

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

First Delegated Legislation Committee

DRAFT CONSUMER RIGHTS (ENFORCEMENT
AND AMENDMENTS) ORDER 2016

Monday 12 December 2016

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Friday 16 December 2016

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The Committee consisted of the following Members:

Chair: PHILIP DAVIES

Bardell, Hannah (*Livingston*) (SNP)
 † Blackwood, Nicola (*Parliamentary Under-Secretary of State for Health*)
 Clwyd, Ann (*Cynon Valley*) (Lab)
 † Cummins, Judith (*Bradford South*) (Lab)
 † De Piero, Gloria (*Ashfield*) (Lab)
 Dugher, Michael (*Barnsley East*) (Lab)
 † Fabricant, Michael (*Lichfield*) (Con)
 † Heapey, James (*Wells*) (Con)
 † Hodgson, Mrs Sharon (*Washington and Sunderland West*) (Lab)

Holloway, Mr Adam (*Gravesham*) (Con)
 Jenkin, Mr Bernard (*Harwich and North Essex*) (Con)
 Loughton, Tim (*East Worthing and Shoreham*) (Con)
 † Morris, James (*Halesowen and Rowley Regis*) (Con)
 † Quince, Will (*Colchester*) (Con)
 Reed, Mr Jamie (*Copeland*) (Lab)
 † Stuart, Graham (*Beverley and Holderness*) (Con)
 † Zahawi, Nadhim (*Stratford-on-Avon*) (Con)

Jonathan Whiffing, Sean Kinsey *Committee Clerks*

† **attended the Committee**

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[PHILIP DAVIES *in the Chair*]

Draft Consumer Rights (Enforcement and Amendments) Order 2016

4.30 pm

The Chair: I know that the Minister is unwell, so I will allow her, if she so wishes, to move the motion from a sedentary position.

The Parliamentary Under-Secretary of State for Health (Nicola Blackwood): I beg to move,

That the Committee has considered the draft Consumer Rights (Enforcement and Amendments) Order 2016.

Thank you, Mr Davies. It is a pleasure to serve under your chairmanship, and I am very grateful for the Committee's indulgence.

The Consumer Rights Act 2015, which came into force last year, simplifies UK consumer law, empowers consumers, improves consumer choice and drives competition. It provides clear rights for consumers when buying goods, services and digital content, and clear remedies so that consumers know what they are entitled to when things go wrong, and action can be taken where needed. It also provides enforcers such as trading standards offices with a set of updated powers to aid them in investigating potential breaches of law while ensuring that businesses have the relevant rights of appeal.

The order makes a number of small but essential amendments in relation to schedule 5 to the 2015 Act. It adds a number of pieces of legislation to the list in schedule 5 so that enforcers such as trading standards can access the updated investigatory powers in the schedule. The order will ensure that a comprehensive range of powers is available to enforce the Tobacco and Related Products Regulations 2016, which harmonise trading rules on how tobacco products are manufactured, produced and presented, and the Standardised Packaging of Tobacco Products Regulations 2015, which require cigarettes and roll-your-own tobacco to be packaged in a standard colour with a standard typeface.

The order also makes consequential amendments to two pieces of legislation to make them refer to the investigatory and enforcement powers contained in schedule 5. The legislation that the order affects is the London Local Authorities Act 2007, which tackles rogue traders by requiring mail-forwarding businesses in London to register with their local authority, and the Weights and Measures (Northern Ireland) Order 1981, which regulates the quantity of goods and measuring equipment used by traders.

The Government consider that the order provides for the application of the most modern suite of enforcement powers to those pieces of legislation. Importantly, it will allow trading standards offices to play their full part in enforcing new tobacco legislation introduced by

the Government. In turn, it will continue to drive down smoking rates in this country. I therefore commend the order to the Committee.

4.32 pm

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): The order does not change anything that is already on the statute book; it just updates enforcement provisions, following the passing of the Consumer Rights Act 2015. We therefore welcome it and will not divide on it.

Enforcing the regulations and legislation relating to the sale, packaging and marketing of tobacco is incredibly important, especially as we are continuing down the road to becoming a smoke-free society. Currently, one in five adults smokes, and although the number has halved since 1974 we still have a long way to go before we can cheer and pat ourselves on the back for achieving that vision of a healthier society.

Over the years, important work has been done to reduce the prevalence of smoking in our society, including the ban on smoking in public places introduced by the previous Labour Government and some important measures introduced under the coalition Government, such as the standardised packaging of tobacco products, which the hon. Member for Battersea (Jane Ellison) spearheaded so valiantly. I know it is peculiar for a shadow Minister to be bipartisan, but the hon. Lady deserves credit for her work on this matter, especially on the previous tobacco control plan.

That brings me nicely to my last point. I cannot miss the opportunity to remind the Minister that we remain concerned that our work to reduce tobacco consumption in our society could stall if the new tobacco control plan is not introduced sooner, rather than later. I want to use this opportunity to ensure that it is at the forefront of the Minister's mind—I am sure it is—and that she does not forget it over the Christmas break.

4.34 pm

Nicola Blackwood: I thank the shadow Minister for her support and the spirit of bipartisanship in this festive season. The Government share her view that reducing variation in smoking, especially among vulnerable groups, is a top priority. That is exactly why we are working hard on the tobacco control plan to ensure that it is the best possible plan and that it delivers on its aims. I would be happy to update the House as soon as that is possible.

Consumers and businesses benefit from the Consumer Rights Act 2015 in all sectors. The Act was introduced to strengthen, simplify and modernise the law and to consolidate enforcement powers. It is right that the powers are applied to the specified legislation without further delay to provide legal certainty for enforcement authorities. Through that, we can see the benefits of the tobacco legislation that we have delivered and that has made us one of the leading countries in the world on tobacco enforcement. I commend the order to the Committee.

Question put and agreed to.

4.36 pm

Committee rose.