

STATUTORY INSTRUMENTS

2016 No. 1091

The Electromagnetic Compatibility Regulations 2016

PART 2

Obligations of economic operators

Manufacturers

Manufacturer's duty to take action in respect of apparatus placed on the market which is considered not to be in conformity **E+W+S**

15.—(1) A manufacturer who considers, or has reason to believe, that apparatus which the manufacturer has placed on the market is not in conformity with Part 2 must immediately take the corrective measures necessary to—

- (a) bring the apparatus into conformity;
- (b) withdraw the apparatus; or
- (c) recall the apparatus.

(2) Where the apparatus presents a risk, the manufacturer must immediately inform the market surveillance authority, ^{F1}... giving details of, in particular—

- (a) the respect in which the apparatus is considered not to be in conformity with Part 2; and
- (b) any corrective measures taken.

Extent Information

E1 This version of this provision extends to England, Wales and Scotland only; a separate version has been created for Northern Ireland only

Textual Amendments

F1 Words in [reg. 15\(2\)](#) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 20 para. 12](#) (with [Sch. 20 para. 33](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Manufacturer's duty to take action in respect of apparatus placed on the market which is considered not to be in conformity **N.I.**

15.—(1) A manufacturer who considers, or has reason to believe, that apparatus which the manufacturer has placed on the market is not in conformity with Part 2 must immediately take the corrective measures necessary to—

- (a) bring the apparatus into conformity;
- (b) withdraw the apparatus; or
- (c) recall the apparatus.

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent
Changes to legislation: There are currently no known outstanding effects for the The Electromagnetic Compatibility Regulations 2016, Section 15. (See end of Document for details)

- (2) Where the apparatus presents a risk, the manufacturer must immediately inform the market surveillance authority, and the competent national authorities of any other [F2 relevant state] in which the manufacturer has made the apparatus available on the market, giving details of, in particular—
- (a) the respect in which the apparatus is considered not to be in conformity with Part 2; and
 - (b) any corrective measures taken.

Textual Amendments

- F2** Words in [reg. 15\(2\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 8 para. 3\(2\)](#)

Status:

There are multiple versions of this provision on screen. These apply to different geographical extents.

Skip to:

- E+W+S - England, Wales and Scotland extent
- N.I. - Northern Ireland extent

Changes to legislation:

There are currently no known outstanding effects for the The Electromagnetic Compatibility Regulations 2016, Section 15.