

STOCKTON-ON-TEES BOROUGH COUNCIL

COUNTER FRAUD STRATEGY

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1. Introduction

- 1.1. Stockton on Tees Borough Council (the Council) employs around 8,000 staff and spends around £500 million per year. It commissions and provides a wide range of services to individuals and households and works with a wide range of private, public and voluntary sector organisations.
- 1.2. The authority also has a wider responsibility to protect its residents, consumers and businesses from fraudulent activity.
- 1.3. As with any other large organisation, the size and nature of the Council's services mean that there is an ongoing risk of loss due to fraud and corruption from both internal and external sources. There is also an ongoing risk of bribery as the Council provides and procures goods, works and services. The Council has therefore put in place proportionate systems to minimise this risk and these are kept under constant review.
- 1.4. The Council recognises that as well as causing financial loss, fraud is also detrimental to the provision of services, and damaging to the reputation of, and confidence in, the Council, public bodies in general and reputable businesses.
- 1.5. In its policies and procedures the Council gives out the clear message that it will not tolerate any impropriety by employees, elected Members or third party organisations. These are all signs of a robust framework in place to mitigate the risk of fraud, corruption or bribery.
- 1.6. This Strategy has the full support of Members and the Council's Corporate Management Team. The Council's Corporate Governance Group will act as the Champion for all counter-fraud related activities.
- 1.7. This Strategy takes account of changes in legislation e.g. the Bribery Act 2010 and also best practice e.g. CIPFA's "Red Book 2 – Managing the Risk of Fraud".

2. Scope

- 2.1. The definition of fraud can be very broad. There is a specific act which defines fraud and this definition is shown in 2.1.1 below. Whilst this act does create the offence of committing a fraud there are other pieces of legislation which create their own specific offences some of which are detailed below. Whilst the majority of these offences would also meet the definition set out in the Fraud Act 2006 we would apply the specific legislation as appropriate. Therefore all references to fraud within this

document include a wide range of offences which are fraud related offences but may be dealt with by an enactment other than the fraud act. The relevant definitions are as follows:

- 2.1.1. **Fraud** – this is defined by the Fraud Act 2006 “A person shall be guilty of fraud if he
- dishonestly makes a false representation, or
 - dishonestly fails to disclose to another person information which he is under a legal duty to disclose, or
 - occupies a position in which he is expected to safeguard or not to act against the financial interests of another person and dishonestly abuses that position

AND

- intends to make a gain for himself or another or to cause loss to another or expose another to a risk of loss"
- 2.1.2. **Corruption** - The Council has defined corruption as “the offering, giving, soliciting or acceptance of an inducement or reward, which may influence the action of any person”.
- 2.1.3. **Bribery** – The Bribery Act 2010 creates the following offences:
- Active bribery: promising or giving a financial or other advantage.
 - Passive bribery: agreeing to receive or accepting a financial or other advantage.
 - Bribery of foreign public officials.
 - The failure of commercial organisations to prevent bribery by an associated person (corporate offence).
- 2.1.4. **Theft** – Specifically theft from the authority.
- 2.1.5. **Consumer Protection** – There are a number of pieces of legislation with the purpose of protecting consumers from things such as:
- Supply of substandard, falsely described or unsafe products
 - Misleading information about process and credit
 - Marketing malpractice

A full list of relevant legislation can be found in Appendix 4

2.1.6. **Business Protection** – As with consumer protection there is a wide range of legislation in place to protect businesses from things such as:

- Unfair competition
- Marketing malpractice

A full list of relevant legislation can be found in Appendix 4

2.1.7. **Social Security Fraud** – This applies to fraudulent claims for benefits or support such as Housing Benefit.

3. Objectives

3.1. The key objectives of this Counter Fraud Strategy are to:

3.1.1. Increase awareness of counter-fraud responsibilities at all levels within and outside the Council;

3.1.2. Increase awareness of the Bribery Act 2010

3.1.3. Further embed and support the effective management of fraud risk within the Council;

3.1.4. Support counter fraud activities across the Council, developing a corporate fraud team;

3.1.5. Minimise the likelihood and extent of losses through fraud and corruption;

3.2. All the above will directly support the achievement of the Council Plan for 2014 – 2017 whilst also ensuring that statutory responsibilities are met.

4. Culture, standards and ethics

4.1. The Council's Code of Corporate Governance 2008 sets out its commitment to the highest ethical and moral standards and also to a culture of honesty, openness and accountability i.e.:

“Promoting values for the authority and demonstrating the values of good governance through behaviour”

4.2. All employees, partner organisations as well as organisations working on the Council's behalf, are expected to share in this commitment and to lead by example in ensuring adherence to all Council regulations, procedures, practices and codes of conduct in accordance with the Nolan Committee's "Seven Principles of Public Life" which are:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

4.3. All elected Members and co-opted members will be expected to adhere to the ten principles of conduct set out in "The Relevant Authorities (General Principles) Order 2001 S.I. 2001/1401". In addition to the principles set out above, it also sets out the requirements in relation to Personal Judgement, Stewardship, Duty to Uphold the Law and Respect for Others.

4.4. The Council's commitment to the highest standards of governance is supported by a strong ethical framework i.e. the Constitution, Member / Officer Codes of Conduct, Financial Regulations, Whistleblowing/Confidential Reporting Policy etc.

4.5. Enforcement officers are committed to working to the government's Concordat on Good Enforcement.

5. Counter-fraud measures

5.1. Deterrence

5.1.1. The Section 151 Officer, (Appendix A) has a statutory duty to ensure the proper administration of the Council's financial affairs. This includes establishing systems and controls e.g. Financial Regulations, Internal Audit etc as well as a clear programme of work to act as a strong deterrent to fraud.

5.1.2. In terms of bribery, these systems and controls will be proportionate to the risks faced by the organisation.

5.1.3. The Council will publicise its counter fraud measures using all appropriate means i.e. the local and national press, Council newsletters, technical publications, the internet etc and will include:

- That the honest majority of people are opposed to fraud, corruption or bribery
- The effectiveness of controls including the governance framework
- The sophisticated arrangements that are in place to detect fraud
- The professionalism of those who investigate fraud
- The Council's policy on applying proportionate sanctions and the prompt, effective recovery of losses
- The Council's commitment to ensuring that Housing Benefit / Council Tax Support is awarded only to those claimants who have an entitlement and that procedures and processes are in place to verify the circumstances of claimants before making any awards
- The Council's commitment to the protection of consumers and businesses through its Trading Standards and Licensing Service
- The Council's participation in the National Fraud Initiative (NFI) and its extension into new areas
- The Council's Whistle Blowing/Confidential Reporting Procedures
- The results of counter-fraud activity

5.2. Prevention

5.2.1. The establishment of adequate internal control systems is the responsibility of Management. In respect of fraud risks, this includes promoting awareness, assessing compliance with the Council's policies and ensuring that adequate levels of internal check are included in operational procedures.

5.2.2. The Chief Executive, Corporate Directors and Heads of Service are responsible for assessing the effectiveness of internal control systems in relation to fraud, corruption and bribery. In doing so, they may be assisted by Internal Audit.

5.2.3. Internal Audit will give an annual assurance to the Council's Audit Committee on the overall adequacy and effectiveness of the Council's internal control environment including the management of its fraud risks.

5.2.4. The Trading Standards & Licensing Service will help develop a fair and safe trading environment through inspection and sampling

programmes and the provision of advice and guidance to ensure the borough has informed confident consumers and businesses.

5.3. Detection

- 5.3.1. The Council will use all legal and cost effective means to detect fraud, corruption and bribery including working with other organisations in national data matching schemes e.g. the National Fraud Initiative, Housing Benefit Matching Service, HMRC Taxes Management Act Returns. This may require the lawful sharing of information.
- 5.3.2. Risk based Internal Audit Plan that ensures areas with a high risk of fraud are reviewed at least annually.
- 5.3.3. The council's Trading Standards and Licensing service prepares an annual service plan which details the initiatives and working arrangements in place to detect the occurrence of fraud.
- 5.3.4. Elected Members, staff and external stakeholders are expected to report suspected fraud, corruption or bribery promptly in accordance with Section 7 of this Strategy.

5.4. Investigation

- 5.4.1. All instances of suspected fraud must be notified to the Corporate Director of Resources through the Internal Audit service to enable the completion of annual returns and to form evidence to support the Annual Governance Statement.
- 5.4.2. Investigation will be conducted by the most appropriate section as detailed below (Relevant contact information can be found in Appendix 2):
 - 5.4.2.1. Fraud involving employees will be investigated in accordance with the Council's Disciplinary Procedures by a nominated Investigation Manager with support from the Internal Audit Service.
 - 5.4.2.2. Social Security fraud will be investigated by the In-House Benefit Fraud team with support from the Department for Work and Pensions Investigators as appropriate.
 - 5.4.2.3. Fraud committed against consumers or businesses within the borough will be investigated by the Trading Standards and

Licensing Service having due regard to the Home Authority Principle.

5.4.2.4. Allegations of improper conduct made against members will be managed by the Monitoring Officer.

5.4.2.5. Other fraud committed against the council will be considered on a case by case basis to determine the most appropriate section to undertake the investigation.

5.4.3. The Council will adhere to the provisions of the Regulation of Investigatory Powers Act (RIPA) and Money Laundering Legislation.

5.4.4. Any decision to involve the Police in any investigation of fraud committed by its employees or against the council will be taken by the Section 151 Officer in consultation with the Chief Executive and the Monitoring Officer.

5.4.5. The outcome of the investigation of fraud against the council will be reported to the appropriate Head of Service who will make any necessary changes to systems and procedures to ensure that similar frauds will not recur.

5.4.6. The Council recognises the need to ensure that its investigation process is not misused. Any abuse such as the raising of malicious allegations by officer/members will be dealt with as a disciplinary matter.

5.5. Sanctions

5.5.1. Where the Council identifies fraud then it will apply sanctions to the perpetrators. Sanctions are actions taken against individuals or organisations to reduce the risk of fraud, corruption or bribery from recurring. These will be applied in a comprehensive, consistent and proportionate manner with all possible sanctions – disciplinary, civil and criminal – considered. The Council has in place an enforcement policy which it will use to manage its approach to the application of sanctions.

5.5.2. Where fraud has been committed by an employee the appropriate Head of Service will take necessary action in accordance with the Council's disciplinary procedures. This may be in addition to any civil recovery action or sanctions.

5.6. Redress

5.6.1. The Council aims to be effective in recovering any losses incurred to fraud using, as appropriate, criminal and/or civil law. Success rates will be monitored routinely as an indicator and part of the quality process.

5.7. Training

5.7.1. The continuing success of the Counter Fraud Strategy requires all staff to be aware of fraud issues including corruption and bribery. The Council's induction process will reinforce this together with on going training identified through the Appraisal Scheme.

5.7.2. Staff who are involved in investigations will receive training in order to comply with agreed standards. This will maximise the Council's ability to prevent, detect and investigate fraud, corruption and bribery.

5.7.3. Disciplinary action will be considered against any employee who deliberately ignores such training.

6. Roles and Responsibilities

6.1. Roles and responsibilities for identifying and mitigating the risk of fraud must be clearly understood and embraced effectively. These are shown in Appendix 1.

6.2. The risk of fraud is considered in the Council's corporate risk management arrangements. Heads of Department must therefore ensure that:

- their risk register accurately reflects the risk of fraud including any emerging risks;
- controls, including those in a computerised environment, are effective and are properly maintained and documented;
- there is compliance with the Council's Accounting Instructions, Standing Orders and any other relevant codes of practice;
- those engaged in countering fraud, have the appropriate authority, skills and knowledge to undertake this work effectively;
- that the necessary framework agreements and due diligence requirements to counter fraud are in place where the Council is working with other organisations either by way of contract or partnership. The Council will not knowingly enter into any contractual agreement with an organisation that fails to comply with its Codes of Practice and/or other related procedures.

7. How to Report a Concern or Fraud

- 7.1. Concerns/suspicions of fraudulent activity may be raised directly using the contact information found in Appendix 2.
- 7.2. If you wish to raise a concern in confidence the Authority has a Confidential Reporting Policy in place which can be found [Confidential Reporting Policy](#). This policy provides details of how you can raise a concern in confidence.

8. Monitoring & Reporting Arrangements

- 8.1. The Corporate Director of Resources through the Corporate Governance Group will monitor the policy and the Council's performance, including the setting of performance targets.
- 8.2. In addition the Council will seek assurance from External and Internal Audit to ensure we follow best practice and to ensure sufficient resources are available to manage the Council's risks.
- 8.3. The Council will maintain a continuous review of these arrangements (at least annually) to ensure that they keep pace with future developments in fraudulent and corrupt practices in order to protect the interests of the residents and businesses of the Borough.

Statement of Expected Responsibilities

Stakeholder	Expected Responsibilities
Chief Executive	Ultimately accountable as Head of Paid Service for the effectiveness of the Council's arrangements for countering fraud and corruption as well as corporate governance.
Director of Law & Democracy (Monitoring Officer)	To advise Councillors and officers on ethical issues, standards and powers to ensure that the Council operates within the Law and statutory Codes of Practice. The operation of the Council's Confidential Reporting Policy. To consider allegations of improper conduct made against members.
Corporate Director of Resources (Section 151 Officer)	The Corporate Director of Resources has a statutory duty, under Section 151 of the Local Government Act 1972, Sections 114 and 116 of the Local Government Finance Act 1988 and Accounts and Audit Regulations 2011 to ensure the proper administration of the Council's financial affairs. This includes Internal Audit and benefit fraud.
Heads of Service	To ensure that fraud and corruption risks are considered as part of the Council's corporate risk management arrangements. To ensure that actions to mitigate risks in this area are effective.
Corporate Governance Group	Challenge new policies and strategies to ensure that fraud and corruption risks have been taken into account. Review the corporate framework designed to promote an over-riding counter-fraud culture on a regular basis. This will include monitoring and evaluating arrangements to ensure effectiveness and compliance with best practice.
Audit Committee	To monitor the Council's policies and consider the effectiveness of the arrangements for Counter Fraud and Confidential Reporting.

Lead Member – Finance and Asset Management	To champion the Council's Counter Fraud arrangements and promote them at every opportunity.
Elected Members	To support and promote the development of a strong counter fraud culture.
External Audit / Other Inspectorates	Statutory duty to ensure that the authority has in place adequate arrangements for the prevention and detection of fraud, corruption and theft.
Internal Audit	Responsible for developing and implementing the Counter Fraud and Corruption Policy and Strategy and investigating any issues reported under this policy. Reporting on the effectiveness of controls to the Audit Committee. To ensure that all suspected or reported irregularities are dealt with promptly and in accordance with this Strategy and that action is identified to improve controls and reduce the risk of recurrence. To prepare annual returns on fraud to external bodies.
Trading Standards & Licensing Service	Responsible for the development and delivery of a service plan to carry out a wide range of duties to protect consumers and bring about a fair trading environment for businesses.
Benefit Investigation Team	Responsible for investigating allegations of Housing Benefit/Council Tax Support fraud.
Senior Managers	To promote staff awareness and ensure that there are mechanisms in place within their service areas to assess the risk of fraud, corruption and theft and to reduce these risks by implementing robust internal controls.
Staff	To comply with Council policies and procedures, to be aware of the possibility of fraud, and to report any genuine concerns to the appropriate management in accordance with this strategy.
Public, Partners, Suppliers, Contractors and	To be aware of the possibility of fraud against the Council and report any genuine concerns or suspicions. To ensure that effective controls are in

Consultants	place to mitigate risks to the Council.
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Contact Information

Reporting a Fraud - Employees & Fraud Committed against the Council

Email: internalaudit@stockton.gov.uk

Telephone: 01642 526176

Stockton-on-Tees Borough Council

Internal Audit

First Floor

Bayheath House

5 Prince Regent Street

Stockton-on-Tees

TS18 1DF

Reporting a Fraud – Housing Benefits/Council Tax Support

Email: benefits.fraud@stockton.gov.uk

Fraud Hotline Freephone: 0800 328 6340

Benefit Investigation Team,

Benefits Service,

16 Church Road,

Stockton,

TS18 1TX

Reporting a Fraud - Consumer/Business Fraud

Email: trading_standards@stockton.gov.uk

Telephone: (01642) 526558

Website: www.tradingstandards.gov.uk/stockton

Trading Standards & Licensing

PO Box 232

16 Church Road

Stockton on Tees

TS18 1TX

Objective	Detailed Actions	Responsible Officer	Timescale
Increase awareness of counter-fraud responsibilities at all levels within and outside the Council	Roll-out of online fraud awareness training.	Financial Planning & Audit Manager	September 2014
	Develop an internet and intranet presence for the Counter Fraud Strategy.	Financial Planning & Audit Manager	September 2014
Increase awareness of the Bribery Act 2010	Incorporate into the fraud awareness training and internet/intranet presence.	Financial Planning & Audit Manager	September 2014
Further embed and support the effective management of fraud risk within the Council	Appropriate testing to be included in all audit work testing schedules in order to verify arrangements in place are adequate and to raise awareness where they are not.	Financial Planning & Audit Manager	April 2014
	Feedback areas of fraud risk to the Risk Action Group.	Senior Audit Team Manager	On-going
Support counter fraud activities across the Council, developing a corporate fraud team	Establish an increased resource within the Audit Plan.	Financial Planning & Audit Manager	April 2014
	Monitor the position regarding the SFIS and availability of qualified fraud investigators potentially moving to a corporate fraud investigation team	Financial Planning & Audit Manager	October 2014
Minimise the likelihood and extent of losses through fraud and corruption	Undertake data matching exercises on Blue Badge users with relevant data sources ensuring compliance with appropriate	Senior Audit Team Manager	March 2015

	regulations.		
	Undertake data matching exercises on Council Tax clients with relevant data sources ensuring compliance with appropriate regulations.	Senior Audit Team Manager	March 2015
	Undertake data matching exercises on grant recipients with relevant data sources ensuring compliance with appropriate regulations.	Senior Audit Team Manager	March 2015
	Reviewing routine duplicate payment testing for possible signs of fraudulent activity.	Senior Audit Team Manager	March 2015
	Identifying high risk contracts i.e. those with variable spend based on an agreed schedule of rates for potential supplier fraud through overcharging.	Senior Audit Team Manager	March 2015

LEGISLATION REQUIRED TO BE ENFORCED IN ENGLAND AND WALES

Trading Standards services generally have a statutory duty to enforce the following Acts of Parliament [*statutory instruments including regulations made under these Acts are **not** included*]

AGRICULTURE ACT 1970

Provides for controls on the labelling of fertilisers and animal feeding stuffs.
Prevents excessive deleterious materials in animal feeding stuffs.

AGRICULTURAL PRODUCE (GRADING AND MARKING) ACTS 1928 and 1931

Provides for the grading and marking of agricultural produce.

ANIMAL HEALTH ACT 1981

Provides for the control of animal diseases (that can be caught by humans), and for the welfare of animals on the farm, in transit and at market.

PROTECTION OF CHILDREN (TOBACCO) ACT 1986. THE CHILDREN AND YOUNG PERSONS (PROTECTION FROM TOBACCO) ACT 1991

Prohibits the sale of tobacco to children.
Controls the siting of cigarette vending machines.

CLEAN AIR ACT 1993

Controls the lead content of petrol and the sulphur of diesel fuel in order to reduce atmospheric pollution.

CONSUMER CREDIT ACT 1974

Provides for control of consumer credit and hire.
Requires licensing of credit and hire traders.
Controls credit and hire advertising; debt collecting and credit reference agencies.
Controls credit and hire documentation and format used to indicate credit charges.
Provides powers to revoke licences of traders offering credit or hire charges.
Provides certain safeguards to consumers who purchase goods and services on credit.

CONSUMER PROTECTION ACT 1987

Prohibits the supply of goods not in accordance with the general safety requirement or are unsafe.
Provides for the safety and protection of consumers by enabling Regulations or orders to be made controlling consumer goods.
Provides for approved safety standards to enable compliance with general safety requirements.
Provides powers for seizing and forfeiture, and the powers to suspend the sale of suspected unsafe goods.

Provisions as to the requirement for persons to publish notices warning of unsafe goods previously supplied.

Provides for liability for damage caused by defective products.

Prohibits misleading price indications.

CONTROL OF POLLUTION ACT 1974

Controls the sale of anti-fouling paints and treatments.

COPYRIGHT, DESIGNS AND PATENTS ACT 1988 and COPYRIGHT ETC AND TRADE MARKS (OFFENCES AND ENFORCEMENT) ACT 2002

Establishes legal protection for designs and creates a criminal offence to combat counterfeiting.

Controls making, importing or distributing infringing copies of copyright material.

CRIMINAL JUSTICE AND POLICE ACT 2001

Duty to enforce and allows the making of test purchases on the sale of alcohol to persons under 18 years of age.

DEVELOPMENT OF TOURISM ACT 1969

Requires the price of accommodation to be displayed in hotels.

EDUCATIONAL REFORM ACT 1988

Restricts the ability to award degrees to certain authorised bodies.

Controls the use of terms "Bachelor, Master or Doctor".

ENERGY ACT 1976

Requires the publication of data relating to passenger car fuel consumption.

ENERGY CONSERVATION ACT 1981

Provides for the making of regulations requiring the labelling of certain domestic appliances as to their fuel efficiency.

ESTATE AGENTS ACT 1979

Governs accounts in respect of client's money.

Controls certain activities in connection with disposal and acquisition of interest in land by Estate Agents.

Provides powers to ban "unfit" persons from estate agency work.

EUROPEAN COMMUNITIES ACT 1972

Implements community obligations and the approximation of the laws of Member States.

Prohibits supply of goods not of prescribed standard or composition.

Imposes safety restrictions on certain goods.

Protects consumer's interests as to holiday travel and in respect of distance selling contracts.

Controls the packaging of products and their suitability for recycling.

Controls the activities of traders who persist in a course of illegal conduct in a way, which is detrimental to the interests of consumers.

EXPLOSIVES ACTS 1875 & 1923. EXPLOSIVES (AGE OF PURCHASE) ACT 1976

Control on the selling of fireworks and the registration of explosive stores.

Controls on the sale of fireworks to under-aged persons.

FAIR TRADING ACT 1973

Promotes fair- trading. Provides controls on persistent offenders who contravene trading laws.

FOOD SAFETY ACT 1990

Prohibits sale of unfit or adulterated food.

Controls the quality, standard and claims made for food.

Controls its description, advertising and labelling.

FOOD AND ENVIRONMENT PROTECTION ACT 1985

Protects the public from food rendered unsafe as a result of the escape of harmful substances, such as radioactive fall-out.

Protects the public from the misuse of pesticides.

HALLMARKING ACT 1973

Provides for the protection of purchasers of precious metals in relation to the composition, assaying, marking and description. Provides for recognition of international markings on gold, silver and platinum.

HEALTH AND SAFETY AT WORK ETC ACT 1974

Controls the classification, packaging, labelling, carriage and storage of dangerous substances.

MEDICINES ACT 1968

Provides control for medicinal products in production, composition, labelling, advertising.

Controls the incorporation of medicinal products in animal feeding stuffs.

MOTOR CYCLE NOISE ACT 1987

Regulates the sale of exhaust systems for motor cycles.

NURSES AGENCIES ACT 1957

Provides control to ensure that agencies supplying nurses for temporary work at private hospitals and nursing homes are properly run by qualified and licensed persons and that only qualified nurses are supplied.

OLYMPIC SYMBOL ETC (PROTECTION) ACT 1995

Prevents unauthorised use of the Olympic Games symbols and similar labels.

PETROLEUM (CONSOLIDATION) ACT 1928 and PETROLEUM (TRANSFER OF LICENCES) ACT 1936

Requires business storing petroleum spirit to hold a licence and to comply with stringent safety rules.

POISONS ACT 1972

Provides for the registration of the sellers of poisons and controls the sale of such poisons.

PRICES ACT 1974 and 1975

Provides power to regulate the price display of certain goods and provides protection and price information for consumers.

Promotes fair-trading.

PROPERTY MISDESCRIPTIONS ACT 1991

Prohibits false or misleading statements about property by estate agents or builders.

TIMESHARE ACT 1992

Regulates the conduct of the sale of timeshare properties.

TRADE DESCRIPTIONS ACT 1968

Prohibits the misdescription on the supply of goods.

Prohibits false claims for services, accommodation and facilities.

TRADE MARKS ACT 1994

Controls on fraudulent application of use of a trademark.

TRADING REPRESENTATIONS (DISABLED PERSONS) ACTS 1958 and 1972

Controls representations made by traders in respect of the employment or assistance of blind or disabled persons in the production, packing or sale of goods.

VIDEO RECORDINGS ACTS 1984 and 1993

Requires the classification and labelling of videos.

WEIGHTS AND MEASURES ACT 1985

Regulates weighing and measuring equipment used for trade.

Protects against deficient quantity in the sale of goods.
Allows provision of metrological technology service to trade and industry.
Provides guidance and control on packers' quality control systems.
Promotes the free flow of goods within the European Union.

OTHER CRIMINAL LEGISLATION

Local authorities generally have no statutory duty to enforce the following legislation, but can authorise their Trading Standards service, and frequently do so.

ACCOMMODATION AGENCIES ACT 1953

Controls the taking of money for providing services in connection with the finding of property to let.

ADMINISTRATION OF JUSTICE ACT 1970

Creates an offence for the harassment of debtors or alleged debtors.

BUSINESS NAMES ACT 1985

Requires a business, carried on under a name other than that of its owner, to display particulars of ownership on premises and stationery.

CANCER ACT 1939

Prohibits claims concerning cures for cancer.

COMPANIES ACT 1985

Requires limited companies to state their trading details on business premises and in documents.

CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994

Control of ticket touting at designated public events and touting for private car hire.

DOGS ACT 1906 and THE DOGS (AMENDMENT) ACT 1928

Deals with unburied animal carcasses.

FARM AND GARDEN CHEMICALS ACT 1967

Controls labelling and marking of products.
Prohibits transactions in certain unlabelled products.

FORGERY AND COUNTERFEITING ACT 1981

Prohibits forgery and counterfeiting of documents.

INSURANCE BROKERS (REGISTRATION) ACT 1977

Requires brokers to be registered.

INTOXICATING SUBSTANCES (SUPPLY) ACT 1985

Prevents the sale to young persons of intoxicating substances and equipment to aid misuse of such substances.

KNIVES ACT 1997

Prevents the marketing of dangerous knives, and prohibits their sale to minors.

LICENSING (YOUNG PERSONS) ACT 2000

Control on the sale and consumption of intoxicating liquor to persons under eighteen.

MALICIOUS COMMUNICATIONS ACT 1988

Prohibits the sending or delivering letters or other articles with the purpose of causing distress or anxiety.

MOCK AUCTIONS ACT 1961

Prohibits certain practices in relation to the conduct of the running of sales by auction.

MOTOR VEHICLES (SAFETY EQUIPMENT FOR CHILDREN) ACT 1991

Amends Road Traffic Act 1988 to provide for the making of regulations as to shape, construction or other quality of restraining devices used by young children.

NATIONAL LOTTERY ACT 1993

Age restrictions on the sale of lottery tickets to young persons.

PET ANIMALS ACT 1951

Control on the sale of pets to young persons.

PROTECTION AGAINST CRUEL TETHERING ACT 1988

Prohibits animals from being tethered in certain circumstances.

PROTECTION OF ANIMALS ACT 1911 as amended by THE PROTECTION OF ANIMALS (AMENDMENT) ACT 1954 and THE AGRICULTURE (MISCELLANEOUS PROVISIONS) ACT 1968

Deals with cruelty aspect of animal welfare.

Gives power to the Court to ban persons from keeping animals.

ROAD TRAFFIC ACTS 1988 and 1991

ROAD TRAFFIC ACT (CONSEQUENTIAL PROVISIONS) ACT 1988

ROAD TRAFFIC OFFENDERS ACT 1988

ROAD TRAFFIC (FOREIGN VEHICLES) ACT 1972

Prohibits the overloading of goods vehicles.
Prohibits the sale of unroadworthy vehicles.
Imposes minimum safety requirements on certain vehicles.

SCRAP METAL DEALERS ACT 1964

Control on scrap metal dealers acquiring scrap from under aged persons.

SOLICITORS ACT 1974

Controls unlicensed conveyancing.

THE SUNDAY TRADING ACT 1994

Reform of the complex rules on Sunday trading.

TELECOMMUNICATIONS ACT 1984

Controls advertising, marketing and labelling of telephones and associated equipment.

THEFT ACT 1968 and 1978

Prohibits obtaining property or obtaining a pecuniary advantage by deception or false accounting, or going equipped to cheat.

TRADING STAMPS ACT 1964

Regulates the issue, use and redemption of trading stamps.

UNSOLICITED GOODS AND SERVICES ACT 1971 and UNSOLICITED GOODS AND SERVICES (AMENDMENT) ACT 1975

Controls the supply of unsolicited goods and demands for payment.
Controls trade directory entries.

CIVIL LEGISLATION

Local authorities have no responsibility for the following Acts. However, these Acts consolidate the trading civil law and are fundamental to the conduct of trading activities of both consumers and traders.

ARBITRATION ACT 1996

Protection of consumers' rights in arbitration agreements.
Safeguarding consumers' payment by cheque.

LIMITATION ACT 1980

Prevents Court action being taken by parties to legal disputes after a fixed period of time.

LATE PAYMENT OF COMMERCIAL DEBTS (INTEREST) ACT 1998

Provision as to interest on the late payment of certain debts.

MISREPRESENTATION ACT 1967

Gives consumers redress for misrepresentation of contracts.

SALE OF GOODS ACT 1979 and SALE AND SUPPLY OF GOODS 1994 and SALE OF GOODS (AMENDMENT) ACT 1995

Details the rights of purchasers and the duties of sellers in the sale of goods.

SUPPLY OF GOODS AND SERVICES ACT 1982

Details the rights of purchasers and the duties of suppliers of services.

TORTS (INTERFERENCE WITH GOODS) ACT 1977

Allows holders of another's goods to sell them under certain conditions.

UNFAIR CONTRACT TERMS ACT 1977

Makes unfair contract terms void.