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STATUTORY INSTRUMENTS

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**2018 No. 816**

**The Cableway Installations Regulations 2018**

**PART 4**

Market surveillance and enforcement

**Enforcement in Great Britain**

**21.**—(1) The Executive must make adequate arrangements for the enforcement of the Regulatory Provisions in Great Britain and accordingly a reference to an “enforcing authority” in the provisions applied for the purposes of such enforcement by paragraphs (2) and (3) is to be construed as a reference to the Executive.

(2) Subject to paragraph (4), the provisions of the 1974 Act specified in paragraph (3) apply for the purposes of the enforcement the Regulatory Provisions as if they were health and safety regulations for the purposes of that Act, and any function of the Executive under those or any other provisions of the 1974 Act, under or in respect of health and safety regulations (including their enforcement) are exercisable as if the Regulatory Provisions were health and safety regulations for the purposes of that Act.

(3) The provisions of the 1974 Act are—

- (a) sections 19 to 22 (inspectors, improvement notices and prohibition notices);
- (b) section 23 (provisions supplementary to 21 and 22) and 24 (appeal against improvement or prohibition notice);
- (c) sections 25A (power of customs officers to detain articles and substances) and 26 (power to indemnify inspectors);
- (d) section 27 (obtaining of information) and section 27A (information communicated by the Commissioners of Customs and Excise);
- (e) section 33(1)(c) and (e) to (o), section 33(2) and sections 34 to 42 (provisions as to offences);
- (f) section 46 (service of notices);
- (g) section 48(1) to (3) (application to the Crown); and
- (h) Schedule 3A.

(4) A failure to discharge a duty placed on the Executive by the Regulatory Provisions is not an offence under section 33(1)(c) of the 1974 Act.

**Changes to legislation:**

There are currently no known outstanding effects for the The Cableway Installations Regulations 2018, Section 21.