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STATUTORY INSTRUMENTS

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**2012 No. 1848**

The Customs Disclosure of Information and  
Miscellaneous Amendments Regulations 2012

PART 3

Miscellaneous

**Amendment to the General Product Safety Regulations 2005**

6. Paragraph (4)(c) of regulation 15 (Recall notices) of the General Product Safety Regulations 2005<sup>(1)</sup> is amended by substituting “ten” for “seven”.

**Amendment to the Personal Protective Equipment Regulations 2002**

7. The Personal Protective Equipment Regulations 2002<sup>(2)</sup> are amended as follows—

(a) In regulation 16 (Application of Schedule 10 on Enforcement) for paragraph (2) insert—

“(2) Where an enforcement authority has reasonable grounds for suspecting that the CE marking has been affixed to the PPE, or its packaging, and in relation to which any provision of these Regulations has not been complied with—

(a) it may serve notice in writing on the responsible person; and

(b) no other action pursuant to Schedule 10 may be taken, and no proceedings may be brought pursuant to regulation 17, in respect of that PPE until a notice has been given and the person to whom it is given has failed to comply with its requirements.

(2A) Paragraph (2)(b) does not apply in the case of PPE which when used in accordance with its intended purpose, in the opinion of an enforcement authority may endanger the safety of persons and, where appropriate, domestic animals or property.”

(b) In regulation 20 (Liability of persons other than the principal offender) in paragraph (1) for “will be proceeded against” substitute “may be proceeded against”.

**Amendment to the Electromagnetic Compatibility Regulations 2006**

8. In regulations 43(1), 43(2)(b), 44(3) and 46 of the Electromagnetic Compatibility Regulations 2006<sup>(3)</sup>, the reference to regulation 34 is deleted in each place where it appears.

**Amendment to the Pyrotechnic Articles (Safety) Regulations 2010**

9.—(1) The Pyrotechnic Articles (Safety) Regulations 2010<sup>(4)</sup> are amended as follows.

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(1) S.I. 2005/1803.  
(2) S.I. 2002/1144.  
(3) S.I. 2006/3418.  
(4) S.I. 2010/1554.

- (2) After regulation 2(1) insert—
  - “(2) In these Regulations a reference to a member State includes an EEA state.”
- (3) In regulation 33(1) omit the words “falling within regulation 42”.
- (4) In regulation 37(2) omit the words “to enforce regulation 4(3) and Part 3”.
- (5) In regulation 46(1) for “paragraphs (2), (3) and (4)” substitute “paragraphs (2) and (3)” and for “regulation 4(1), (2)” substitute “regulation 4(1) or (2)”.
- (6) Omit regulation 46(4).
- (7) In regulation 47(1) for “paragraphs (2), (3) and (4)” substitute “paragraphs (2) and (3)” and for “regulation 4(1), (2)” substitute “regulation 4(3) or (4)”.
- (8) Omit regulation 47(4).