

## SCHEDULE 9

### ENFORCEMENT

#### **Enforcement in Great Britain**

1.—(1) In Great Britain, it shall be the duty of the Secretary of State, and of every weights and measures authority within their area, to enforce these Regulations; and a reference in the provisions applied to these Regulations by sub-paragraph (2) to an “enforcement authority” shall be construed accordingly.

(2) Sections 14, 15, 28 to 35, 37, 38, 44 and 47 of the Consumer Protection Act 1987, shall apply for the purposes of providing for the enforcement of these Regulations and in respect of proceedings for contravention thereof as if—

- (a) references to safety provisions were references to these Regulations;
- (b) references to goods were references to apparatus as the context may require;
- (c) in section 14, in sub-section (6), for “six months” there was substituted “three months”;
- (d) references to proceedings for the forfeiture of goods under section 16 or 17 were references to the forfeiture of apparatus under paragraph 3 or 4.
- (e) in sections 28, 29, 30, 33, 34 and 35, the words “or any provision made by or under Part III of this Act” on each occasion that they occur, were omitted;
- (f) in section 28, sub-sections (3), (4), and (5) were omitted;
- (g) in section 29, sub-section (4) was omitted;
- (h) in section 30, sub-sections (7) and (8) were omitted; and
- (i) in section 38(1), paragraphs (a) and (b) were omitted.

(3) Sections 39 and 40 of the 1987 Act shall apply to offences under section 32 of that Act as it is applied to these Regulations by sub-paragraph(2).

(4) In England and Wales, a magistrates' court may try an information in respect of an offence committed under these Regulations if the information is laid within twelve months from the time when the offence is committed, and in Scotland summary proceedings for such an offence may be begun at any time within twelve months from the time when the offence is committed.