



Product Security and Telecommunications Infrastructure Act 2022

2022 CHAPTER 46

PART 1

PRODUCT SECURITY

CHAPTER 2

DUTIES OF RELEVANT PERSONS, ETC

Duties of importers

18 Duties to take action in relation to importer's compliance failure

- (1) This section applies if, at any time after an importer of a relevant connectable product makes it available to a customer in the United Kingdom—
 - (a) the importer becomes aware, or ought to be aware, of a compliance failure in relation to the product, and
 - (b) the importer is aware, or ought to be aware, that the product is a UK consumer connectable product.
- (2) The importer must, as soon as is practicable, take all reasonable steps to remedy the compliance failure.
- (3) The importer must notify the persons listed in subsection (4) of the compliance failure as soon as possible.
- (4) The persons referred to in subsection (3) are—
 - (a) the enforcement authority, and
 - (b) in a case where specified conditions are met, any customer in the United Kingdom to whom the importer supplied the product.

Status: This is the original version (as it was originally enacted).

- (5) In subsection (4)(b) “specified” means specified in regulations made by the Secretary of State.

Regulations under this subsection are subject to the negative resolution procedure.

- (6) The notification under subsection (3) must include the following information—
- (a) details of the compliance failure;
 - (b) any risks of which the importer is aware that are posed by the compliance failure;
 - (c) any steps that have been taken by the importer to remedy the compliance failure and whether or not those steps have been successful.
- (7) In this section “compliance failure” means a failure by the importer to comply with a relevant security requirement relating to the product.