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STATUTORY INSTRUMENTS

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**1994 No. 3260**

**The Electrical Equipment (Safety) Regulations 1994**

**Revocation, defence and consequential amendment**

**2.**—(1) The Low Voltage Electrical Equipment (Safety) Regulations 1989<sup>(1)</sup> are hereby revoked provided that the said Regulations of 1989 shall continue to apply to electrical equipment to which these Regulations do not apply by virtue of paragraph (4) of regulation 4 below.

(2) In Schedule 1 to the Provision and Use of Work Equipment Regulations 1992<sup>(2)</sup> for paragraph 1 there shall be substituted—

“**1.** Council Directive [73/23/EEC](#) on the harmonization of the laws of Member States relating to electrical equipment designed for use within certain voltage limits (OJNo. L77, 26.3.1973, p.29) as amended by Article 13 of Council Directive [93/68/EEC](#) (OJ No. L220, 30.8.1993, p.1.).”

(3) In any proceedings against a person for an offence under any of the relevant statutory provisions (as defined in section 53(1) of the Health and Safety at Work etc Act 1974<sup>(3)</sup> or article 2(2) of the Health and Safety at Work (Northern Ireland) Order 1978<sup>(4)</sup> which impose requirements with respect to any matter it shall be a defence for that person to show that the requirements of these Regulations were satisfied in relation to that matter.

(4) Where an improvement notice or a prohibition notice has been served on any person pursuant to section 21 or, as the case may be, section 22 of the Health and Safety at Work etc Act 1974 (or pursuant to article 23 or, as the case may be, article 24 of the Health and Safety at Work (Northern Ireland) Order 1978), if the person upon whom the notice was served appeals to an industrial tribunal pursuant to section 24 of the said Act (or article 26 of the said Order) and shows that the notice relates to any matter in respect of which the requirements of these Regulations are satisfied, the tribunal shall cancel the notice.

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(1) [S.I.1989/728](#).

(2) [S.I.1992/2932](#).

(3) 1974 c. 37.

(4) [S.I.1978/1039 \(N.I.9\)](#); relevant amending instruments are [S.I. 1984/1159 \(N.I.9\)](#) and [S.I.1987/2049 \(N.I.20\)](#).