
STATUTORY INSTRUMENTS

2016 No. 1091

The Electromagnetic Compatibility Regulations 2016

PART 2

Obligations of economic operators

Importers

Importer's duty to take action in respect of apparatus placed on the market which is considered not to be in conformity

23.—(1) An importer who considers or has reason to believe that apparatus that the importer 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 importer must immediately inform the market surveillance authority and the competent authorities of any member State in which the importer has made the apparatus available on the market of the risk, giving details of—

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