



Department
for Education

Michelle Thomson MP
Spokesperson for SNP
House of Commons
London SW1A 0AA



Department
for Business
Innovation & Skills

Minister for Skills

1 Victoria Street
London
SW1H 0ET
T +44 (0) 20 7215 5000
E enquiries@bis.gov.uk
www.gov.uk/bis
www.education.gov.uk

27 July 2015

Consumer Rights Act 2015 (CRA)

During the Parliamentary passage of the Consumer Rights Bill in the last administration, the then Government informed the House that the Act would come into force on 1 October 2015. I am writing to inform you that whilst this is the case for the majority of the Act, we have taken a decision to delay the services provisions (Chapter 4 of Part 1) of the Consumer Rights Act (CRA) for mainline rail, aviation and maritime consumer services until the next common commencement date (6 April 2016).

This is to ensure we can consult widely with industry and other interested parties in order to gather evidence on whether there is adequate consumer protection in the existing redress schemes, which are available to consumers at present in these sectors. If that is the case our intention would be to exempt these sectors from the application of the Act in certain respects.

For mainline rail services, consumers are protected under the National Rail Conditions of Carriage (NRCoC) and Rail Passengers' Charters, under which passengers can claim compensation for delay or cancellation, while compensation claims for delay or cancellation in the maritime and aviation sectors are subject to EU Regulations and/or international treaties.

The CRA makes provision preventing service providers from limiting their liability for breach of broader statutory consumer rights than simply delay or cancellation (though these are covered by those rights). Traders must perform services with reasonable care and skill, and they are bound by the information they provide about the service. Also, if no price or time is specified for a service, a reasonable price or time will be implied. There is a risk of confusion for both consumers and business if the existing liability schemes in the transport sector, are supplanted by the terms of the CRA.

We are therefore taking the additional six months to explore the arrangements that these sectors have in place at present to ensure appropriate alignment between the CRA and these schemes when the relevant provisions are implemented for these passenger services on 6 April 2016.

I am placing a copy of this letter to the libraries of the House.

I am

Nick

NICK BOLES MP