

# Digital Markets, Competition and Consumers Bill

---

AMENDMENTS  
TO BE MOVED  
IN GRAND COMMITTEE

*[Supplementary to the Fourth Marshalled List]*

Amendment  
No.

**After Clause 150**

LORD LUCAS

**110A★** After Clause 150, insert the following new Clause –

**“Effectiveness of enforcement**

- (1) The Secretary of State must, within one year of the day on which this Act is passed, lay before Parliament a review of the funding and capabilities of public designated enforcers under this Chapter.
- (2) The review under subsection (1) should, where relevant, include potential steps to ensure that the public designated enforcers are effective in this role.”

**Schedule 16**

LORD LUCAS

**124A★** Schedule 16, page 347, line 40, at end insert –

“4A In paragraph 28(1), after “goods” insert “or articles””

***Member's explanatory statement***

*This amendment would seek to allow evidential articles to be taken at the same time as goods under paragraph 28 of Schedule 5 to the Consumer Rights Act 2015.*

LORD LUCAS

**124B★** Schedule 16, page 347, line 40, at end insert –

“4A In paragraph 31(4), at end insert “including a vehicle.””

LORD LUCAS

- 124C★** Schedule 16, page 348, line 6, at end insert –  
 “5A In paragraph 36(3), omit “level 3” and insert “level 5””

**Clause 224**

LORD LUCAS

- 138A★** Clause 224, page 150, line 14, after “presentation” insert “or pricing”

***Member's explanatory statement***

*Before the Consumer Protection from Unfair Trading Regulations came in, the UK had UK wide pricing guidance which had statutory effect. These controlled special offers etc. Now that the UK has left the EU there should be similar rules to address misleading pricing promotions with clearer rules.*

LORD LUCAS

- 138B★** Clause 224, page 150, line 22, at end insert –  
 “(e) denying or ignoring a consumer’s rights.”

***Member's explanatory statement***

*Consumers have civil rights under the Consumer Rights Act 2015, The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 and the Consumer Protection from Unfair Trading Regulations themselves. If a business is not offering those rights, the only enforcement tool Trading Standards currently have is to take action under the Enterprise Act 2002 by way of court injunction.*

**Clause 239**

LORD LUCAS

- 145B★** Clause 239, page 160, line 20, leave out “1” and insert “2”

***Member's explanatory statement***

*Trading Standards operate an “intelligence led” approach – letting complaints build up before taking action, and then needing time to investigate and then time to get before a court. This could lead to offences “timing out” if the limit was only one year.*

**Clause 244**

LORD LUCAS

- 146A★** Clause 244, page 162, line 5, leave out “reasonably well” and insert “properly”

LORD LUCAS

**146B★** Clause 244, page 162, line 6, leave out “reasonably” and insert “properly”

LORD LUCAS

**146C★** Clause 244, page 162, line 7, leave out “reasonably” and insert “properly”

LORD LUCAS

**146D★** Clause 244, page 162, line 12, leave out subsection (4)

***Member's explanatory statement***

*The definition of average consumer can stop Trading Standards taking action on things that seem obviously wrong but for which the counter argument is that the average consumer would not be misled. Subsection (4) could be particularly unsafe: products/services aimed at a vulnerable group would have a lower standard of protection, when they ought to have a higher one.*

**After Clause 316**

LORD LUCAS

**215B★** After Clause 327, insert the following new Clause—

**“Home improvements: additional protections**

- (1) The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 (2013/3134) is amended as follows.
- (2) In paragraph 28(1)(b), at end insert “, except when the goods relate to home improvements””

***Member's explanatory statement***

*The intended effect of this amendment is to bring double glazing back into the fold for the 14 day “right to cancel”. Double glazing windows currently meet the definition of “made to the consumers specification”.*

**Clause 332**

LORD LUCAS

**219A★** Clause 332, page 234, line 33, at end insert—

“(7) Regulations under Part 4, Chapter 1 must be prefaced with an interpretive section.”

***Member's explanatory statement***

*Now that the new law is UK law, rather than EU law, the way in which the new system operates should be made clear on the face of the regulations.*

# Digital Markets, Competition and Consumers Bill

---

---

AMENDMENTS  
TO BE MOVED  
IN GRAND COMMITTEE

*[Supplementary to the Fourth Marshalled List]*

---

*30 January 2024*

---