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STATUTORY INSTRUMENTS

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**2018 No. 390**

The Personal Protective Equipment  
(Enforcement) Regulations 2018

PART 2

Market Surveillance and Enforcement

**Compensation**

**15.**—(1) Where an enforcement authority other than the Health and Safety Executive, the Health and Safety Executive of Northern Ireland or the Office for Nuclear Regulation, serves a relevant notice in respect of PPE, that authority is liable to pay compensation to a person having an interest in the PPE in respect of any loss or damage caused by reason of the notice if both conditions mentioned in paragraph (2) are met.

(2) The conditions are that—

(a) the PPE in respect of which the relevant notice was served neither—

(i) presents a risk; nor

(ii) contravenes any requirement of EU regulation 2016/425; and

(b) any neglect or default on the part of the economic operator was not the reason for service of the relevant notice.

(3) In this regulation, “relevant notice” means a suspension, withdrawal or recall notice as referred to in regulation 13(5)(b).