
STATUTORY INSTRUMENTS

1994 No. 2328

The General Product Safety Regulations 1994

Enforcement

- 11.** For the purposes of providing for the enforcement of these Regulations—
- (a) section 13 of the 1987 Act (prohibition notices and notices to warn) shall (to the extent that it does not already do so) apply to products as it applies to relevant goods under that section;
 - (b) the requirements of these Regulations shall constitute safety provisions for the purposes of sections 14 (suspension notices), 15 (appeals against suspension notices), 16 (forfeiture: England, Wales and Northern Ireland), 17 (forfeiture: Scotland) and 18 (power to obtain information) of the 1987 Act;
 - (c)
 - (i) subject to paragraph (ii) below a weights and measures authority in Great Britain and a district council in Northern Ireland shall have the same duty to enforce these Regulations as they have in relation to Part II of the 1987 Act, and Part IV, sections 37 and 38 and subsections (3) and (4) of section 42 of that Act shall apply accordingly;
 - (ii) without prejudice to the provisions of paragraphs (a) and (b) above and subparagraph (i) above, insofar as these Regulations apply:—
 - (aa) to products licensed in accordance with the provisions of the 1968 Act, it shall be the duty of the enforcement authority as defined in section 132(1) of the 1968 Act to enforce or to secure the enforcement of these Regulations and sections 108 to 115 and section 119 of and Schedule 3 to that Act shall apply accordingly as if these Regulations were regulations made under the said Act;
 - (bb) in relation to food within the meaning of section 1 of the 1990 Act, it shall be the duty of each food authority as defined in section 5 of the 1990 Act to enforce or to secure the enforcement of these Regulations, within its area, in Great Britain and sections 9, 29, 30 and 32 of that Act shall apply accordingly as if these Regulations were food safety requirements made under the said Act and section 10 of that Act shall apply as if these Regulations were regulations made under Part II of that Act; and
 - (cc) in relation to food within the meaning of article 2 of the 1991 Order, it shall be the duty of the relevant enforcement authority as provided for in article 26 of that Order to enforce or to secure enforcement of these Regulations in Northern Ireland and articles 8, 29, 30, 31 and 33 of that Order shall apply accordingly as if these Regulations were food safety requirements made under that Order and article 9 of that Order shall apply as if these Regulations were regulations made under Part II of that Order;
 - (d) in sections 13(4) and 14(6) of the 1987 Act for the words “six months” there shall be substituted “three months”; and
 - (e) nothing in this regulation shall authorise any enforcement authority to bring proceedings in Scotland for an offence.