
DRAFT STATUTORY INSTRUMENTS

2021 No.

**CONSUMER PROTECTION,
NORTHERN IRELAND
ELECTROMAGNETIC COMPATIBILITY,
NORTHERN IRELAND
ENVIRONMENTAL PROTECTION,
NORTHERN IRELAND
HEALTH AND SAFETY, NORTHERN IRELAND
MARKET STANDARDS, NORTHERN IRELAND
TELECOMMUNICATIONS,
NORTHERN IRELAND
WEIGHTS AND MEASURES,
NORTHERN IRELAND**

The Market Surveillance (Northern Ireland) Regulations 2021

Made - - - - *****
Coming into force *16th July 2021*

**THE MARKET SURVEILLANCE
(NORTHERN IRELAND) REGULATIONS 2021**

1. Citation, commencement and extent
2. Interpretation
3. Application
4. Designation of market surveillance authorities
5. Enforcement powers giving effect to Article 14(4) of the MSC Regulation
6. Enforcer's legislation
7. Table of enforcer's legislation

8. Offences
 9. Amendment of Schedule 5 to the Consumer Rights Act 2015
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SCHEDULE 1 — Investigatory powers

1. Interpretation of terms used in this Schedule
2. Power to require the production of information
3. Procedure for notice under paragraph 2
4. Enforcement of notice under paragraph 2
5. Limitations on use of information provided in response to a notice under paragraph 2
6. Power to purchase products
7. Power to observe carrying on of a business etc
8. Power to enter premises without a warrant
9. Application of paragraphs 10 to 17
10. Power to inspect products etc
11. Power to test equipment
12. Power to require the production of documents
13. Power to seize and detain products
14. Power to seize documents required as evidence
15. Power to decommission or switch off fixed installations
16. Power to decommission or switch off any medical device
17. Power to break open container etc
18. Power to enter premises with warrant
19. Entry to premises under warrant
20. Power to require assistance from person on premises
21. Offence of obstruction
22. Offence of purporting to act as an officer
23. Access to seized products and documents
24. Notice of testing of products
25. Appeals against detention of products and documents
26. Compensation
27. Powers of a district council
28. Civil proceedings
29. Criminal proceedings

SCHEDULE 2 — Powers under the Consumer Protection Act 1987

1. Enforcement powers under the 1987 Act
2. Modifications to the 1987 Act

SCHEDULE 3 — Powers under the Health and Safety at Work (Northern Ireland) Order 1978

1. HSAW enforcer
2. Enforcement powers under the 1978 Order
3. Modifications to the 1978 Order

SCHEDULE 4 — Notices

1. Compliance Notice
2. Withdrawal Notice
3. Recall notice
4. Appeals against notices

5. Appropriate court for appeals against notices etc and further appeals

SCHEDULE 5 — Information Society Service Providers

1. Online interface notice
2. This paragraph applies where the enforcer considers that service of...
3. An online interface notice must specify only such steps as...
4. An ISSP must take the steps specified in an online...
5. The duty imposed by paragraph (4) is enforceable only—
6. For the purposes of this Schedule, “ISSP” means an information...

SCHEDULE 6 — Offences

1. Offences
2. Penalties
3. Defence of due diligence
4. Liability of persons other than the principal offender
5. Time limit for prosecution of offences

Explanatory Note