
STATUTORY INSTRUMENTS

2008 No. 37

The Restriction of the Use of Certain Hazardous Substances
in Electrical and Electronic Equipment Regulations 2008

PART 3

Enforcement

Test purchases

10.—(1) The Secretary of State may purchase electrical and electronic equipment for the purpose of ascertaining whether the requirements of regulation 7 have been met in respect of it.

(2) If—

- (a) equipment purchased under this regulation is submitted to a test;
- (b) the test leads to the bringing of proceedings for an offence under regulation 15(1)(a) or the serving of an enforcement notice; and
- (c) a person—
 - (i) from whom the equipment was purchased;
 - (ii) who is a party to the proceedings; or
 - (iii) who has an interest in equipment which is identified as infringing goods in an enforcement notice,

requests the Secretary of State to allow that person to have the equipment tested, the Secretary of State shall, if it is practicable for such a test to be carried out, allow that person to have the equipment tested.