

“Who-is-who” in PROSAFE and EMARS



United Kingdom

Introduction

Great Britain is a constitutional Monarchy with a bicameral parliamentary system. The unitary state consisting of the four countries England, Scotland, Wales and Northern Ireland covers a territory of 242,900 km² (this number does not consider the 14 overseas territories left over from the British Empire). It is the biggest island state in Europe and with around 61 million people Great Britain has the third biggest population within the European Union. The country has joined the EU in January 1973. The seat of government and biggest city is London with about 7.2 million people living in the metropolitan area. There are however three national administrations in Belfast (Northern Ireland), Cardiff (Wales) and Edinburgh (Scotland). The major export markets for Great Britain are the United States and the European Union. The principle export goods are fuels, chemicals, food, beverages, tobacco and manufactured goods. Britain's major suppliers with machinery, fuels, foodstuffs and manufactured goods (and others) are the United States, the European Union and China.

Product Safety Legislation

Most important changes to the consumer law of the United Kingdom have been taken with the “Consumer Protection Act” of 1987. It imposed new demands on producers concerning the safety of their products- they can be sued directly by any individual injured by their defective goods and prosecuted if they fail to meet the new comprehensive general safety requirement and any other safety provision. The first part of the Consumer Protection Act implemented Directive 85/374/EEC concerning liability for defective products, the second part created government powers to regulate the safety of consumer products through the Statutory Instruments (is the principal form in which delegates or secondary legislation is made in Great Britain) and the third part defines a criminal offence of giving a misleading price indication. The General Product Safety Directive (GPSD) has been implemented with the General Product safety regulations of 2005.

Implementation of several European Directives concerning consumer product safety:

- General Product Safety Directive (2001/95/EC)
implemented by The General Product Safety Regulations 2005-
<http://www.opsi.gov.uk/si/si2005/20051803.htm>
- Low Voltage Directive (93/68/EEC)
implemented by The Electrical Equipment (Safety) Regulations 1994 -
http://www.opsi.gov.uk/SI/si1994/Uksi_19943260_en_1.htm
- Toy Directive (88/378/EEC)
implemented by The Toys (Safety) Regulations 1995 -
http://www.opsi.gov.uk/si/si1995/Uksi_19950204_en_1.htm
- Electromagnetic Compatibility (EMC) Directive (89/336/EEC)
implemented by The Electromagnetic Compatibility Regulations 1992 -
http://www.opsi.gov.uk/SI/si1992/Uksi_19922372_en_1.htm
- Personal Protective Equipment Directive (89/686/EEC)
Implemented by The Personal Protective Equipment at Work Regulations 1992 and The Personal Protective Equipment (EC Directive) Regulations 1992 -
http://www.opsi.gov.uk/SI/si1992/Uksi_19922966_en_1.htm
and http://www.opsi.gov.uk/SI/si1992/Uksi_19923139_en_1.htm
- Gas Appliances Directive (90/396/EEC)
implemented by The Gas Appliances (Safety) Regulations 1995 -
http://www.opsi.gov.uk/si/si1995/Uksi_19951629_en_1.htm
- Machinery Directive (98/37/EC)
implemented by The Supply of Machinery (Safety) Regulations 1992, as amended by The Supply of Machinery (Safety) (Amendment) Regulations 1994 -
http://www.opsi.gov.uk/SI/si1992/Uksi_19923073_en_1.htm and
http://www.opsi.gov.uk/SI/si1994/Uksi_19942063_en_1.htm
- Radio Equipment and Telecommunications Terminal Equipment (R&TTE) Directive (1999/5/EC)
implemented by The Radio Equipment and Telecommunications Terminal Equipment Regulations 2000 (as amended) -
<http://www.opsi.gov.uk/si/si2000/20000730.htm> ;
<http://www.opsi.gov.uk/si/si2003/20031903.htm> and
<http://www.opsi.gov.uk/SI/si2003/20033144.htm>

For possible additions see also list on EC website for New Approach and Global Approach:
<http://ec.europa.eu/enterprise/newapproach/legislation/directives/table1.htm>

Market surveillance Practice

The enforcement of implementing the General Product Safety Directive (2001/95/EC) lies in the responsibility of local governments (there are 202 local authorities in the UK). LACORS (Local Authorities Coordinators of Regulatory Services) is the local government central body

responsible for overseeing local authority regulatory and related services in the UK (<http://www.lacors.gov.uk/lacors/Home.aspx>).

The national authority competent for the following directives is the Department of Trade and Industry (<http://www.dti.gov.uk/consumers/Safety/index.htm>):

- Low Voltage Directive (73/23/EEC) – the same as with GPSD
- Toy Directive (88/378/EEC) – the same as with GPSD
- Electromagnetic Compatibility (EMC) Directive (89/336/EEC) - the same as with GPSD
- Personal Protective Equipment Directive (89/686/EEC) - the same as with GPSD
- Gas appliances Directive (90/396/EEC) - the same as with GPSD
- Machine Directive (98/37/EC) – Where it is industrial machinery, it is the responsibility of the Health and Safety Executive (<http://www.hse.gov.uk>) and where it is consumer products, it is the responsibility of the local authorities.

The competent authority for the enforcement of the implementing legislation for the
· Radio equipment and telecommunications terminal equipment (R&TTE) Directive (1999/5/EC)

is Ofcom (<http://www.ofcom.org.uk>) insofar as action relates to the protection and management of the radio spectrum; otherwise local government etc.

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