



# Product Security and Telecommunications Infrastructure Act 2022

## 2022 CHAPTER 46

### PART 1

#### PRODUCT SECURITY

#### CHAPTER 2

##### DUTIES OF RELEVANT PERSONS, ETC

##### *Duties of manufacturers*

### 9 Statements of compliance

- (1) Subsection (2) applies if a manufacturer of a relevant connectable product—
  - (a) intends the product to be a UK consumer connectable product, or
  - (b) is aware, or ought to be aware, that the product will be a UK consumer connectable product.
- (2) The manufacturer may not make the product available in the United Kingdom unless it is accompanied by—
  - (a) a statement of compliance, or
  - (b) a summary of the statement of compliance that is in such form, and contains such information, as is specified in regulations made by the Secretary of State.
- (3) A “statement of compliance”, in relation to a product, is a document that—
  - (a) is prepared by or on behalf of the manufacturer of the product,
  - (b) is in such form, and contains such information, as is specified in regulations made by the Secretary of State, and
  - (c) states that, in the opinion of the manufacturer, the manufacturer has complied with the applicable security requirements.

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*Status: This is the original version (as it was originally enacted).*

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- (4) For the purposes of this section “the applicable security requirements”, in relation to a manufacturer of a product, means any relevant security requirements relating to the product, other than—
- (a) a security requirement that applies only after the product has been made available in the United Kingdom, or
  - (b) a security requirement that applies only when the manufacturer is making the product available to customers in the United Kingdom.
- (5) In a case where there is more than one manufacturer in relation to a product—
- (a) it is sufficient for the purposes of subsection (3)(a) if the document is prepared by or on behalf of all of the manufacturers acting jointly, and
  - (b) in such a case, any reference to the manufacturer in subsection (3)(c) is to be read as a reference to each of those manufacturers.
- (6) The Secretary of State may by regulations make further provision about statements of compliance, including (among other things)—
- (a) provision requiring a manufacturer of a product to take specified steps to determine for the purposes of preparing a statement of compliance whether the manufacturer has complied with the applicable security requirements;
  - (b) provision requiring a manufacturer of a product to retain a copy of the statement of compliance relating to the product for a specified period;
  - (c) provision about publishing statements of compliance;
  - (d) provision about making available copies of statements of compliance.
- (7) The Secretary of State may by regulations provide that a manufacturer is to be treated as complying with subsection (2) if specified conditions are met.
- (8) In subsections (6) and (7) “specified” means specified in the regulations.
- (9) Regulations under subsection (7) are subject to the affirmative resolution procedure.
- (10) Other regulations under this section are subject to the negative resolution procedure.