



Product Security and Telecommunications Infrastructure Act 2022

2022 CHAPTER 46

PART 1

PRODUCT SECURITY

CHAPTER 2

DUTIES OF RELEVANT PERSONS, ETC

Duties of importers

20 Duty to maintain records of investigations

- (1) An importer of a relevant connectable product must maintain a record of—
 - (a) any investigations carried out by the importer (whether or not as a result of information received as mentioned in section 17(1)(a)) in relation to a compliance failure, or suspected compliance failure, by—
 - (i) the importer, or
 - (ii) a manufacturer of the product;
 - (b) any investigations of which the importer is aware that have been carried out by a manufacturer of the product in relation to a compliance failure, or suspected compliance failure, by the manufacturer.
- (2) A record of an investigation must contain the following information—
 - (a) the outcome of the investigation;
 - (b) where it was determined that there was a compliance failure, details of that compliance failure;
 - (c) any steps taken by the importer or the manufacturer (as the case may be) to remedy the compliance failure and whether or not those steps were successful.

Status: This is the original version (as it was originally enacted).

- (3) An importer is not to be regarded as having failed to comply with the duty imposed by subsection (1)(b) to maintain a record of an investigation carried out by a manufacturer if—
- (a) the record of the investigation does not contain all of the information required by subsection (2),
 - (b) the missing information may only be obtained from the manufacturer, and
 - (c) the importer has taken reasonable steps to obtain that information from the manufacturer.
- (4) A record of an investigation must be retained for a period of 10 years beginning with the day on which the record is made.
- (5) In this section “compliance failure”, in relation to a product, means a failure to comply with a relevant security requirement relating to the product.