



# Campaigns

28

the number of key consumer laws  
Which? has been involved in

1971 TO 2007

How Which? has helped to empower consumers

## Championing consumer rights

### ACHIEVEMENTS

With one month to go before our 50th anniversary, we look at how Which? changed the face of consumerism forever.



### Laws passed

Did you know that Which? was the prime mover behind many of the consumer laws we now take for granted? Here are a few that we had a hand in.

■ **Unsolicited Goods and Services Act 1971**: made it a criminal offence to demand payment for something the supplier knew hadn't been requested.

■ **Supply of Goods (Implied Terms) Act 1973**: struck out any attempts by retailers to disclaim responsibility for faulty goods.

■ **Consumer Credit Act 1974**: required the true annual rate of interest to be given in loan ads and consumer contracts; made credit card issuers and suppliers jointly liable for faulty goods or services.

■ **Consumer Safety Act 1978**: gave the government broad powers to

improve safety standards and promptly stop the sale of dangerous products.

■ **Unfair Contract Terms Act 1978**: controlled all exclusion clauses and ended much of the scandal of small-print conditions.

■ **Supply of Goods and Services Act 1982**: extended consumer protection to sales of services as well as to goods.

■ **Property Misdescription Act 1990**: made property sellers legally liable for accuracy of descriptions.



### Institutions established

Regulatory bodies now play a vital role – not only by ensuring that companies follow good practice, but also often by giving consumers access to an independent complaints procedure. Many such bodies came about as a direct result of legislation, much of which we were involved in. For example:

■ the **Office of Fair Trading (OFT)** owes its existence to the **Fair Trading Act 1973**

■ the **Monopolies and Mergers Commission**, now known as the

Competition Commission, grew out of the **Competition Act 1980**

■ the **Securities and Investments Board**, forerunner of the **Financial Services Authority**, was established by the **Financial Services Act 1986**

■ the **Food Standards Agency** was born out of the **Food Standards Act 1999**.



### A major coup scored

In 2005 our lobbying scored a coup when our powers under the **Enterprise Act 2002** were extended and we became the first body to be granted the right to seek damages, through the **Competition Appeals Tribunal**, for consumers affected by breaches of UK or EU competition law. We used our unique powers to investigate price-fixing of football shirts, which led to us taking action against **JJB Sportswear**.

The act also gave us the right to lodge supercomplaints with the **Office of Fair Trading** and other bodies, such as the **Competition Commission**. So far, we've lodged five. As we went to press we heard that the **Office of Fair Trading** has taken up the supercomplaint we lodged in May, calling for better regulation of Scottish legal services, and is to recommend that the system be radically overhauled. Great news, indeed.



### Laurels still being won

Over this last year alone three major pieces of legislation – on pensions reform, estate agents and legal services – were introduced as a result of our campaigning. We'll monitor their progress over the coming months – and keep up the pressure over the coming years – to ensure that all consumers get the service they're entitled to.

### OUR FIRST LOBBYIST

David Tench (pictured) joined Which? in 1969 as our first legal officer. He was also to become our first lobbyist



### A monumental act

David realised early on how findings in *Which?* reports could be used to identify issues to lobby on. He also quickly understood that for Which? to get laws changed, it needed support from MPs and government ministers.

So, in 1969, taking as his starting point a *Which?* report published in June of the same year, he set out to challenge the law on unsolicited goods.

The all-important political support came when he found an MP willing to promote our cause through a private member's bill. Two years later, the **Unsolicited Goods and Services Act 1971** was passed. It started the lobbying ball rolling and other successes followed. By 1987 David could say that 'Which? was unrivalled in the world of politics in being able to put across its point of view and follow this up.'

### An enduring legacy

David retired in 1994, but his legacy lives on – through our campaigns team, who have built on the lobbying tactics he developed, and our Which? Legal Service lawyers, who keep alive his commitment to give consumers the necessary information and confidence to take on manufacturers and suppliers, in court if need be.



Read more about our early campaigning successes, as well as other milestones in our history, in *50 Years of Which?*, free next month