

SCHEDULE 5

ENFORCEMENT

Powers of other enforcement authorities

11. In relation to the enforcement of these Regulations by local weights and measures authorities, Northern Ireland district councils or the Secretary of State—

(a) sections 14, 15, ^{F1}...35, 37 ^{M1}, 44 and 47 ^{M2} of the 1987 Act shall apply as provided in paragraph 12;

^{F2}(b)

F1 Words in Sch. 5 para. 11(a) omitted (1.10.2015) by virtue of [The Consumer Rights Act 2015 \(Commencement No. 3, Transitional Provisions, Savings and Consequential Amendments\) Order 2015 \(S.I. 2015/1630\)](#), art. 1, **Sch. 2 para. 118(a)** (with art. 8)

F2 Sch. 5 para. 11(b) omitted (1.10.2015) by virtue of [The Consumer Rights Act 2015 \(Commencement No. 3, Transitional Provisions, Savings and Consequential Amendments\) Order 2015 \(S.I. 2015/1630\)](#), art. 1, **Sch. 2 para. 118(b)** (with art. 8)

Marginal Citations

M1 Section 37 was amended by the [Commissioners for Revenue and Customs Act 2005 \(c.11\)](#), Schedule 4, paragraph 36.

M2 Section 47(2) was amended by the [Civil Partnerships Act 2004 \(c.33\)](#), Schedule 27, paragraph 126.

12. For the purposes of the enforcement of these Regulations by local weights and measures authorities, Northern Ireland district councils or the Secretary of State, and in respect of any related proceedings for contravention of these Regulations, the provisions specified in paragraph 11 shall apply as if—

- (a) references to safety provisions were references to these Regulations;
- (b) references to goods were references to machinery or partly completed machinery, or a machine or partly completed machine, as the context may require;
- (c) references to an “enforcement authority” were to the local weights and measures authority or Northern Ireland district council concerned, or to the Secretary of State, as appropriate;
- (d) in section 14, in subsection (6), for “six months” there were substituted “ three months ”;

^{F3}(e)

^{F3}(f)

^{F3}(g)

^{F3}(h)

F3 Sch. 5 para. 12(e)-(h) omitted (1.10.2015) by virtue of [The Consumer Rights Act 2015 \(Commencement No. 3, Transitional Provisions, Savings and Consequential Amendments\) Order 2015 \(S.I. 2015/1630\)](#), art. 1, **Sch. 2 para. 119** (with art. 8)

13. In relation to proceedings for an offence in relation to machinery or partly completed machinery which is not for use at work—

(a) in Great Britain, section 34 of the 1974 Act shall apply as if—

(i) paragraphs (a) and (b) of subsection (1) were omitted;

Changes to legislation: *There are currently no known outstanding effects for the The Supply of Machinery (Safety) Regulations 2008, Powers of other enforcement authorities. (See end of Document for details)*

- (ii) references to an “enforcing authority” were references to local weights and measures authorities and the Secretary of State, and “responsible enforcing authority” were construed accordingly;
 - (iii) references to “relevant statutory provisions” were references to these Regulations; and
 - (iv) in subsection (3), for “six months” there were substituted “ twelve months ”; and
- (b) in Northern Ireland, Article 32 of the 1978 Order shall apply as if—
- (i) sub-paragraphs (a) and (b) of paragraph (1) were omitted;
 - (ii) references to an “enforcing authority” were references to Northern Ireland district councils, and “responsible enforcing authority” were construed accordingly;
 - (iii) references to “relevant statutory provisions” were references to these Regulations; and
 - (iv) in paragraph (3), for “six months” there were substituted “ twelve months ”.

Changes to legislation:

There are currently no known outstanding effects for the The Supply of Machinery (Safety) Regulations 2008, Powers of other enforcement authorities.