
STATUTORY INSTRUMENTS

2011 No. 1881

CONSUMER PROTECTION

The Toys (Safety) Regulations 2011

Made - - - - 24th July 2011

Laid before Parliament 29th July 2011

Coming into force 19th August 2011

THE TOYS (SAFETY) REGULATIONS 2011

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1. Citation and commencement
2. Revocation, saving and amendment
- 2A Transitional provision in relation to EU Exit
3. Interpretation
- 3A Designated standard
- 3B Annexes to EU legislation as Schedules
4. Toys to which these Regulations apply
5. Essential safety requirements
6. Particular safety requirements for toys placed on the market before 20th July 2013
7. Presumption of conformity
8. Exception for trade fairs or exhibitions
9. Parts 1 and 2 are safety regulations within the meaning of the 1987 Act

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Prohibitions and Obligations on Economic Operators

Manufacturers and their authorised representatives

10. Prohibitions on placing toys on the market
11. Design and manufacture of toys in accordance with essential safety requirements
12. Safety assessment
13. Applicable conformity assessment procedures
14. Application for Type examination
15. Declaration of conformity and UK marking

Changes to legislation: There are currently no known outstanding effects for the *The Toys (Safety) Regulations 2011*. (See end of Document for details)

- 15A UK(NI) indication
- 15B Register of UK notified bodies
- 16. (1) The ... declaration of conformity must state that it...
- 17. Technical documentation and correspondence relating to Type examination
- 18. Toys to bear UK marking
- 19. Information identifying toy and manufacturer
- 20. Instructions for use, safety information and warnings
- 21. Compliance procedures for series production
- 22. Submission of Type examination certificate for review
- 23. Monitoring of toys
- 24. Non-compliant toys and toys presenting a risk
- 25. Manufacturer's authorised representative

Importers

- 26. Prohibitions on placing toys on the market
- 27. Information identifying importer
- 28. Storage or transport of toys
- 29. Monitoring of toys
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- 32. Duty in certain circumstances to comply with manufacturers' duties in place of importers' duties

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- 33. Duty to act with due care and prohibitions on making toys available on the market
- 34. Storage or transport of toys under distributor's responsibility
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- 40B Approval of conformity assessment bodies
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- 41. UK national accreditation body

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Functions of Approved Bodies

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- 43. Performance of Type examinations
- 44. Issue and content of Type examination certificate, and refusal and appeal against refusal to issue certificate
- 45. Action (after issue of Type examination certificate) where a toy fails to comply with essential safety requirements
- 46. Provision of information by approved bodies to other approved bodies
- 47. Instructions to approved bodies in relation to Type examination certificates
- 48. Participation by UK notified bodies in sectoral groups of notified bodies
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- 53. Enforcement action in cases of toys presenting a risk
- 54. Notification of enforcement action taken in cases of toys presenting a risk
- 55. Requirements relating to certain measures taken by enforcement authorities or other persons
- 55A Offence in respect of UK(NI) indication
- 56. Commencement of proceedings
- 57. Amendment to the General Product Safety Regulations 2005

PART 6

Review

- 58. Review
Signature

SCHEDULE 1 — PRODUCTS THAT ARE NOT TOYS (Annex I to the Directive)

- 1. Products listed in paragraphs 2 to 20 are not to...
- 2. Decorative objects for festivities and celebrations.
- 3. Products for collectors, provided that the product or its packaging...
- 4. Sports equipment, including roller skates, inline skates, and skateboards intended...
- 5. Bicycles with a maximum saddle height of more than 435...

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6. Scooters and other means of transport designed for sport or...
7. Electrically driven vehicles which are intended to be used for...
8. Aquatic equipment intended to be used in deep water, and...
9. Puzzles with more than 500 pieces.
10. Guns and pistols using compressed gas, with the exception of...
11. Fireworks, including percussion caps which are not specifically designed for...
12. Products and games using sharp-pointed missiles, such as sets of...
13. Functional educational products, such as electric ovens, irons or other...
14. Products intended for use for educational purposes in schools and...
15. Electronic equipment, such as personal computers and game consoles, used...
16. Interactive software, intended for leisure and entertainment, such as computer...
17. Babies' soothers.
18. Child-appealing luminaires.
19. Electrical transformers for toys.
20. Fashion accessories for children which are not for use in...

SCHEDULE 2 — PARTICULAR SAFETY REQUIREMENTS (Annex II to the Directive)

Part 1 — Physical and Mechanical Properties

1. Toys and their parts and, in the case of fixed...
2. Accessible edges, protrusions, cords, cables and fastenings on toys must...
3. Toys must be designed and manufactured in such a way...
4. (a) Toys and their parts must not present a risk...
5. Aquatic toys must be designed and manufactured so as to...
6. Toys which it is possible to get inside and which...
7. Toys conferring mobility on their users must, as far as...
8. The form and composition of projectiles and the kinetic energy...
9. Toys must be manufactured so as to ensure that:
10. Toys which are designed to emit a sound must be...
11. Activity toys must be manufactured so as to reduce the...

Part 2 — Flammability

1. Toys must not constitute a dangerous flammable element in the...
2. Toys which, for reasons essential to their functioning, contain substances...
3. Toys other than toy percussion caps must not be explosive...
4. Toys and, in particular, chemical games and toys, must not...

Part 3 — Chemical Properties

1. Toys must be designed and manufactured in such a way...
2. Toys that are themselves substances or mixtures must comply also...
3. Without prejudice to the restrictions referred to in the second...
4. By way of derogation from point 3, substances or mixtures...
5. By way of derogation from point 3, substances or mixtures...
6. Points 3, 4 and 5 do not apply to nickel...
7. Points 3, 4 and 5 do not apply to materials...
8. Without prejudice to the application of points 3 and 4,...
9. Not applicable.
10. Cosmetic toys, such as play cosmetics for dolls, must comply...
11. Toys must not contain the following allergenic fragrances: No Name...
12. The use of the fragrances set out in points 41...
13. Without prejudice to points 3, 4 and 5, the following...

Part 4 — Electrical Properties

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1. Toys must not be powered by electricity of a nominal...
2. Parts of toys which are connected to, or liable to...
3. Electric toys must be designed and manufactured in such a...
4. Under foreseeable fault conditions, toys must provide protection against electrical...
5. Electric toys must provide adequate protection against fire hazards.
6. Electric toys must be designed and manufactured in such a...
7. Toys which have an electronic control system must be designed...
8. Toys must be designed and manufactured in such a way...
9. The electrical transformer of a toy must not be an...

Part 5 — Hygiene

1. Toys must be designed and manufactured in such a way...
2. A toy intended for use by children under 36 months...

Part 6 — Radioactivity

Appendix A — List of CMR substances and their permitted uses in accordance with points 4, 5 and 6 of Part III

Appendix B — Classification of Substances and Mixtures

- A1 In this Appendix— “ Regulation (EC) No 1272/2008 ” means...
1. Criteria for classifying substances and mixtures for the purposes of...
 2. Enactments governing the use of certain substances for the purposes...
 3. Categories of substances and mixtures classified as carcinogenic, mutagenic or...
 4. Categories of substances and mixtures classified as carcinogenic, mutagenic or...
 5. Categories of substances and mixtures classified as carcinogenic, mutagenic or...

Appendix C —

Specific limit values for chemicals used in toys intended for...

SCHEDULE 3 — DECLARATION OF CONFORMITY

1. No (unique identification of the toy(s))
2. Name and address of the manufacturer or the manufacturer's authorised...
3. This declaration of conformity is issued under the sole responsibility...
4. Object of the declaration (identification of toy allowing traceability). It...
5. The object of the declaration described in point 4 is...
6. References to the relevant designated standards used, or references to...
7. Where applicable: the approved body ... (name, number) ... performed...
8. Additional information: Signed for and on behalf of: (place and...

SCHEDULE 4 — TECHNICAL DOCUMENTATION (Annex IV to the Directive)

The technical documentation referred to in regulation 17(3) must contain...

SCHEDULE 5 — WARNINGS (Annex V to the Directive)

PART A — GENERAL WARNINGS

The user limitations referred to in regulation 20(3) must include...

PART B — SPECIFIC WARNINGS AND INDICATIONS OF PRECAUTIONS
TO BE TAKEN WHEN USING CERTAIN CATEGORIES OF
TOYS

1. Toys not intended for use by children under 36 months...
2. Activity toys Activity toys must bear the following warning: ‘Only for...
3. Functional toys Functional toys must bear the following warning: ‘To be...

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4. Chemical toys Without prejudice to the application of the provisions...
5. Skates, roller skates, online skates, skateboards, scooters and toy bicycles...
6. Aquatic toys Aquatic toys must bear the following warning: 'Only to...
7. Toys in food Toys contained in food or co-mingled with...
8. Imitations of protective masks and helmets Imitations of protective masks...
9. Toys intended to be strung across a cradle, cot or...
10. Packaging for fragrances in olfactory board games, cosmetic kits and...

SCHEDULE 6 — CONFORMITY ASSESSMENT PROCEDURES (Annex II to Decision No 768/2008/EC)

MODULE A — Internal production control

1. Internal production control is the conformity assessment procedure whereby the...
2. Technical documentation
3. Manufacturing
- 4.1 UK marking and declaration of conformity
- 4.2 The manufacturer must draw up a written declaration of conformity...
5. Authorised representative

MODULE B — Type examination

1. Type examination is the part of a conformity assessment procedure...
2. Type examination may be carried out in either of the...
3. The manufacturer must lodge an application for Type examination with...
4. The approved body must: For the product:
- 4.1 examine the technical documentation and supporting evidence to assess the...
- 4.2 verify that the specimen(s) have been manufactured in conformity with...
- 4.3 carry out appropriate examinations and tests, or have them carried...
- 4.4 carry out appropriate examinations and tests, or have them carried...
- 4.5 agree with the manufacturer on a location where the examinations...
5. The approved body must draw up an evaluation report that...
6. Where the type meets the requirements of the specific legislative...
7. The approved body must keep itself apprised of any changes...
8. Each approved body must inform the Secretary of State concerning...
9. The manufacturer must keep a copy of the Type examination...
10. The manufacturer's authorised representative may lodge the application referred to...

MODULE C — Conformity to type based on internal production control

1. Conformity to type based on internal production control is the...
2. Manufacturing
- 3.1 Conformity marking and declaration of conformity
- 3.2 The manufacturer must draw up a written declaration of conformity...
4. Authorised representative

SCHEDULE 7 — Approved body requirements

1. A conformity assessment body must be established in the United...
2. (1) A conformity assessment body must be a third-party body...
3. (1) A conformity assessment body, its top level management and...
4. A conformity assessment body, its top level management and the...
5. A conformity assessment body must not engage in any activity,...
6. Conformity assessment bodies must ensure that the activities of their...
7. Conformity assessment bodies and their personnel must carry out the...
8. Conformity assessment bodies must be capable of carrying out the...
9. At all times and for each conformity assessment procedure and...

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10. A conformity assessment body must have the means necessary to...
11. The personnel responsible for carrying out the conformity assessment activities...
12. A conformity assessment body must be able to demonstrate the...
13. The remuneration of the top level management and personnel responsible...
14. A conformity assessment body must have, and must satisfy the...
15. A conformity assessment body must ensure that its personnel observe...
16. Paragraph 15 does not prevent the personnel from providing information...
17. A conformity assessment body must participate in, or ensure that...

Explanatory Note

Changes to legislation:

There are currently no known outstanding effects for the The Toys (Safety) Regulations 2011.