
STATUTORY INSTRUMENTS

2021 No. 858

**CONSUMER PROTECTION,
NORTHERN IRELAND
ELECTROMAGNETIC COMPATIBILITY,
NORTHERN IRELAND
ENVIRONMENTAL PROTECTION,
NORTHERN IRELAND
HEALTH AND SAFETY, NORTHERN IRELAND
MARKET STANDARDS, NORTHERN IRELAND
TELECOMMUNICATIONS,
NORTHERN IRELAND
WEIGHTS AND MEASURES,
NORTHERN IRELAND**

The Market Surveillance (Northern Ireland) Regulations 2021

Made - - - - - *15th July 2021*

Coming into force *16th July 2021*

**THE MARKET SURVEILLANCE
(NORTHERN IRELAND) REGULATIONS 2021**

1. Citation, commencement and extent
2. Interpretation
3. Application
4. Designation of market surveillance authorities
5. Enforcement powers giving effect to Article 14(4) of the MSC Regulation
6. Enforcer's legislation
7. Table of enforcer's legislation

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Market Surveillance (Northern Ireland) Regulations 2021. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

8. Offences
 9. Amendment of Schedule 5 to the Consumer Rights Act 2015
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SCHEDULE 1 — Investigatory powers

1. Interpretation of terms used in this Schedule
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3. Procedure for notice under paragraph 2
4. Enforcement of notice under paragraph 2
5. Limitations on use of information provided in response to a notice under paragraph 2
6. Power to purchase products
7. Power to observe carrying on of a business etc
8. Power to enter premises without a warrant
9. Application of paragraphs 10 to 17
10. Power to inspect products etc
11. Power to test equipment
12. Power to require the production of documents
13. Power to seize and detain products
14. Power to seize documents required as evidence
15. Power to decommission or switch off fixed installations
16. Power to decommission or switch off any medical device
17. Power to break open container etc
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20. Power to require assistance from person on premises
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22. Offence of purporting to act as an officer
23. Access to seized products and documents
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25. Appeals against detention of products and documents
26. Compensation
27. Powers of a district council
28. Civil proceedings
29. Criminal proceedings

SCHEDULE 2 — Powers under the Consumer Protection Act 1987

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

SCHEDULE 3 — Powers under the Health and Safety at Work (Northern Ireland) Order 1978

1. HSAW enforcer
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SCHEDULE 4 — Notices

1. Compliance Notice
2. Withdrawal Notice
3. Recall notice
4. Appeals against notices

5. Appropriate court for appeals against notices etc and further appeals

SCHEDULE 5 — Information Society Service Providers

1. Online interface notice
2. This paragraph applies where the enforcer considers that service of...
3. An online interface notice must specify only such steps as...
4. An ISSP must take the steps specified in an online...
5. The duty imposed by paragraph (4) is enforceable only—
6. For the purposes of this Schedule, “ISSP” means an information...

SCHEDULE 6 — Offences

1. Offences
2. Penalties
3. Defence of due diligence
4. Liability of persons other than the principal offender
5. Time limit for prosecution of offences

Explanatory Note

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Market Surveillance (Northern Ireland) Regulations 2021. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Sch. 1 para. 16(2) substituted by [S.I. 2024/221 reg. 26\(b\)\(i\)](#)
- Sch. 1 para. 16(3)(a)(iv) word omitted by [S.I. 2024/221 reg. 26\(b\)\(ii\)](#)
- Sch. 1 para. 1 words inserted by [S.I. 2024/221 reg. 26\(a\)](#)

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):

- Sch. 1 para. 16(3)(a)(v) inserted by [S.I. 2024/221 reg. 26\(b\)\(ii\)](#)