
STATUTORY INSTRUMENTS

2002 No. 1689

**The Chemicals (Hazard Information and
Packaging for Supply) Regulations 2002**

PART III

MISCELLANEOUS

Enforcement

14.—(1) To the extent that they would not otherwise do so, sections—

- (a) 16 to 26 (approval of codes of practice and enforcement);
- (b) 33 to 42 (provisions as to offences); and
- (c) 47(2),

of the 1974 Act shall apply to these Regulations as if they were health and safety Regulations for the purposes of that Act.

(2) Any function of the Health and Safety Commission under any other provision of the 1974 Act which is exercisable in relation to any function of the Executive under or in respect of health and safety Regulations (including their enforcement) shall be exercisable as if these Regulations were health and safety Regulations for the purposes of that Act to the extent that they would not otherwise be so.

(3) Notwithstanding regulation 3 of the Health and Safety (Enforcing Authority) Regulations 1998⁽¹⁾ and subject to paragraphs (4) and (5), the enforcing authority for these Regulations shall be the Executive.

(4) Subject to paragraph (5), where a dangerous substance or a dangerous preparation is supplied in or from premises which are registered under section 75 of the Medicines Act 1968⁽²⁾, the enforcing authority for these Regulations shall be the Royal Pharmaceutical Society.

(5) The enforcing authority for these Regulations shall be the local weights and measures authority—

- (a) where a dangerous substance or a dangerous preparation is supplied other than in the circumstances referred to in paragraph (4),—
 - (i) in or from any shop, mobile vehicle, market stall or other retail outlet, or
 - (ii) otherwise to members of the public, including by way of free sample, prize or mail order;
- (b) for regulations 6 and 11.

(6) In every case where, by virtue of this regulation, these Regulations are enforced by the Royal Pharmaceutical Society or the local weights and measures authority, they shall be enforced as if

(1) [S.I. 1998/494](#).

(2) [1968 c. 67](#); section 75(8) was amended by [S.I. 1968/1699](#).

they were safety regulations made under section 11 of the Consumer Protection Act 1987⁽³⁾ and the provisions of section 12 of that Act shall apply to these Regulations as if they were safety regulations and as if the maximum period of imprisonment on summary conviction specified in subsection (5) thereof were 3 months instead of 6 months.

(3) 1987 c. 43; section 11(7)(c) is amended by section 16(1) of, and paragraph 15 of Schedule 4 to, the Gas Act 1995.