

---

STATUTORY INSTRUMENTS

---

**2008 No. 2852**

**CONSUMER PROTECTION  
ENVIRONMENTAL PROTECTION  
HEALTH AND SAFETY**

**The REACH Enforcement Regulations 2008**

*Made - - - - 1st November 2008  
Laid before Parliament 10th November 2008  
Coming into force 1st December 2008*

CONTENTS

PART 1

Introduction

1. Citation and commencement
2. Interpretation

PART 2

Enforcement

3. Enforcement
4. Co-operation and information sharing
5. Enforcement agreements
6. Health and safety enforcement

PART 3

Exemptions

7. Defence
8. Marketing and use of leaded paint

PART 4

Enforcement powers and civil proceedings

9. Enforcement powers
10. Authorised persons

PART 5

Offences and penalties

CHAPTER 1

Offences and penalties in relation to a listed REACH provision and Schedules 4 and 5

- 11. Offences
- 12. Penalties

CHAPTER 2

Other offences and penalties

- 13. Offences
- 14. Penalties

CHAPTER 3

Bodies corporate, Scottish partnerships and remediation

- 15. Bodies corporate and Scottish partnerships
- 16. Power of court to order cause of offence to be remedied

CHAPTER 4

Matters in relation to criminal proceedings

- 17. Appearance of authorised persons before a court of summary jurisdiction
- 18. Criminal proceedings under regulation 11 or 13
- 19. Criminal proceedings against the Crown

CHAPTER 5

Civil Proceedings

- 20. Proceedings before a civil court

PART 6

Appeals against notices and service of documents

- 21. Appeals against notices
- 22. Service of documents

PART 7

Revocations and amendments

- 23. Revocations and amendments  
Signature

SCHEDULE 1 — Table of REACH provisions

SCHEDULE 2 — Functions of enforcing authorities

SCHEDULE 3 — Health and safety enforcement

PART 1 — Definitions

PART 2 — Local (health and safety) authorities

PART 3 — The Executive

PART 4 — Local (health and safety) authorities and the Executive

SCHEDULE 4 — Defence exemption certificates

SCHEDULE 5 — Marketing and use of leaded paints

PART 1 — Permitted marketing and use

PART 2 — Contents of a relevant declaration

PART 3 — Contents of a notification

SCHEDULE 6 — Powers of enforcement

PART 1 — The Environment Agency, the Scottish Environment Protection Agency and the Department of the Environment

Part 2 — The Health and Safety Executive, the Health and Safety Executive for Northern Ireland and local (health and safety) authorities

PART 3 — Local (consumer safety) authorities

PART 4 — The Secretary of State

SCHEDULE 7 — Authorisations

SCHEDULE 8 — Appeals

PART 1 — Notices served by the Environment Agency, the Scottish Environment Protection Agency or the Department of the Environment

PART 2 — Notices served by the Health and Safety Executive, the Health and Safety Executive for Northern Ireland or local (health and safety) authorities

PART 3 — Notices served by local (consumer safety) authorities

PART 4 — Notices served by the Secretary of State

SCHEDULE 9 — Service of documents

SCHEDULE 10 — Revocations and amendments

PART 1 — Revocations to Regulations that extend to the United Kingdom

PART 2 — Revocations to Regulations that extend to Great Britain

PART 3 — Amendments to Regulations that extend to Great Britain

PART 4 — Revocations to Statutory Rules of Northern Ireland

PART 5 — Amendments to Statutory Rules of Northern Ireland

Explanatory Note