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## STATUTORY INSTRUMENTS

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# 2018 No. 816

## The Cableway Installations Regulations 2018

### PART 4

#### Market surveillance and enforcement

##### Enforcement in Northern Ireland

**22.**—(1) The Executive must make adequate arrangements for the enforcement of the Regulatory Provisions in Northern Ireland and accordingly a reference to an “enforcing authority” in the provisions applied for the purposes of such enforcement by paragraphs (2) and (3) is to be construed as a reference to the Executive.

(2) Subject to paragraph (4), the provisions of the 1978 Order specified in paragraph (3) apply for the purposes of the enforcement in Northern Ireland of the Regulatory Provisions as if they were health and safety regulations for the purposes of that Order, and any function of the Executive under those or any other provisions of that Order, under or in respect of health and safety regulations (including their enforcement) apply as if the Regulatory Provisions were health and safety regulations for the purposes of that Order.

(3) The provisions of the 1978 Order referred to in paragraph (2) are—

- (a) articles 21 to 24 (inspectors, improvement notices and prohibition notices);
- (b) articles 25 (provisions supplementary to articles 23 and 24) and 26 (appeal against improvement or prohibition notice);
- (c) article 27A (power of customs officers to detain articles and substances);
- (d) article 28 (power to indemnify inspectors);
- (e) article 29 (obtaining of information) and article 29A (information communicated by the Commissioners of Customs and Excise);
- (f) article 31(1)(c) and (e) to (i) and (k) to (o), article 31(2) and articles 32 to 39 (provisions as to offences);
- (g) articles 44(1) to (3) (application to the Crown); and
- (h) Schedule 3A.

(4) A failure to discharge a duty placed on the Executive by the Regulatory Provisions is not an offence under article 31(1)(c) of the 1978 Order.

**Changes to legislation:**

There are currently no known outstanding effects for the The Cableway Installations Regulations 2018, Section 22.