

REQUEST TO DETI FROM THE ETI COMMITTEE

At its meeting on 16 January 2014 the ETI Committee considered correspondence from the Minister in relation to the Consumer Rights Bill.

Members asked:

- a. what the rationale is for bringing this legislation through a Legislative Consent Motion in Westminster rather than through legislation in the Northern Ireland Assembly; and
- b. If this has any impact on the statutory role of the consumer council.

DEPARTMENTAL RESPONSE

a. The Consumer Rights Bill will amend a number of existing UK-Wide Statutes that effect consumer rights, bringing together consumer rights in relation to goods and services into one statute. One of the Bill aims is to simplify the legislation affecting such rights to make it easier for consumers to understand what their rights are.

The Department considers that including consumers in Northern Ireland within the Bill will benefit consumers here more effectively than introducing separate legislation through the Assembly. The Bill's provisions cover both reserved and transferred matters. Therefore, any Northern Ireland legislation could only replicate the parts of the Bill that fall in the transferred field. Introducing separate legislation in the Assembly would result in consumers in Northern Ireland having some rights retained in the Bill when enacted i.e. those relating to competition policy and the remaining rights would be enshrined in separate legislation. This alternative approach would, in the Departments view, lead to some confusion for consumers in Northern Ireland, but would also undermine one of the principal aims of the Bill that is to have all consumer rights in relation to goods/services as far as possible within one statute.

From a practical point of view, the Bill has begun its Parliamentary journey, being introduced on 23 January, there is no realistic opportunity to introduce legislation in the Assembly replicating the transferred provisions of the Bill in the same timeframe

as the Westminster Bill. This delay would disadvantage consumers here as they could not enjoy the benefits of the proposed changes until much later than their counterparts in the rest of the UK.

The existing body of legislation affecting consumer rights although in the transferred field already operates on a UK-wide basis and it would for that reason be problematic to legislate for Northern Ireland separately.

b. The provisions of the Consumer Rights will not affect the statutory functions of the Consumer Council.

Reply prepared by: Dennis Cunningham Consumer Affairs
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