

## **Annexe A**

### **Consumer law casework 1 April 2006 to 31 March 2007 – excluding consumer credit**

#### **Consumer Protection (Distance Selling) Regulations 2000 (DSRs)**

Complaints and enquiries dealt with: 129

#### **Control of Misleading Advertisements Regulations 1988 (CMARs)**

Complaints and enquiries dealt with: 108

#### **Undertakings to the Court:**

<i>Date</i>	<i>Company/individual names</i>
3 January 2007	Magno-Pulse Limited Mr D Price Ms W Price

#### **Undertakings:**

<i>Date</i>	<i>Company/individual names</i>
19 April 2006	Magna Jewellery Ltd Mr Frankel Ms Neal

#### **Enterprise Act 2002**

Complaints and Enquiries dealt with: 514 (various legislation)

#### **Undertakings to the High Court:**

<i>Date</i>	<i>Company/individual names</i>	<i>Underlying Legislation</i>
16 October 2006	Churchcastle Ltd	CMARs LAA
16 October 2006	Neil Frogley	CMARs LAA

## **Undertakings:**

<i>Date</i>	<i>Company/individual names</i>	<i>Underlying Legislation</i>
24 April 2006	International Masters Publishers Ltd	CCA 1974 CMARs UTCCRs DSRs
31 May 2006	Sure to Win Ltd Charles Bloom	CMARs CMARs
1 June 2006	Richard Scott Malcolm Hellewell	CMARs CMARs
14 August 2006	EasyCar UK Ltd	UTCCRs
14 August 2006	Hartley Property Management	UTCCRs
11 September 2006	Mr R Loach T/A Micronet Showrooms Mr D Loach T/A Micronet Showrooms	DSRs, CMARs DSRs, CMARs
8 November 2006	Veale Wasbrough	UTCCRs

## **Injunctions Directive – ruling against the OFT (on appeal)**

10 October 2006	Best Sales B.V. T/A 'Best Of' and 'Oliveal'	Council Directive 84/450/EEC on Misleading Adverting
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## **Unfair Terms in Consumer Contracts Regulations 1999**

Complaints and enquiries dealt with: 1015

### **Undertakings under Regulation 10(3)**

9 September 2005	Allen & Harris Estate Agents
24 May 2006	Frank B Mason
6 June 2006	Dell Corporation Ltd
7 June 2006	Capio Healthcare (UK) Ltd
15 August 2006	Harquail Homes Ltd
28 August 2006	Parks Residential Ltd
11 October 2006	Newton Grange Residential Home
16 October 2006	Ryanair

## **Estate Agents Act 1979**

Between 1 April 2006 and 31 March 2007 the OFT's Adjudicators (those appointed by the OFT to act on its behalf) notified nine people that the OFT was considering issuing Prohibition Orders against them. There were also four proposals to issue a Prohibition Order in parallel with proposals to issue a Warning Order. One other person was notified that the OFT was considering issuing a Warning Order against him as a result of a successful appeal against a Prohibition Order.

Six Prohibition Orders and two Warning Orders were made during the period, one of the Prohibition Orders being subject to appeal. Three Prohibition Orders and two Warning Orders have come into force during this period. One person's appeal against a Prohibition Order was upheld during the period and a further person received a favourable determination allowing her to continue doing estate agency work following a proposal to issue a Prohibition Order against her.

From 3 May 1982, the date the act came into force, up to 31 March 2007, a total of 292 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, one such undertaking was accepted (the total number of undertakings accepted under the Act since 3 May 1982 is 89).

### **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>
26 April 2006	25 May 2006	Richard McCarthy	Prohibition
9 August 2006	7 September 2006	Martin Harvey	Prohibition
25 August 2006	23 September 2006	Darren Russell	Warning
24 November 2006	23 December 2006	Conrad Whelan	Warning
14 February 2007	15 March 2007	Sidney Mawhinney	Prohibition

### **Determinations where an appeal was pending on 31 March 2007**

<i>Date of determination</i>	<i>Name</i>
2 August 2006	Damon Walker