

## SCHEDULE 10

### Enforcement and investigatory powers conferred on the enforcing authority and the market surveillance authority

## PART 2

### Notices

#### **Compliance notice**

4.—(1) An enforcing authority may serve a compliance notice on a relevant economic operator in respect of radio equipment if the authority has reasonable grounds for believing that there is non-compliance.

(2) A compliance notice must—

(a) require the relevant economic operator on which it is served to—

- (i) end the non-compliance within such period as may be specified in the notice, or
- (ii) provide evidence, within such period as may be specified in the notice, demonstrating to the satisfaction of the enforcing authority that the non-compliance has not in fact occurred, and

(b) warn the economic operator that, if the non-compliance persists beyond, or if satisfactory evidence has not been produced within, the period specified in the notice, further action may be taken in respect of the radio equipment or any radio equipment of the same type made available on the market by that relevant economic operator.

(3) A compliance notice may include directions as to the measures to be taken by the economic operator to secure compliance, including different ways of securing compliance.

(4) Subject to sub-paragraph (5), an enforcing authority may revoke or vary a compliance notice by serving a notification on the economic operator.

(5) An enforcing authority may not vary a compliance notice so as to make it more restrictive for the economic operator or more onerous for the economic operator to comply.