

These notes refer to the Product Liability (Amendment) Act (Northern Ireland) 2001 (c.13) which received Royal Assent on 20 July 2001

Product Liability (Amendment) Act (Northern Ireland) 2001

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 1: Product liability: repeal of exclusion for game and agricultural produce

Section 1 repeals an existing exemption which has applied to primary agricultural products, defined in the earlier 1985 Directive as meaning products of the soil, of stock farming and of fisheries which have not undergone “initial processing”. The effect will be that an action may be taken if it can be proved that such a product caused an injury or illness and that product can be traced back to its origin. A summary of the various matters relating to the 1985 Directive which will now apply to such products is enclosed at Annex B.

Section 2: Power to modify enactments in consequence of modification of product liability Directive.

Section 2 substitutes an existing power of the Secretary of State to modify enactments in consequence of modification of the product liability Directive with the appropriate Northern Ireland Department. This will permit any future changes to the original Directive to be effected by the more straightforward process of secondary legislation.