

WEB ANNEXE A

SUMMARY OF OFT CONSUMER LAW CASEWORK 2005 TO 2006 EXCLUDING CONSUMER CREDIT

CONSUMER PROTECTION (DISTANCE SELLING) REGULATIONS 2000

Cases raised: 1
Complaints and enquiries dealt with: 456

Undertakings under the Distance Selling Regulations

None

CONTROL OF MISLEADING ADVERTISEMENTS REGULATIONS 1988

Cases raised: 30
Complaints and enquiries dealt with: 397

Court Orders

<i>Date</i>	<i>Company/individual name</i>
6 June 2005	Adam Ripley
2 August 2005	The Officers Club

Undertakings

<i>Date</i>	<i>Company/individual name</i>
6 December 2005	Tony Williams
6 December 2005	Stephen Williams
6 December 2005	Christopher Hanley
6 December 2005	Martin Cumine

ENTERPRISE ACT 2002

Complaints and enquiries dealt with: 1,091 (various legislation)

Contempt Action

<i>Date</i>	<i>Company/individual name</i>	<i>Underlying legislation</i>
21 September 2005	Jimmy Slater	Contempt action for breach of Fair Trading Act Pt III order
23 December 2005	Christopher Fulke Greville	Breach of Fair Trading Act Pt III order

Interim Enforcement Order

<i>Date</i>	<i>Company/individual name</i>	<i>Underlying legislation</i>
29 June 2005	MB Designs Ltd	Sale of Goods, UTCCRs
13 December 2005	Gurdeep Singh	CMARs, Lotteries & Amusements Act, Doorstep Selling Regs

Undertakings under the Enterprise Act

<i>Date</i>	<i>Company/individual name</i>	<i>Underlying legislation</i>
27 April 2005	Crystal Clear Marketing	CMARs
13 May 2005	Darren Ithell	Lotteries & Amusements Act
26 May 2005	Tom Hashemi	Lotteries & Amusements Act
May 2005	DC Direct Communications Venk BV	CMARs
31 May 2005	Fitanova BV	CMARs
1 June 2005	Carly Assell	CMARs, Lotteries & Amusements Act
2 June 2005	Churchcastle Ltd	CMARs, Lotteries & Amusements Act
2 June 2005	Neil Frogley	CMARs, Lotteries & Amusements Act
2 June 2005	Karen Davies	CMARs, Lotteries & Amusements Act
14 June 2005	Historique t/a William Pince Publishers	CMARs, DSRs
14 June 2005	Wilhelmus Pince Van der Aa	CMARs, DSRs
28 June 2005	Lisa de-Ville Bradshaw	CMARs, UTCCRs, Package Travel Regs
4 July 2005	World for Less	DSRs
18 July 2005	Mobiles4all Ltd	Lotteries & Amusements Act
18 July 2005	Jonathan Darch	Lotteries & Amusements Act
20 July 2005	Lewis Bryant	Lotteries & Amusements Act
30 September 2005	Home Shopping Selections Ltd	DSRs
30 September 2005	Scientific Golf Ltd	DSRs
28 October 2005	Phoenix Media (UK) Ltd	CMARs, Business Names Act
28 October 2005	Gillian Christie	CMARs, Business Names Act
28 October 2005	Steven Christie	CMARs, Business Names Act
30 October 2005	US Euro Link plc	DSRs
3 January 2006	Giles Griffiths	CMARs, Lotteries & Amusements Act

3 January 2006	Sarah Smiley	CMARs, Lotteries & Amusements Act
10 January 2006	GR8 Games Ltd	CMARs, Lotteries & Amusements Act
18 January 2006	St Helens Glass Ltd	Sale & Supply of Goods and Services Act

UNFAIR TERMS IN CONSUMER CONTRACTS REGULATIONS 1999

Complaints and enquiries dealt with: 1,293

Number of terms changed: 1,000 +

Undertakings under the Unfair Terms in Consumer Contracts Regulations

<i>Date</i>	<i>Company/individual name</i>
20 April 2005	Air Miles Travel Promotions Ltd
2 May 2005	Easy Breaks Ltd
11 May 2005	London Borough of Newham - Non-secure Tenancy Agreement
31 May 2005	Gorrings Auction Galleries
14 June 2005	Mallams
16 June 2005	Drawflight Ltd
20 June 2005	Pratt Developments Unlimited Trading as Green Wood Parks
22 June 2005	Wallace Arnold
27 June 2005	P and O Princess Cruises International Ltd
1 July 2005	Foreign Currency Direct Ltd
15 July 2005	BP LPG
22 July 2005	British Airways Executive Club
28 July 2005	Townends
28 July 2005	University of Exeter
29 July 2005	TUI UK Ltd t/a Thomson Holidays
29 July 2005	Marina Development Ltd
1 August 2005	Newsquest (London) Ltd
2 August 2005	Lyon & Turnbull
4 August 2005	Technical Diving International
8 August 2005	Down House
8 August 2005	GE Capital Bank Limited t/a GE Capital Motor Finance
18 August 2005	Propertypower.net
26 August 2005	Bourne Leisure
6 September 2005	Travelsphere Ltd
8 September 2005	Forthright Finance Limited
8 September 2005	Sterling Financial Services
8 September 2005	Lloyds UDT Ltd
14 September 2005	Brighton/Hove Centre
16 September 2005	Kewbury Ltd
16 September 2005	Nottingham City Transport Ltd
21 September 2005	Computeach
22 September 2005	Anchor Homes

26 September 2005	Carpetright PLC
5 October 2005	Jet2
5 October 2005	National Rail and First North Western
6 October 2005	Wellow House School Ltd
17 October 2005	Freedom Flights Ltd
9 November 2005	Buckley Stephens & Co Ltd
17 November 2005	Christie's South Kensington Ltd
22 November 2005	Thomas Cook Tour Operations Ltd
22 November 2005	ABTA model terms
24 November 2005	Macdonald Hotels PLC
29 November 2005	Eurostar (UK) Ltd
1 December 2005	Sullivan Mitchell
1 December 2005	Travelodge
23 December 2005	Oakland Conservatories Ltd
28 December 2005	Superbreak Mini-Holidays Limited t/a www.superbreaks.com
6 January 2006	Tesco Ltd
7 February 2006	MESH Computers Plc
9 February 2006	Aculight UK Ltd
23 February 2006	Log Book Loans
9 March 2006	Waitrose Ltd
9 March 2006	Ocado Ltd
14 March 2006	Hosiery Corporation Ltd
23 March 2006	Topnotch Fitness Ltd

ESTATE AGENTS ACT 1979

Between 1 April 2005 and 31 March 2006 the OFT's Adjudicators (those appointed by the OFT to act on its behalf) notified seven people that the OFT was considering issuing prohibition orders against them. There were also three proposals to issue a prohibition order in parallel with proposals to issue a warning order. One additional person was notified that the OFT was considering issuing a warning order against him.

Eight prohibition orders and six warning orders were made during the period, four of the prohibition orders being subject to appeal (of which one was overturned on appeal). Five prohibition orders and six warning orders have come into force during this period. A further prohibition order came into force in October 2005 following an unsuccessful appeal to the Secretary of State. One person received a favourable determination allowing him to continue doing estate agency work during this period following a proposal to issue a prohibition order against him. One other person received a favourable determination following a proposal to issue a warning order against him.

From 3 May 1982, the date the Act came into effect, up to 31 March 2006, a total of 289 people have been prohibited from doing estate agency work under the Act. When a notice of proposal has been issued against an individual the OFT may, in lieu of making a prohibition order, accept undertakings from that person not to engage in estate agency work. During the period of the report, no

such undertakings were accepted (the total number of undertakings accepted under the Act since 3 May 1982 is 88).

In addition, during this period, seven individuals engaged in estate agency work and two estate agency businesses gave undertakings to the OFT under Part 8 of the Enterprise Act 2002 and a property business provided undertakings to the Court.

Determinations under the Estate Agents Act

<i>Date of determination</i>	<i>Date order due to come into force</i>	<i>Case title</i>	<i>Type of order</i>
21 February 2005	10 October 2005	Shamsi Ahmed	Prohibition
12 May 2005	15 March 2006	Sean Caffrey	Prohibition
15 June 2005	14 July 2005	Parminder Johal	Prohibition
20 June 2005	19 July 2005	Ian Hanna	Prohibition
28 June 2005	27 July 2005	Gobbitt & Kirby Property Services Ltd	Warning
28 June 2005	27 July 2005	Scott Matheson-Barr	Warning
28 June 2005	27 July 2005	Andrew Rudd	Warning
22 August 2005	20 September 2005	Lynx Estate Agents	Warning
22 August 2005	20 September 2005	Bruce Burkitt	Warning
29 Sept 2005	28 October 2005	Marios Antoniou	Prohibition
25 October 2005	26 April 2006	Richard McCarthy	Prohibition
15 February 2006	16 March 2006	Barry Davis	Warning
20 February 2006	21 March 2006	Christopher Taylor	Prohibition

Determinations where an appeal was pending on 31 March 2006

<i>Date of determination</i>	<i>Name</i>
3 February 2006	Martin Levy
20 February 2006	Harunur Rashid

Undertakings received from estate agents/property businesses under Part 8 of the Enterprise Act 2002

Businesses

<i>Date received</i>	<i>Company/individual name</i>
3 October 2005	Jazbut Ltd
8 March 2006	Brian Morton & Co Ltd

Individuals

<i>Date received</i>	<i>Company/individual name</i>
3 October 2005	Hugh Press
15 November 2005	Michael Miller
15 November 2005	Mairi Eckford
15 November 2005	Stuart Black
2 February 2006	Gordon Reed
9 February 2006	Jason Roberts
14 February 2006	Stan McDowell
24 March 2006	Keith Fryer t/a Capital Funding