

SCHEDULE 4

Regulation 7(2)

Enforcement

- 1.—(1) For the purposes of providing for the enforcement of these Regulations —
- (a) sections 14, 15, 31, 32, 37, 44 and 47 of the 1987 Act apply and, in respect of proceedings for contravention of those sections, as if—
 - (i) references to safety provisions and to Part II of the 1987 Act were references to these Regulations;
 - (ii) references to goods were references to packaging; and
 - (iii) in section 14, in sub-section (6), for “six months” there were substituted “three months”;
 - (b) sections 39 and 40 of the 1987 Act apply to offences under section 32 of that Act as it is applied to these Regulations by sub-paragraph (a);
 - (c) [^{F1}in England and Wales, and Northern Ireland,] a magistrates’ court may try an information in respect of an offence committed under these Regulations if the information is laid within 12 months from the time when the offence is committed; and
 - (d) [^{F2}in Scotland summary proceedings for an offence committed under these Regulations may be begun at any time within 12 months from the time when the offence is committed.]

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| <p>F1 Words in Sch. 4 para. 1(1)(c) omitted (N.I.) (31.12.2020) by virtue of The Hazardous Substances and Packaging (Legislative Functions and Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1647), regs. 1(3), 15(11)(a)(i)</p> <p>F2 Sch. 4 para. 1(1)(d) omitted (N.I.) (31.12.2020) by virtue of The Hazardous Substances and Packaging (Legislative Functions and Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1647), regs. 1(3), 15(11)(a)(ii)</p> |
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2. Nothing in this Schedule authorises any enforcement authority to bring proceedings in Scotland for an offence.

3. An enforcement authority must, whenever the Secretary of State so directs, make a report to the Secretary of State on the exercise of the functions exercisable by that authority under these Regulations.

Changes to legislation:

There are currently no known outstanding effects for the The Packaging (Essential Requirements) Regulations 2015, SCHEDULE 4.