

Carl Sargeant AC / AM
Y Gweinidog Llywodraeth Leol a Chymunedau
Minister for Local Government and Communities



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-370
Ein cyf/Our ref CS/05758/12

William Powell AM
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March 2012

Petition for the Improvement of Psychic and Intuitive services in Wales

Thank you for your letter of 12 March asking for my initial views on the subject of the petition received by your committee from Mr Ant Edwards.

The petition stated:

"We the undersigned call on the National Assembly for Wales to urge the Welsh Government to raise awareness with providers of Psychic services and the public of the Consumer Protection from Unfair Trading Regulations 2008."

Consumer protection is a non-devolved matter and responsibility rests with the UK Government; primarily the Department for Business, Innovation and Skills (BIS), although some aspects fall to the Office of Fair Trading (OFT).

The *Consumer Protection from Unfair Trading Regulations 2008* came into force on 26 May 2008 and introduced a general duty not to trade unfairly and to seek to ensure that traders act honestly and fairly towards their customers. The 2008 Regulations were made by "the Secretary of State" being a Minister designated in respect of measures relating to consumer protection. The Welsh Ministers do not have any executive functions under the Regulations. Accordingly, it rests with UK Government Ministers to issue formal guidance about the 2008 Regulations.

The 2008 Regulations principally concern unfair business to consumer commercial practices. In accordance with the Regulations, county and county borough councils in Wales can provide advice on the 2008 Regulations and their enforcement. In general, such advice will be provided by the council's trading standards service and will be governed by guidance prepared and issued by the UK Government. The current guidance was issued in 2008 by the OFT and the Department for Business, Enterprise and Regulatory Reform (DBERR – the forerunner of BIS).

The Welsh Ministers do not issue guidance under the 2008 Regulations, but the *business.wales* website (a Welsh Government site providing online information services to businesses and others in Wales) includes a page which links to the current UK Government guidance about the 2008 Regulations and to information about trading standards. The detailed advice and information is provided via the links to the other services. The content of the *business.wales* webpage itself is general in scope and derived from the equivalent service in England; the webpage is updated in line with updates by BIS and the OFT.

My officials have discussed the petition with contacts in BIS. The BIS officials acknowledge that providers of psychic and intuitive services are covered by the 2008 Regulations, but at the time of writing they were not aware of any recent representations about such services. The BIS officials confirmed that it would be for their Ministers and the department to address any issues about consumer protection.

In the absence of any further information on the subject, and since it appears to be a matter of consumer protection (and so, non-devolved), I would suggest that the petitioner might be advised to contact the UK Government's Department for Business, Innovation and Skills, at 1 Victoria Street, London, SW1H 0ET (tel. 020 7215 5000 or 020 7215 6740).



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