
STATUTORY INSTRUMENTS

2005 No. 1803

The General Product Safety Regulations 2005

PART 4

MISCELLANEOUS

Implementation of Commission decisions

35.—(1) This regulation applies where the Commission adopts a decision pursuant to article 13 of the GPS Directive.

(2) The Secretary of State shall—

(a) take such action under these Regulations, or

(b) direct another enforcement authority to take such action under these Regulations

as is necessary to comply with the decision.

(3) Where an enforcement authority serves a safety notice pursuant to paragraph (2), the following provisions of these Regulations shall not apply in relation to that notice, namely regulations 14(3), 15(4) to (6) and 16(1), 16(2)(c) and (d), 16(5) to (7) and 17.

(4) Unless the Commission's decision provides otherwise, export from the Community of a dangerous product which is the subject of such a decision is prohibited with effect from the date the decision comes into force.

(5) The enforcement of the prohibition in paragraph (4) shall be treated as an assigned matter within the meaning of section 1(1) of the Customs and Excise Management Act 1979⁽¹⁾.

(6) The measures necessary to implement the decision shall be taken within 20 days, unless the decision specifies a different period.

(7) The Secretary of State or, where the Secretary of State has directed another enforcement authority to take action under paragraph (2)(b), that enforcement authority shall, within one month, give the parties concerned an opportunity to submit their views and shall inform the Commission accordingly.