexity and risk to find ways that business can present information more clearly and simply</p>	<p>3.03</p>	<ul style="list-style-type: none"> • to be taken forward through the advisory committee 	<ul style="list-style-type: none"> • Review of mobile phone transparency carried out and published in September 2001. These issues now considered as part of market studies programme being carried out by OFT (http://www.dti.gov.uk/ccp/topics1/pdf/fullmobilereport.doc)

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8. DTI will consider with OFTEL whether price transparency in the market for mobile phones and airtime should be reviewed	3.03	<ul style="list-style-type: none"> • discuss with OFTEL • take forward through the advisory committee 	<ul style="list-style-type: none"> • achieved – November 1999 • achieved – report published September 2001 (www.dti.gov.uk/ccp/publications.htm)
9. The Government is helping develop a new harmonised grading scheme requiring hotels to display rate cards showing charges for calls from bedroom telephones	3.09	<ul style="list-style-type: none"> • launch new criteria to consumers in September 1999 • set up working group of government, industry and consumer representatives to examine how to improve clarity of information given on rate cards and spread best practice • report to Tourism Summit 	<ul style="list-style-type: none"> • achieved • achieved • achieved - Spring 2000
10. The Government is exploring with industry how better information on single-person supplements can be provided	3.09	<ul style="list-style-type: none"> • agree with major travel trade associations an explanation of the basis for supplements to be inserted in holiday brochures • publish in winter brochures 	<ul style="list-style-type: none"> • achieved • achieved - January 2001

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		<ul style="list-style-type: none"> • hold meetings with UK hoteliers and other interested parties • consider with stakeholders how we can ensure that the growing numbers of single travellers get a better deal. 	<ul style="list-style-type: none"> • achieved <p>Meetings took place in February & March 2004.</p>
11. The Government will amend the rules on price marking so that goods offered for sale within a shop will have an easily identifiable price without the consumer having to ask for it	3.10	<ul style="list-style-type: none"> • lay regulations • regulations come into force 	<ul style="list-style-type: none"> • achieved – Price Marking Order 1999 (S.I. 3042) laid before Parliament November 1999 • achieved - March 2000 (www.legislation.hmso.gov.uk/si/si1999/19993042.htm) <p>[Note: the PMO 1999 was replaced by the Price Marking Order 2004 (S.I. 102), made on 19 January 2004, and will come into force on 22 July 2004. www.hmso.gov.uk/si/si2004/20040102.htm]</p>
12. The Government will extend unit pricing of pre-packaged quantity-marked products	3.11	<ul style="list-style-type: none"> • lay regulations • regulations come into force 	<ul style="list-style-type: none"> • achieved – Price Marking Order 1999 (S.I. 3042) laid before Parliament November 1999 • achieved - March 2000 (www.legislation.hmso.gov.uk/si/si1999/19993042.htm) <p>[Note: the PMO 1999 was replaced by the Price Marking Order 2004 (S.I. 102), made on 19 January 2004, and will come into force on 22 July 2004. www.hmso.gov.uk/si/si2004/20040102.htm]</p>
13. The Government will bring forward proposals, on which it will consult, to ensure consumers are protected from short measure (in the sale of draft	3.13	<ul style="list-style-type: none"> • prepare consultation document • introduce primary legislation 	<ul style="list-style-type: none"> • achieved – published 22 July 1999 • Still under consideration.

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<p>beer).</p> <p>14. The Government will publish the results of a survey on pricing of soft drinks</p>	3.13	<ul style="list-style-type: none"> • commission research project on the pricing of soft drinks • publish results of survey 	<ul style="list-style-type: none"> • achieved • achieved – November 1999 (http://www.dti.gov.uk/ccp/topics1/pricesurvey.htm)
<p>15. The Government will review the Price Marking (Food and Drink on Premises) Order 1979 and revise it if necessary</p>	3.13	<ul style="list-style-type: none"> • consider results from soft drink survey • if necessary, consult on revision of the Order • revise Order 	<ul style="list-style-type: none"> • achieved – 2000 • achieved – 2001 • achieved - Price Marking (Food and Drink Services) Order 2003 (S.I. 2253) was made on 1st September 2003. (http://www.hmso.gov.uk/si/si2003/20032253.htm)
<p>16. The Government will publish revised guidance to traders on how to avoid giving misleading prices</p>	3.13	<ul style="list-style-type: none"> • consult on revision to statutory Code of Practice for Traders on Misleading Price Indications • publish new guidance 	<ul style="list-style-type: none"> • achieved - “Price Marking” – Public Consultation on proposed changes to the Code of Practice published on 28 March 2003. • Ongoing
<p>17. Implement Comparative Advertising Directive</p>	3.15	<ul style="list-style-type: none"> • publish consultation paper on implementation • implement through secondary legislation 	<ul style="list-style-type: none"> • achieved – 28 July 1999 • achieved (implemented) - April 2000 (www.dti.gov.uk/ccp/topics1/adprice.htm)

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<p>18. DTI and DETR will work with OFT and trading standards to see if powers under Control of Misleading Advertisements Regulations can be used more effectively to combat misleading on-pack claims, especially green claims</p>	3.18	<ul style="list-style-type: none"> • meetings with DETR, Local Authorities Coordinating Body on Food and Trading Standards (LACOTS) and OFT • report on scope for action under Control of Misleading Advertisements Regulations 	<p>A Green Claims Code was issued jointly by DEFRA and DTI in June 2000. It is hoped that any residual problems will be dealt with by detailed guidance for businesses on how to make good green claims, which DEFRA and DTI issued in December 2003 (www.defra.gov.uk/environment/consumerprod/pdf/genericguide.pdf).</p>
<p>19. The Government proposes to align the provisions of Trade Descriptions Act (TDA) relating to services with those relating to goods</p>	3.19	<ul style="list-style-type: none"> • consult on proposals • amendment needed to primary legislation 	<ul style="list-style-type: none"> • This action is now on hold in view of the possible effect of the draft Unfair Commercial Practices Directive on the TDA.
<p>20. DfT is considering proposals to make available more information on mileage by requiring mileage to be (a) recorded at MOT tests and (b) reported on vehicle registration and licence renewal forms</p>	3.20	<p>a) set up IT network which will allow all mileages recorded at MOT tests to be pooled centrally</p> <p>b) DVLA/DfT currently considering legislative requirements</p>	<ul style="list-style-type: none"> • DVLA has put forward the proposal as a Starter for the forthcoming Road Safety Bill, which in part of the Fourth Session legislative programme. Lawyers have agreed that Mandatory Mileage Recording (MMR) cannot be considered as a Regulatory Reform Order (RRO). MMR is still proposed for inclusion in the Road Safety Bill later this year (2004). • At this stage the aim is to secure primary powers. There remain policy issues regarding recording of information on registration and licensing forms e.g. there is no foolproof means of capturing this information from vehicles under 3 years old, and therefore implementation of systems is some way off.
<p>21. The Government will amend regulations so that the 'wealth warning' for secured loans features prominently in documents given to prospective</p>	3.23	<ul style="list-style-type: none"> • draft regulations • complete discussions with industry • lay regulations • regulations come into 	<ul style="list-style-type: none"> • achieved • achieved • achieved • achieved - February 2000

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<p>consumers</p> <p>22. The Government will amend the warning for equity release schemes</p>	3.24	<ul style="list-style-type: none"> • force • complete initial discussions with industry • complete final discussions with industry • lay regulations • regulations come into force 	<ul style="list-style-type: none"> • achieved • achieved – November 1999 • achieved - May 2000
<p>23. The Government will change the way the APR is calculated in the UK so that it is calculated on the same basis throughout the EU</p>	3.25	<ul style="list-style-type: none"> • first draft of regulations • complete discussions with industry • give draft regulations to industry to enable it to meet Y2K deadline • lay regulations • regulations come into force 	<ul style="list-style-type: none"> • achieved • achieved • achieved • achieved – November 1999 • achieved - February 2000
<p>24. The Government will change the law to ensure the APR reflects the total charge for credit over the full period of the loan</p>	3.26	<ul style="list-style-type: none"> • first draft of regulations • lay regulations • regulations come into force 	<ul style="list-style-type: none"> • achieved • achieved – November 1999 • achieved - July 2000
<p>25. The Government will implement the Distance Selling Directive</p>	3.27	<ul style="list-style-type: none"> • issue consultation paper • lay regulations, implementing Directive • regulations come into force 	<ul style="list-style-type: none"> • achieved – November 1999 • achieved - Consumer Protection (Distance Selling) Regulations 2000 (SI 2000 No. 2334) (http://www.hmso.gov.uk/si/si2000/20002334.htm)
<p>26. DTI will publish proposals to</p>	3.29	<ul style="list-style-type: none"> • Review existing 	<ul style="list-style-type: none"> • Although there has been no early opportunity to review the trading

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amend current rules on trading schemes to require greater honesty		<p>legislation to identify weaknesses and areas in need of change</p> <ul style="list-style-type: none"> • publish proposals and consult stakeholders 	<p>scheme regulations, the Department for Culture, Media and Sport (DCMS) is to introduce a new Gambling Bill following the review of gambling in the UK. As a result of discussions between DTI and DCMS, the Bill is expected to outlaw “pyramid” schemes such as those that operate as chain letters or gifting schemes, which fall outside trading schemes legislation and which are a source of significant consumer detriment</p>
27. DTI will make clear in guidance to participants that they should seek independent business advice on trading schemes	3.29	<ul style="list-style-type: none"> • publish new guidance 	<ul style="list-style-type: none"> • Achieved - We issued guidance on our Website via a factsheet on Trading Schemes and “pyramid” scams (http://www.dti.gov.uk/ccp/topics/1/facts/pyramid.htm) and similar advice on the “Don’t Be A Mug!” website dealing with scams (http://www.dti.gov.uk/ccp/scams/page5.htm).
28. The Government will publish proposals to improve information to timeshare buyers and review aspects of timeshare legislation	3.30	<ul style="list-style-type: none"> • publish consultation paper • introduce a new Timeshare (Cancellation Information) Order 	<ul style="list-style-type: none"> • achieved - December 1999 • achieved, came into force on 31 October 2003 (http://www.hmso.gov.uk/si/si2003/20032579.htm)
29. DTI and others will develop teaching materials for adults	3.32	<ul style="list-style-type: none"> • bid for EU funding • award of funding • carry out project 	<ul style="list-style-type: none"> • achieved • achieved - December 1999 • achieved April 2001. We ran three EU funded projects to produce consumer education resources
30. The Government is setting up a Consumer Gateway on the Internet	3.35	<ul style="list-style-type: none"> • first stage live on 22 July 1999 • consider arrangements for ongoing management and scope of second stage 	<ul style="list-style-type: none"> • achieved. • achieved. Gateway (http://www.consumer.gov.uk/consumer_web/index_v4.htm) done and up and running, although soon to be subsumed into Consumer Direct.
31. The Government will provide core principles for effective codes of practice	4.06	<ul style="list-style-type: none"> • core principles set out in White Paper 	<ul style="list-style-type: none"> • achieved
32. The Government will change	4.08	<ul style="list-style-type: none"> • introduce primary 	<ul style="list-style-type: none"> • achieved - Implemented in the Enterprise Act 2002

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<p>the law to give OFT the power to give a seal of approval to codes that put these core principles into effect and to warn against ones that do not or that are not adequately enforced.</p>		<p>legislation</p>	
<p>33. The Government will implement, on a pilot basis, the quality mark scheme, drawn up by the Beat the Cowboys Working Party</p>	4.12	<ul style="list-style-type: none"> • publication of final report of Working Party • publish Government's response • pilot to start 	<ul style="list-style-type: none"> • achieved – August 1999 (http://www.consumer.gov.uk/construction/qmark/qmpubs/finwgrep/index2.htm) • Published Government's Response – November 1999
<p>34. The Government is working, with AEB, CA and OFT, to develop core principles for e-commerce codes, a new body to accredit such codes and a hallmark</p>	4.15	<ul style="list-style-type: none"> • publish core principles • launch Trust UK 	<ul style="list-style-type: none"> • achieved – July 1999 • achieved - July 2000 (http://www.trustuk.org.uk/default.asp?option=0)
<p>35. The Government will work in Europe to encourage the development of an EU-wide e-commerce code</p>	4.16	<ul style="list-style-type: none"> • OECD special session on codes • launch of Trust UK • negotiations on draft directive on e-commerce 	<ul style="list-style-type: none"> • achieved – October 1999 • achieved – June 2000 • The directive was adopted in July 2000; the Commission has produced plans for an EU code for e-commerce but a scheme has not yet been put in place.
<p>36. The Government will work with the OECD on its guidelines for consumer protection in e-commerce</p>	4.16	<ul style="list-style-type: none"> • DTI will consult interested parties in preparation for September meeting of OECD's Committee on Consumer Policy • agree and publish guidelines 	<ul style="list-style-type: none"> • achieved • achieved - Dec 1999

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37. DTI will publish a good practice guide on product recall	4.18	<ul style="list-style-type: none"> • liaise with CBI and British Retail Consortium over preparation of guide • publish guide 	<ul style="list-style-type: none"> • achieved • achieved – November 1999 (http://www.dti.gov.uk/cep/topics1/pdf1/consumer.pdf)
38. The Government will encourage a partnership approach in the development of international standards and the expected review of the General Product Safety Directive (GPSD)	4.18	<ul style="list-style-type: none"> • continuing discussion with industry and consumer groups • formal proposal for revised GPSD expected early 2000 – business and consumer groups already involved 	<ul style="list-style-type: none"> • Achieved - DTI (through monies to BSI) continues to assist the travel costs of business and consumer delegates attending European and International standards meetings. • Achieved - Revised Directive adopted in December 2001 - for transposition in 2005. Standards continue to play an important role in assessing safety.
39. The Government will assist in identifying and developing consumer-oriented indices and encourage their inclusion in benchmarking schemes	4.21	<ul style="list-style-type: none"> • continuing discussion with businesses and industry groups 	<ul style="list-style-type: none"> • achieved - A consumer service/orientation module was created for the UK Benchmark Index in December 2001.
40. The Government will consider whether more consumer protection law should be extended to cover small businesses	4.24	<ul style="list-style-type: none"> • invite comments by 29 October 1999 • publish response 	<ul style="list-style-type: none"> • achieved • Examined thoroughly in consultation process that lead to 1999 provisions and revised in consultation on Part 8 provisions of the Enterprise Act 2002.
41. The Government will promote the development of a new network of advice agencies	5.05	<ul style="list-style-type: none"> • develop quality checklist in consultation with CABx and local authorities • develop benchmarking module in consultation with CABx and local authorities • link with Community 	<ul style="list-style-type: none"> • achieved - This became the Consumers Support Network (CSN) programme. Well on the way to achieving approx 90% coverage of GB with CSN s this calendar year.

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42. The Government will pilot a local helpline offering consumer advice	5.11	<p>Legal Service work on Quality Mark</p> <ul style="list-style-type: none"> • develop 'consumer badge' • organise national conference to launch quality checklist and benchmarking module <p>• identify areas for pilot, after discussions with local authorities, CABx, etc</p> <ul style="list-style-type: none"> • pilots to start • evaluate pilots 	<ul style="list-style-type: none"> • achieved. The pilot helplines ran and provided evidence for business case to HMT for Consumer Direct.
43. DTI will publish a best practice guide, based on research into the best means of informing the public on consumer rights	5.15	<ul style="list-style-type: none"> • publish booklet and distribute to advice centres, trading standards service, etc 	<ul style="list-style-type: none"> • achieved – November 1999
44. The Government will raise the limits under the Arbitration Act 1996 from £3,000 to £5,000	5.19	<ul style="list-style-type: none"> • lay Appropriate Order before Parliament 	<ul style="list-style-type: none"> • achieved – August 1999
45. The Government is consulting on proposals to help more people recover money owed to them	5.20	<ul style="list-style-type: none"> • complete review • depending on outcome of consultation, introduce any changes 	<ul style="list-style-type: none"> • The government has consulted on proposals to help people recover money owed to them, this was primarily done through the Green Paper "Towards Effective Enforcement" published in July 2001. As a result of this consultation and feedback to it, the Government issued policy proposals in the White Paper "Effective Enforcement" published in March 2003. • As far as actually implementing the proposed changes is concerned, some minor changes have been made by way of amendments to the civil procedure rules. Other changes by way of enabling primary legislation and underpinning secondary legislation will happen as and when parliamentary time allows and a legislative slot has been secured.

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46. The Government is looking at rules on extortionate credit to examine the extent to which this is a problem for consumers	5.21	<ul style="list-style-type: none"> • commission academic research • publish proposals 	<ul style="list-style-type: none"> • achieved • Consultation published March 2003. Proposals (Consumer Credit White paper) were published on 8 December 2003 (http://www.dti.gov.uk/ccp/topics1/pdf1/creditwp.pdf)
47. The Government is issuing a discussion paper on the provision of information on Alternative Dispute Resolution and the possibility of creating a list of approved providers	5.24	<ul style="list-style-type: none"> • publish discussion paper 	<ul style="list-style-type: none"> • achieved – November 1999 (http://www.dca.gov.uk/consult/civ-just/adr/indexfr.htm)
48. The Lord Chancellor will introduce new rules on how courts might manage numerous claims that have common features	5.25	<ul style="list-style-type: none"> • Civil Procedure Rule Committee considers proposals • lay regulations • regulations come into force 	<ul style="list-style-type: none"> • achieved - July 2000. The courts are able to manage numerous claims that have common features by the making of a Group Litigation Order (GLO). A GLO is an order made under rule 19.11 of the Civil Procedure Rules (CPR) to provide for the case management of a number of claims, which give rise to common or related issues of fact or law. This provision came into force in July 2000. A GLO must: <ul style="list-style-type: none"> ○ contain directions about the establishment of a group register on which the claims are entered; ○ specify the GLO issues of the claims to be managed as a group under the GLO; ○ specify the 'management court' which will manage the claims on the group register.
49. The Government is consulting on whether the Hague Convention should include similar provisions to those contained in Brussels and Lugano Conventions	5.27	<ul style="list-style-type: none"> • organise seminar on Brussels Convention • Hague Conference talks • Brussels Negotiations 	<ul style="list-style-type: none"> • achieved – 15 October 1999 • achieved - from October 1999. • achieved December 2003 – Negotiations started in Brussels on a Community Mandate. The Convention will relate solely to choice of court in B2B issues.

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50. Working with EU partners, the Government wants to see new ideas to make it easier, quicker and cheaper for consumers in one member state to take action in another	5.28	<ul style="list-style-type: none"> • Hague Conference • Tampere summit 	<ul style="list-style-type: none"> • It was decided in April 2003 that consumer rules would not feature in the Hague proposal. • achieved – October 1999
51. The Government will implement the Directive on Sale of Goods and Associated Guarantees	5.29	<ul style="list-style-type: none"> • consult on implementation plans 	<ul style="list-style-type: none"> • achieved – Came into force in March 2003. “The Sale and supply of goods to Consumers Regulation 2002” - Successfully completed (www.dti.gov.uk/ccp/topics1/saleandsupply.htm)
52. DTI will publish its risk assessment criteria	6.05	<ul style="list-style-type: none"> • publish discussion document 	<ul style="list-style-type: none"> • achieved December 1999 (http://www.dti.gov.uk/about/risk_assessment.htm)
53. The Government proposes to simplify and update weights and measures law	6.11	<ul style="list-style-type: none"> • prepare consultation document • introduce primary legislation, together with associated draft secondary legislation 	<ul style="list-style-type: none"> • achieved – published 22 July 1999 • ongoing. Primary legislation for comprehensive reform is not available, so reform will be taken forward using the available secondary powers, with consultation during 2004.
54. The Government would welcome views on changes that business and consumers would like to see in preparation for review of Consumer Credit Directive	6.13	<ul style="list-style-type: none"> • invite comments by 29 October 1999 • review responses • introduce proposals into European Commission’s review of the Directive 	<ul style="list-style-type: none"> • achieved • achieved. Commission has published a draft Consumer Credit Directive.
55. The Government will look at the current operation of the consumer credit licensing system	6.13	<ul style="list-style-type: none"> • hold discussions with interested bodies, including OFT, local 	<ul style="list-style-type: none"> • achieved - Consultation published January 2003

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		<p>authorities and business to scope the work</p> <ul style="list-style-type: none"> publish proposals 	<ul style="list-style-type: none"> Proposals published 8th December 2003. (http://www.dti.gov.uk/ccp/topics1/pdf1/creditwp.pdf)
56. The Government proposes to review all offences and penalties to see if they are necessary and, if so, whether the type and level are appropriate	6.14	<ul style="list-style-type: none"> hold discussions with interested bodies 	<ul style="list-style-type: none"> achieved. Discussions held with Health & Safety Executive and with others in DTI to look at penalties/offences for various pieces of product safety legislation. The initial project concluded that our safety product offences were satisfactory.
57. The Government will consider consolidating Unfair Contract Terms Act and the Unfair Terms in Consumer Contracts Regulations	6.15	<ul style="list-style-type: none"> commission research publish proposals 	<ul style="list-style-type: none"> achieved – July 1999 achieved - Spring 2000 The English and Scottish Law Commissions are currently undertaking a project to consider how this legislation can be consolidated and also whether the protection provided by the Unfair Terms in Consumer Contracts Regulations should be extended to businesses. It is expected that they will report around Autumn 2004.
58. The Government intends to consult on removing the requirements for trading stamps to indicate the cash redemption values	6.16	<ul style="list-style-type: none"> consult interested parties publish proposals 	<ul style="list-style-type: none"> achieved - May 2003 (http://www.dti.gov.uk/ccp/consultpdf/tstampcon.pdf) achieved - May 2003 consultation on making changes by a RRO – consultation ended 20 August 2003 (http://www.dti.gov.uk/ccp/consultpdf/tstampres.pdf).
59. The Government will simplify the Unsolicited Goods and Services Act 1971 and remove regulations under the Act which specify the format of invoices	6.17	<ul style="list-style-type: none"> revoke Unsolicited Goods and Services (invoices etc) Regulations publish proposals to amend Unsolicited Goods and Services Act 	<ul style="list-style-type: none"> achieved - December 1999 achieved. Consultation document – “Simplification of the Unsolicited Goods and Services Act 1971 (as amended)” – December 1999. Followed now by consultation earlier last year (March 2003) on making reforms by RRO. (http://www.dti.gov.uk/ccp/consultpdf/unsolcon.pdf) Consultation ended June 2003.

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60. The Government will mount a rolling programme to review all consumer protection legislation to check that it is still delivering its intended effect	6.18	<ul style="list-style-type: none"> • seek suggestions as to areas of consumer protection legislation that may be causing particular problems for business • hold discussions with interested groups, including business and consumer organisations, to decide next items to be tackled • carry out reviews, in consultation with business and consumer groups 	<ul style="list-style-type: none"> • achieved. Consumer Protection expanded through Enterprise Act. • ongoing. New consumer measures were introduced in the Enterprise Act. The draft consumer strategy <i>Extending Competitive Markets: Empowered Consumers, Successful Business</i> published for consultation on 14 July 2004 contains further proposals for reviewing consumer legislation. • ongoing
61. The Government will continue to press for European Directives to include review clauses in consumer legislation	6.19	<ul style="list-style-type: none"> • hold discussions with Commission and other Member States 	<ul style="list-style-type: none"> • ongoing - We have, and will continue, to press for review clauses in EU legislation on a case by case basis. We also highlighted the importance of systematic reviews of legislation in the UK's European Consumer Strategy paper which was circulated widely in Brussels in March 2002, and the idea continues to be standard UK thinking.
62. The Government will, where appropriate, include expiry dates in new domestic consumer legislation or set specific dates when consumer legislation will be reviewed	6.19	<ul style="list-style-type: none"> • review all proposals as they arise 	<ul style="list-style-type: none"> • ongoing
63. The Government urges all enforcement authorities to sign up to the Enforcement Concordat	7.03	<ul style="list-style-type: none"> • consult on possibility of placing concordat on statutory footing, through changes to s5 of Deregulation and Contracting Out Act • implement proposals 	<ul style="list-style-type: none"> • achieved. Issued "Consultation on a new Good Practice Guide to applying the 1998 Enforcement Concordat" http://www.dti.gov.uk/ccp/consultpdf/concord.pdf. Melanie Johnson and Nigel Griffith formally published Guidance on the Enforcement Concordat in June 2003 (http://www.dti.gov.uk/ccp/topics1/pdf1/concordatguide.pdf).

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64. The Government will amend the Fair Trading Act 1973 to provide a streamlined power for the courts to grant injunctions against specified traders	7.06	<ul style="list-style-type: none"> introduce primary legislation 	<ul style="list-style-type: none"> achieved through the Enterprise Act 2002.
65. The Government will amend the Fair Trading Act 1973 to provide a power for the courts to ban from trading traders with a history of disregarding their legal obligations	7.06	<ul style="list-style-type: none"> introduce primary legislation 	<ul style="list-style-type: none"> the Government decided this was not necessary. Given the powers in the Enterprise Act 2002 to ban traders from unlawful activities, the Government decided there was no need to ban traders from other, lawful, trading activities.
66. The Government will amend the Fair Trading Act 1973 to provide a power for the Secretary of State to make orders by secondary legislation that certain unfair practices should become criminal offences	7.06	<ul style="list-style-type: none"> introduce primary legislation 	<ul style="list-style-type: none"> the Government decided that it was not necessary at the moment, given Stop Now Orders and the draft Unfair Commercial Practices Directive.
67. The Government will extend enforcement under Part III of the Fair Trading Act 1973 to the trading standards service	7.07	<ul style="list-style-type: none"> introduce primary legislation 	<ul style="list-style-type: none"> achieved through the Stop Now Orders (EC Directive) Regulations 2001, which came into force on 1st June 2001 and which have now been replaced by Part 8 of the Enterprise Act 2002.
68. The Government will take action to stop homeworking scams	7.08	<ul style="list-style-type: none"> introduce primary legislation 	<ul style="list-style-type: none"> achieved through the Enterprise Act 2002, which tackles homeworking scams by making the definition of "consumer" include someone who buys into a homeworking scheme, up to the point at which they actually start working. After that point they become an "employee" and the relevant employment legislation applies. But if the scheme is a scam, which is simply after people's money up front and offers no actual work, that point won't be passed. This means that up to that point they can be protected by existing legislation, e.g. Trade Descriptions, Misleading Advertising etc. And action against bogus scheme operators can be taken by means of Stop Now Orders.

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69. The Government will enable more groups to take action to prevent the continued use of unfair terms in standard consumer contracts	7.10	<ul style="list-style-type: none"> • lay regulations • regulations come into force • consult further on criteria for naming other bodies and invite expressions of interests 	<ul style="list-style-type: none"> • achieved – July 1999 • achieved – October 1999 • achieved - December 1999 – January 2000 (www.dti.gov.uk/ccp/archive/consultations/injdir.htm)
70. The Government will give consumer bodies the power to seek injunctions in the UK and EU to stop traders infringing the interests of consumers under nine existing directives	7.10	<ul style="list-style-type: none"> • issue consultation paper on implementation of Directive • circulate draft regulations for consultation • lay regulations • regulations to come into force 	<ul style="list-style-type: none"> • achieved - covered by the implementation of the Stop Now Orders (EC Directive) Regulations 2001 which came into force on 1st June 2001 and has now been replaced by Part 8 of the Enterprise Act 2002. The Regulations gave new powers to enforcement authorities including trading standards and designated consumer groups to take quicker and more effective action against those who harm the collective interests of consumers (replacing Part III of the Fair Trading Act).
71. The Government is proposing to empower a wider range of bodies to take action in the courts on behalf of those they represent	7.11	<ul style="list-style-type: none"> • publish consultation paper • introduce primary legislation 	<ul style="list-style-type: none"> • achieved. The following Press Notice explains what the result of the consultation exercise was and how the Government decided to take the issue forward: http://www.gnn.gov.uk/content/detail.asp?ReleaseID=38608&NewsAreaID=2&NavigatedFromSearch=True
72. The Government is considering the long-term development of measures of consumer confidence and business satisfaction, and rationalisation of input data	7.18	<ul style="list-style-type: none"> • publish DETR consultation document on performance measures • analyse results and consider application to consumer protection 	<ul style="list-style-type: none"> • achieved – September 1999 • Implemented through National Performance Framework for Trading Standards in April 2002 and performance measures April 2003/4.
73. The Government is encouraging authorities to use the	7.18	<ul style="list-style-type: none"> • meetings with LACOTS 	<ul style="list-style-type: none"> • Achieved. We introduced the National Performance Framework for Trading Standards in April 2002. The framework is intended to

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full range of tools available to assess and improve performance			ensure that Trading Standards work to a coherent set of priorities and standards. The Framework has been developed further and performance measures were issued for the service in June 2003. The measures are supported by a system of peer review, which is being developed by LACORS and TSI and national rollout due to start in September 2004.
74. The Government is considering encouraging local authorities to prepare a single report about their regulatory services	7.18	<ul style="list-style-type: none"> • pursuing through Access Business Group 	<ul style="list-style-type: none"> • Following consultation, and the publication of the "Enforcement Concordat: Good Practice Guide for England and Wales" local authorities are no longer required to submit yearly updates. Local authority enforcers are already involved in much monitoring activity. Where possible, arrangements for monitoring the Enforcement Concordat should work with existing arrangements. Where this is not possible, they should not impose significant extra burdens on enforcers.
75. The Government is considering developing a national indicator under the Best Value regime covering both trading standards and environmental health	7.18	<ul style="list-style-type: none"> • publish DETR consultation document on performance measures • analyse results and consider application to consumer protection 	<ul style="list-style-type: none"> • achieved • achieved. The Best Value Indicator (166) for Trading Standards and Environmental Health is currently a checklist and we are working with ODPM and other government departments who have an interest in the service to develop a more robust indicator of performance that measures outcomes.
76. The Government plans to provide funds, rising to £1.5 million annually, to assist local authorities to sponsor potential candidates through trading standards training	7.20	<ul style="list-style-type: none"> • initial discussions with the Institute of Trading Standards Administration (ITSA) and LACOTS • work with LACOTS to develop proposals in conjunction with ITSA and the local authority associations • award funds 	<ul style="list-style-type: none"> • achieved – September 1999 • achieved. As part of the Modernisation Fund we provided £1m a year for three years 2001 - 2004 to sponsor candidates undertaking trading standards qualifications.

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77. The Government will invest £0.5 million to improve distance-learning material	7.20	<ul style="list-style-type: none"> • initial discussions with ITSA, LACOTS and others • work with LACOTS to develop proposals in conjunction with ITSA, the I&DeA and the local authority associations • award funds 	<ul style="list-style-type: none"> • achieved – September 1999 • achieved. Distance Learning materials were developed by Trading Standards Institute.
78. The Government plans to launch a new fund of £500,000 to support projects which introduce better co-ordination between authorities	7.22	<ul style="list-style-type: none"> • initial discussions with ITSA, LACOTS and others • publish proposals for distributing funds and invite bids • award funds 	<ul style="list-style-type: none"> • achieved – September 1999 • achieved. The Modernisation Fund has provided £1m (2001-2002), £1.5m (2002-2003), £1.5m (2003 - 2004) to support trading standards projects that encourage regional coordination and more effective enforcement.
79. The Government will set up a high-level enforcement forum	7.24	<ul style="list-style-type: none"> • hold first meeting of forum 	<ul style="list-style-type: none"> • achieved. Forum set up, but has since been abolished having achieved its purpose.
80. A new unit will be set up within CA Directorate of DTI to take responsibility for the utility consumer councils	8.03		<ul style="list-style-type: none"> • achieved
81. The Government is replacing the existing consumer bodies for telecoms, water users and postal services with independent consumer councils	8.03	<ul style="list-style-type: none"> • primary legislation 	<ul style="list-style-type: none"> • achieved - For Postal Services - The Consumer Council for Postal Services (known as Postwatch) was created under the Postal Services Act 2000 and came into existence on 1st January 2001 as an Executive Non Departmental Public Body; • For Water Users - The Government has stated that a Consumer Council for the users of water services will not be set up before April 2005; and • For Telecoms - The new Office of Communications (OFCOM) came

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			<p>into existence at the end of 2003. It has assumed responsibility for the Regulation of Telecommunications. Users of Telecommunications services will be covered by OFCOM's Consumer Panel (will be independently appointed, and able to undertake own programme of research. Secretariat will be provided by OFCOM).</p>
82. The Government is replacing the Gas Consumers Council and the regional Electricity Consumer Committees with a single energy consumer council	8.03	<ul style="list-style-type: none"> • primary legislation • appoint Energy Consumer Council chair-designate 	<ul style="list-style-type: none"> • achieved - November 2000. The Gas and Electricity Consumer Council was established under the Utilities Act 2000 and came into being in November 2000. • achieved
83. The Government will help the National Consumer Council (NCC) relaunch as a dynamic and more effective force in UK consumer affairs	8.07	<ul style="list-style-type: none"> • complete first part of five-yearly review • complete second stage and relaunch NCC 	<ul style="list-style-type: none"> • achieved – July 1999 • achieved - 2001
84. The Government will fund a new post at the NCC, for a year, to promote the training of at least 5,000 consumer representatives	8.09	<ul style="list-style-type: none"> • NCC to recruit person to carry forward this work 	<ul style="list-style-type: none"> • achieved - December 1999
85. The Government will set up an Advisory Committee on Consumer Issues	8.10	<ul style="list-style-type: none"> • invite membership of committee • hold first meeting 	<ul style="list-style-type: none"> • achieved • achieved – November 1999. The Committee has since been abolished.
86. The Government will set aside an additional £500,000 for consumer research	8.11		<ul style="list-style-type: none"> • achieved
87. The Director General of Fair Trading will review the OFT's consumer protection functions, involving consumer and business representatives as well as government departments	8.13	<ul style="list-style-type: none"> • establish advisory groups of consumers, businesses and trading standards • report to Ministers 	<ul style="list-style-type: none"> • achieved. The DGFT advisory group was however abandoned when DGFT ended in March 2003. The role of the OFT with regard to consumers is now spelt out in Part 1 of the Enterprise Act. • achieved - January 2000

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88. Ministers will consider how to make enforcement of consumer protection more effective, both for consumers and in terms of reducing burdens on business (for example, the group will consider how to simplify legislation on age limits)	9.03	<ul style="list-style-type: none"> • to be taken forward by Ministerial Group 	<ul style="list-style-type: none"> • ongoing Work was taken forward in correspondence rather than by meetings of the Ministerial Group.
89. Ministers will consider where consumer groups could make a more effective contribution in their policy areas, identifying ways to improve representation and commissioning further work	9.03	<ul style="list-style-type: none"> • to be taken forward by Ministerial Group 	<ul style="list-style-type: none"> • ongoing Work was taken forward in correspondence rather than by meetings of the Ministerial Group.
90. The Government will monitor performance against commitments and targets set out in the White Paper, and information on progress will be published	9.09	<ul style="list-style-type: none"> • publish implementation plan • publish annual progress reports 	<ul style="list-style-type: none"> • achieved • Progress report published July 2004