#### STATUTORY INSTRUMENTS

### 2018 No. 390

# CONSUMER PROTECTION HEALTH AND SAFETY

## The Personal Protective Equipment (Enforcement) Regulations 2018

Made---20th March 2018Laid before Parliament21st March 2018Coming into force21st April 2018

### THE PERSONAL PROTECTIVE EQUIPMENT (ENFORCEMENT) REGULATIONS 2018

#### PART 1

#### Preliminary

- 1. Citation, commencement and interpretation
- 2. Application, transitional provisions, savings and revocation
- 2A Obligations which are met by complying with obligations in Regulation 2016/425 (pre-exit)
- 2B Conformity assessment procedure obligation which is met by complying with Regulation 2016/425 (pre-exit)
- 2C Expiry of regulations 2A and 2B
- 2D Qualifying Northern Ireland Goods

#### PART 2

#### Market Surveillance and Enforcement

- 3. Designation of market surveillance authorities
- 4. Enforcement Authorities
- 5. Enforcement Powers
- 6. Notification to the Secretary of State of enforcement action etc
- 6A Information obligations
- 7. Offences
- 8. Penalties
- 9. Defence of due diligence

- 10. Liability of persons other than the principal offender
- 11. Time limit for prosecution of offences
- 12. Written notice under Article 38 and service of documents
- 13. Appeals against notices
- 14. Appropriate court for appeals against notices etc and further appeals
- 15. Compensation
- 16. Recovery of expenses of enforcement
- 17. Action by enforcement authority

#### PART 3

#### Miscellaneous

- 18. Review and consequential amendments
- 19. Schedule 5 (consequential amendments) makes amendments to legislation which are...

#### PART 4

#### Provisions in respect of the UK(NI) indication

- 20. Interpretation
- 21. UK(NI) indication
- 22. United Kingdom notified bodies
- 23. Register of notified bodies established in the United Kingdom
- 24. Offence in relation to the UK(NI) indication Signature

SCHEDULE 1 — Enforcement Powers of Weights and Measures Authorities, District Councils and the Secretary of State under the 1987 Act

- 1. Enforcement powers under the 1987 Act
- 2. Modifications to the 1987 Act

SCHEDULE 2 — Enforcement Powers of the Health and Safety Executive and the Office for Nuclear Regulation under the 1974 Act

- 1. Enforcement powers under the 1974 Act
- 2. Modifications to the 1974 Act

SCHEDULE 3 — Enforcement Powers of the Health and Safety Executive for Northern Ireland under the 1978 Order

- 1. Enforcement Powers under the 1978 Order
- 2. Modifications to the 1978 Order

SCHEDULE 4 — Compliance, Withdrawal and Recall Notices

- 1. Compliance notice
- 2. Withdrawal notice
- 3. Recall notice
- 4. Interpretation

#### SCHEDULE 5 — Consequential Amendments

- Amendment of the Personal Protective Equipment at Work Regulations 1992
- 2. Amendment of the Control of Lead at Work Regulations 2002

Changes to legislation: There are currently no known outstanding effects for the The Personal Protective Equipment (Enforcement) Regulations 2018. (See end of Document for details)

- 3. Amendment of the Control of Substances Hazardous to Health 2002
- 4. Amendment of the Control of Lead at Work Regulations (Northern Ireland)
- 5. Amendment of the Control of Substances Hazardous to Health Regulations (Northern Ireland) 2003
- 6. Amendment of the Enterprise Act 2002 (Part 9 Restrictions of Disclosure of Information) (Specification) Order 2004
- 7. Amendment of the Control of Noise at Work Regulations 2005
- 8. Amendment of the Control of Noise at Work Regulations (Northern Ireland) 2006
- 9. Amendment of the Legislative and Regulatory Reform (Regulatory Functions) Order 2007
- 10. Amendment of the REACH Enforcement Regulations 2008
- 11. Amendment of the Co-ordination of Regulatory Enforcement (Regulatory Functions in Scotland and Northern Ireland) Order 2009
- 12. Amendment of the Control of Asbestos Regulations 2012
- 13. Amendment of the Control of Asbestos Regulations (Northern Ireland) 2012
- 14. Amendment of the Ionising Radiations Regulations 2017
- 15. Amendment of the Ionising Radiations Regulations (Northern Ireland) 2017

**Explanatory Note** 

Changes to legislation:
There are currently no known outstanding effects for the The Personal Protective Equipment (Enforcement) Regulations 2018.