

Teacher's notes

What does Trading Standards do?

'Trading Standards, in co-operation with other agencies, contribute to the promotion and development of a safe, fair and equitable trading environment for all residents, businesses and visitors in East Sussex, by means of advice, information, education and regulation - including the prevention, detection and, where appropriate, prosecution of offences.'

What does Trading Standards do?

Trading standards has a responsibility to enforce a wide range of consumer legislation concerning quality, quantity, fair trading and safety.

Trading Standards advise on, and enforce, over 600 items of legislation, not only in the High Street, but also at farms, wholesalers, importers and manufacturers, sampling and testing a variety of foods and other products.

The way we work

- Local Authority Service
- Enforcement – Criminal Law
- Advice & Education – Civil & Criminal
- Government Departments e.g. DTI & OFT
- Regulatory Bodies e.g. ASA, OFTEL & ICSTIS.

Differences between Civil & Criminal Law

Criminal Law:

- Protecting the community as a whole
- Does not help the individual consumer, but offers protection
- Penalties for traders non compliance may include imprisonment, fines or community service orders

Civil Law:

- Enforceable in the County Court by the individual consumer/trader

Criminal Law

- **Safety**
- **Metrology**
- **Food Safety**
- **Crime**
- **Fair Trading**
- **Animal Health**

Safety

- Product Safety

- Prams & Pushchairs
- Toys
- Furniture
- Bicycles
- Personal Protective Clothing
- Electrical Appliances
- Child Safety
- Underage sales of tobacco
- Underage sale of fireworks
- Safe Storage
- Explosives
- Fireworks
- Poisons
- Pesticides

Metrology

- Our mandatory function
- Average weight marking
- Petrol Pumps
- Weighbridges
- Shop Scales
- Anything in “use for trade” that weighs or measures

Food Safety

- Inspection of factories, processing plants, retail outlets, caterers, restaurants etc.
- Composition
- Labelling

Fertilisers & Feeding stuffs

- Inspection of farms, manufacturers, pet shops etc.
- Composition
- Labelling

Fair Trading

- Misdescription of Goods & Services
- Misdescription of Property
- Counterfeit Goods
- Business Names
- Misleading Pricing
- Restrictive Statements
- Business Advertisements Disclosure Order
- Estate Agents
- Package Travel
- Credit

Animal Health

- Inspection of Cattle Markets
- Rabies Control

- Animal Movement

Sale of Goods Act 1979(as amended) and the Sale & Supply of Goods to Consumers Regulations 2002

Goods must be

- As Described
- Of Satisfactory Quality
- And Fit for their purpose or specific purpose
- If goods do not comply this would amount to a breach of contract.
- This entitles consumers to a remedy
 - Replacement
 - Repair
 - Refund or partial refund
 - Depending on how long they have had the goods.

Consumer Guarantees

Where a guarantee is given, without additional charge, it takes effect:

- as a contractual obligation
- under the conditions set out in the guarantee statement and associated advertising
- at the time the goods are delivered

Guarantees

Must be in plain intelligible language and must include:

- Terms and conditions
- Procedures for making claims
- Duration
- Territorial scope
- Name and address of guarantor

Must be available in writing or another durable medium within a reasonable time

What is a Supply of Goods & Services Contract?

Pure Services e.g.

- Dry Cleaning
- A Surveyor

Works & Materials e.g.

- Double Glazing
- Car Servicing/Repairs

Supply of Goods & Services Act 1982

When work is carried out by a trader you can expect it to be done:

- with reasonable care and skill
- in a reasonable time (if there is no specific time agreed) and
- for a reasonable charge (if no fixed price was set in advance).
- Goods supplied in the course of a service must comply with SOGA terms.
- Remedy: damages (compensation)

Supply of Goods & Services Act 1982

- Any goods or parts fitted as part of the contract must be:
- of satisfactory quality
- fit for their purpose and
- as described

Further Information

- www.oft.gov.uk
- www.dti.gov.uk
- www.tradingstandards.gov.uk
- www.consumeradvice.net
- <http://www.askcedric.org.uk/>