



# Product Security and Telecommunications Infrastructure Act 2022

## 2022 CHAPTER 46

### PART 1

#### PRODUCT SECURITY

#### CHAPTER 1

##### SECURITY REQUIREMENTS

##### *Security requirements relating to products*

#### **1 Power to specify security requirements**

- (1) The Secretary of State may by regulations specify requirements (“security requirements”) for the purpose of protecting or enhancing the security of—
  - (a) relevant connectable products made available to consumers in the United Kingdom;
  - (b) users of such products.
- (2) A security requirement is a requirement that—
  - (a) relates to relevant connectable products, or relevant connectable products of a specified description, and
  - (b) applies to relevant persons, or relevant persons of a specified description.In this subsection “specified” means specified in the regulations.
- (3) See—
  - section 4, for the meaning of “relevant connectable product”;
  - section 7, for the meaning of “relevant person”.

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*Status: This is the original version (as it was originally enacted).*

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- (4) For provision imposing duties on relevant persons to comply with security requirements, see sections 8, 14 and 21.
- (5) Section 2 contains further provision about regulations under this section.

## **2 Further provision about regulations under section 1**

- (1) A security requirement may relate to (among other things) all the relevant connectable products of—
  - (a) a relevant person, or
  - (b) a relevant person of a particular description.
- (2) For the purposes of subsection (1), the relevant connectable products of a relevant person are—
  - (a) in the case of a person who is a manufacturer, any relevant connectable products in respect of which the person is a manufacturer;
  - (b) in the case of a person who is an importer, any relevant connectable products in respect of which the person is an importer;
  - (c) in the case of a person who is a distributor, any relevant connectable products in respect of which the person is a distributor.
- (3) A security requirement may be described by reference to (among other things)—
  - (a) any software used for the purposes of, or in connection with, the operation of a relevant connectable product;
  - (b) any software used by a person in the course of, or in connection with, using a relevant connectable product;
  - (c) any software used for the purposes of providing a service to a person by means of a relevant connectable product;and for these purposes it does not matter whether the software is installed on the product or whether the software or service is provided by a manufacturer of the product.
- (4) A security requirement may (among other things) require a relevant person to do something in relation to a relevant connectable product, including in relation to times after a relevant connectable product has been made available in the United Kingdom.
- (5) Regulations under section 1 are subject to the negative resolution procedure if the only provision they make under that section is provision—
  - (a) varying any description of—
    - (i) products to which a security requirement relates, or
    - (ii) software by reference to which a security requirement is described, or
  - (b) otherwise altering any term used in describing a security requirement without altering the effect of the security requirement or the extent to which it applies in any case.
- (6) Except as provided by subsection (5), regulations under section 1 are subject to the affirmative resolution procedure.

### **3 Power to deem compliance with security requirements**

- (1) The Secretary of State may by regulations provide that a relevant person is to be treated as having complied with a security requirement relating to a relevant connectable product if specified conditions are met.
- (2) The conditions that may be specified under subsection (1) include, among other things, the following—
  - (a) that the product conforms to a specified standard;
  - (b) that the relevant person otherwise meets any requirements imposed by a specified standard;and the standards that may be specified include standards set by a person or body outside the United Kingdom.
- (3) Regulations under subsection (1) are subject to the affirmative resolution procedure.
- (4) In this section “specified” means specified in the regulations.