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## STATUTORY INSTRUMENTS

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# 1994 No. 3260

## The Electrical Equipment (Safety) Regulations 1994

### Regulations to be treated as safety regulations within the meaning of the 1987 Act

17.—(1) Subject to paragraph (2) below, these Regulations shall be treated for all purposes as if they were safety regulations within the meaning of section 45(1) of the 1987 Act.

(2) Where a contravention of regulation 14 above arises from the supply of electrical equipment which fails to satisfy the requirements of regulation 5(1) above or of goods which would cause the relevant equipment to contravene those requirements because there is in each case a risk of death or injury to domestic animals or damage to property, or both, but no risk of the death of a person or of personal injury, the person who contravenes regulation 14 shall be guilty of an offence punishable on summary conviction with imprisonment for not more than three months or with a fine not exceeding level five on the standard scale.

(3) Without prejudice to the provisions of paragraphs (1) and (2) above and the provisions of Part IV of the 1987 Act, in so far as these Regulations apply in relation to such electrical equipment as is mentioned in paragraph (4) below—

(a) the Health and Safety Executive (“the Executive”) (or, for Northern Ireland, the Department for Economic Development (“the Department”)) may make arrangements for the enforcement of these Regulations, and

(b) the provisions of the Health and Safety at Work etc Act 1974 (“the 1974 Act”) (or the Health and Safety at Work (Northern Ireland) Order 1978 (“the 1978 Order”)) mentioned in paragraph (5) below shall apply as if—

(i) these Regulations were health and safety regulations and, accordingly, relevant statutory provisions within the meaning of the 1974 Act (or the 1978 Order),

(ii) any reference therein to an enforcing authority were a reference to the Executive (or the Department),

(iii) any reference therein to any provision of the 1974 Act (or the 1978 Order) were a reference to that provision as, and so far as, it is applied by this paragraph,

and section 34(3) of the 1974 Act and article 32(3) of the 1978 Order shall have effect with the substitution for the words “six months” of the words “twelve months”.

(4) The electrical equipment referred to in paragraph (3) above is—

(a) electrical equipment designed for use or operation, whether exclusively or not, by persons at work; and

(b) electrical equipment designed for use, otherwise than at work, in non-domestic premises made available to persons at a place where they may use the equipment provided for their use there.

(5) The provisions referred to in paragraph (3) above are sections 18(6) and (7)(b), sections 19 to 26 (save for subsections (3), (4) and (6) of section 23), subsections (1)(e) to (h) and (o), (2), (2A), (3) (save for the words “Subject to any provision made by virtue of section 15(6)(d) or (e) or by virtue of paragraph 2(2) of Schedule 3”) and (4)(e) of section 33, section 34(3), (4) and (5), sections 35 to 39 (save for subsection (3) of section 36) and section 42 of the 1974 Act and articles 2(3), 21

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to 28, paragraphs (1)(e) to (1), (2), (4), (5)(d) and (e) and (6) of article 31, paragraphs (3) and (4) of article 32 and articles 33 to 36 of the Order.

(6) The Executive or the Department shall, where action has been taken by it to prohibit or restrict the supply of any electrical equipment which bears the CE marking, forthwith inform the Secretary of State of the action taken, and the reason for it.

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**Commencement Information**

**II** Reg. 17 in force at 9.1.1995, see [reg. 1](#)

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**Changes and effects yet to be applied to :**

- Regulations disapplied in part by [S.I. 2000/730 reg. 1\(3\)](#)
- Regulations revoked by [S.I. 2016/1101 reg. 63](#)
- reg. 17(3)(a) words substituted by [S.I. 2014/469 Sch. 3 para. 58\(2\)\(a\)](#)
- reg. 17(3)(b)(ii) words substituted by [S.I. 2014/469 Sch. 3 para. 58\(2\)\(b\)](#)
- reg. 17(6) words substituted by [S.I. 2014/469 Sch. 3 para. 58\(3\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 17(7) inserted by [S.I. 2014/469 Sch. 3 para. 58\(4\)](#)