
STATUTORY INSTRUMENTS

2004 No. 129

The Cableway Installations Regulations 2004

PART IV

Enforcement

Notices in relation to a safety component or subsystem that is not safe

25.—(1) If the Executive is of the opinion that a—

- (a) safety component bearing a CE conformity marking; or
- (b) subsystem with a declaration of conformity, that has been placed on the market and put into service in accordance with its intended purpose, is not safe, the Executive may serve a notice on the operator to prohibit the use of or restrict the conditions of use of that safety component or subsystem.

(2) A notice served under paragraph (1) shall contain the following information—

- (a) a statement that the Executive is of that opinion;
- (b) the reasons for that opinion;
- (c) a direction that the safety component or subsystem to which the notice relates shall not be used, or that its conditions of use shall be restricted; and
- (d) the date by which the operator shall comply with the notice.

(3) Any notice served under paragraph (1) may be withdrawn by the Executive serving written notice of the withdrawal on the operator.

(4) Where a notice has been served on the operator under paragraph (1) the operator shall comply with it.

(5) This regulation shall not apply to any safety component or subsystem in respect of which the Executive has served an improvement notice or prohibition notice under section 21 or 22 of the 1974 Act or the equivalent provision in the 1978 Order, and that notice remains in force.