
STATUTORY INSTRUMENTS

2009 No. 2824

The Aerosol Dispensers Regulations 2009

PART 3

SUPPLEMENTARY

Contravention of these Regulations

6.—(1) For the purposes of the Consumer Protection Act 1987 these Regulations, with the exception of regulation 3(8)(b) and (c), are safety regulations made under section 11 of that Act.

(2) Regulation 3(8)(b), which is not made under that Act, shall be treated as if it was a safety regulation made for all purposes under section 11 of that Act.

(3) Notwithstanding section 12(5) of the Consumer Protection Act 1987 any person guilty of an offence under that section of contravening the prohibition in regulation 5(a) by reason only of a failure to comply with regulation 3(8)(b) shall be liable, on summary conviction, to a fine not exceeding level 5 on the standard scale or to a term of imprisonment not exceeding 3 months or both.

Amendments

7. Subject to regulation 8, the Schedule (which contains revocations and an amendment) shall have effect.

Transitional provision

8.—(1) Regulations 4 and 5(a) do not prohibit the supply of, or possession for supply of, an aerosol dispenser which, before 29th April 2010, was marked with the reversed epsilon marking in accordance with the provisions of the Aerosol Dispensers (EEC Requirements) Regulations 1977(1).

(2) Paragraph (1) does not apply after 28th October 2010.