

SCHEDULE 2

Article 5

Amendments consequential to the commencement of Schedule 5 to the Consumer Rights Act 2015

Crystal Glass (Descriptions) Regulations 1973

1. Regulation 8 of the Crystal Glass (Descriptions) Regulations 1973⁽¹⁾ is amended as follows.
2. For paragraph (3) substitute—

“(3) Section 26 of the Act of 1968 shall (with necessary modifications) apply in relation to the enforcement of these Regulations as it applies in relation to the enforcement of that Act (modified where appropriate in relation to Northern Ireland as aforesaid).”.
3. Omit paragraph (4).

Measuring Container Bottles (EEC Requirements) Regulations 1977

4. The Measuring Container Bottles (EEC Requirements) Regulations 1977⁽²⁾ are amended as follows.
5. In regulation 7 (duties of manufacturers to keep records), omit paragraph (2).
6. In regulation 8 (powers of inspection and entry)—
 - (a) omit paragraphs (1) to (4); and
 - (b) in paragraph (5) for “by virtue of this Regulation” substitute “for the purposes of these Regulations”.
7. In regulation 10 (offences)—
 - (a) omit paragraphs (2)(b) and (3);
 - (b) in paragraph (4) omit “Regulation 8(2) or”; and
 - (c) omit paragraphs (5) and (6).

Alcoholometers and Alcohol Hydrometers (EEC Requirements) Regulations 1977

8. The Alcoholometers and Alcohol Hydrometers (EEC Requirements) Regulations 1977⁽³⁾ are amended as follows.
9. In regulation 13 (powers of inspection and entry)—
 - (a) omit paragraphs (1) to (4); and
 - (b) in paragraph (5) for “by virtue of this regulation” substitute “for the purposes of these Regulations”.
10. Regulation 14 (obstruction of inspectors) is revoked.
11. In regulation 17 (prosecution and punishment of offences under these Regulations) for “, 13 or 14” substitute “or 13”.

(1) S.I. 1973/1952.

(2) S.I. 1977/932, to which there are amendments not relevant to this Order.

(3) S.I. 1977/1753, amended by S.I. 1985/306; there are other amending instruments but none is relevant.

Nightwear (Safety) Regulations 1985

12. In regulation 10 (test of goods by enforcement authority) of the Nightwear (Safety) Regulations 1985(4), for “Schedule 2 to the Consumer Safety Act 1978 (which relates to the enforcement of safety regulations)” substitute “Schedule 5 to the Consumer Rights Act 2015”.

Measuring Instruments (EEC Requirements) Regulations 1988

13. The Measuring Instrument (EEC Requirements) Regulations 1988(5) are amended as follows.

14. In regulation 26 (powers of inspection and entry)—

- (a) omit paragraphs (1) to (4);
- (b) in paragraph (5) for “by virtue of this Regulation” substitute “for the purposes of these Regulations”; and
- (c) omit paragraphs (6) to (8).

15. Regulation 27 (obstruction of inspectors) is revoked.

Furniture and Furnishings (Fire) (Safety) Regulations 1988

16. Regulations 12 and 13 of the Furniture and Furnishings (Fire) (Safety) Regulations 1988(6) are revoked.

Simple Pressure Vessels (Safety) Regulations 1991

17. The Simple Pressure Vessels (Safety) Regulations 1991(7) are amended as follows.

18. For regulation 19(3) (enforcement) substitute—

“(3) Notwithstanding paragraph (2) above, for the purposes of ascertaining whether or not the CE marking has been properly affixed—

- (a) action may be taken pursuant to the following provisions as they are applied by Schedule 5:
 - (i) in Great Britain in relation to vessels for use at work, section 20 of the Health and Safety at Work etc. Act 1974;
 - (ii) in Northern Ireland in relation to vessels for use at work, Article 22 of the Health and Safety at Work (Northern Ireland) Order 1978; and
 - (iii) in relation to vessels as consumer goods, section 29(4) of the Consumer Protection Act 1987; and
- (b) in relation to vessels as consumer goods action may be taken pursuant to Schedule 5 to the Consumer Rights Act 2015 to the extent that it applies to paragraph 3(a) of Schedule 5.”

19. Paragraph 3 of Schedule 5 (enforcement in relation to vessels as consumer goods) is amended as follows—

- (a) in sub-paragraph (c)—
 - (i) for “28 to” substitute “29(4),”; and
 - (ii) omit paragraphs (iv) to (vi); and

(4) S.I. 1985/2043.

(5) S.I. 1988/186, to which there are amendments not relevant to this Order.

(6) S.I. 1988/1324.

(7) S.I. 1991/2749, amended by S.I. 1994/3908, 2003/1400; there are other amending instruments but none is relevant.

- (b) omit sub-paragraph (d).

Package Travel, Package Holidays and Package Tours Regulations 1992

20. In Schedule 3 to the Package Travel, Package Holidays and Package Tours Regulations 1992⁽⁸⁾ (enforcement) omit paragraphs 3 to 6 and 8.

Electrical Equipment (Safety) Regulations 1994

21. In regulation 18 of the Electrical Equipment (Safety) Regulations 1994⁽⁹⁾ (requirement to give information about electrical equipment which does not bear the CE marking) omit “an enforcement authority”.

Footwear (Indication of Composition) Labelling Regulations 1995

22. Regulation 10 of the Footwear (Indication of Composition) Labelling Regulations 1995⁽¹⁰⁾ (enforcement) is amended as follows.

23. For paragraph (2) substitute—

“(2) Section 26 of the Act of 1968 shall (with necessary modifications) apply in relation to the enforcement of these Regulations as it applies in relation to the enforcement of that Act (modified where appropriate in relation to Northern Ireland as aforesaid).”.

24. Omit paragraph (3).

Lifts Regulations 1997

25. Schedule 15 to the Lifts Regulations 1997⁽¹¹⁾ (enforcement) is amended as follows.

26. In Paragraph 2—

(a) in sub-paragraph (b)—

(i) omit “28 to”; and

(ii) omit paragraphs (iv) to (vii); and

(b) omit sub-paragraph (c).

27. In paragraph 3(3)(a) (enforcement in Northern Ireland in relation to relevant products) omit “and (c)”.

Pressure Equipment Regulations 1999

28. The Pressure Equipment Regulations 1999⁽¹²⁾ are amended as follows.

29. In regulation 24(3) for “or section 29 of the Consumer Protection Act 1987, as they are applied by Schedule 8” substitute “(as they are applied by Schedule 8) or Schedule 5 to the Consumer Rights Act 2015 to the extent that it applies by virtue of paragraph 2(a) or 3(3)(a) of Schedule 8”.

30.—(1) Paragraph 2 of Schedule 8 (enforcement in Great Britain) is amended as follows.

(2) In sub-paragraph (c) omit “28 to”;

(3) Omit paragraphs (c)(iv) to (vii); and

⁽⁸⁾ S.I. 1992/3288, to which there are amendments not relevant to this Order.

⁽⁹⁾ S.I. 1994/3260.

⁽¹⁰⁾ S.I. 1995/2489.

⁽¹¹⁾ S.I. 1997/831, amended by S.I. 2004/693.

⁽¹²⁾ S.I. 1999/2001, amended by S.I. 2002/1267, 2004/693.

- (4) Omit sub-paragraph (d).

Motor Fuel (Composition and Content) Regulations 1999

31. Schedule A1 (enforcement of regulation 5B(3), (5) and (6) in Great Britain, and enforcement of regulation 5B in Northern Ireland, in relation to gas oil and other liquid fuel not intended for use in motor vehicles and related matters) to the Motor Fuel (Composition and Content) Regulations 1999⁽¹³⁾ is amended as follows.

- 32.** Omit paragraph 2(1)(a)(i).

33. In paragraph 4(1) (power of enforcement authorities to obtain information) omit “regulation 5C and”.

Radio Equipment and Telecommunications Terminal Equipment Regulations 2000

34.—(1) Schedule 9 to the Radio Equipment and Telecommunications Terminal Equipment Regulations 2000⁽¹⁴⁾ (Enforcement) is amended as follows.

- (2) In each of paragraphs 7, 8 and 9—

- (a) for each reference to “an enforcement authority” substitute “OFCOM”; and
- (b) for each reference to “the authority” substitute “OFCOM”.

- (3) In paragraph 11 for each reference to “an enforcement authority” substitute “OFCOM”.

(4) In paragraph 12(1) for “an enforcement authority or by an officer of such an authority” substitute “OFCOM or by an officer of OFCOM”.

(5) In paragraph 13(1) for “an enforcement authority exercises any power under paragraph 8 above to seize and detain apparatus, the enforcement authority” substitute “OFCOM exercises any power under paragraph 8 above to seize and detain apparatus, OFCOM”.

Non-Automatic Weighing Instruments Regulations 2000

35. The Non-Automatic Weighing Instruments Regulations 2000⁽¹⁵⁾ are amended as follows.

36. In regulation 38 (powers of inspection and entry)—

- (a) omit paragraphs (1) to (5);
- (b) in paragraph (6) for “by virtue of this regulation” substitute “for the purposes of these Regulations”;
- (c) omit paragraphs (7) and (8).

37. Regulation 39 (obstruction of authorised person etc) is revoked.

38. In regulation 40 (offences and penalties) omit “or 39(1) or (2)”.

39. In Schedule 5 (adaptations for Northern Ireland) omit paragraph 7.

Personal Protective Equipment Regulations 2002

40. The Personal Protective Equipment Regulations 2002⁽¹⁶⁾ are amended as follows.

⁽¹³⁾ S.I. 1999/3107, amended by S.I. 2010/3035.

⁽¹⁴⁾ S.I. 2000/730, amended by S.I. 2003/3144.

⁽¹⁵⁾ S.I. 2000/3236, amended by S.I. 2008/738; there are other amending instruments but none is relevant.

⁽¹⁶⁾ S.I. 2002/1144, amended by S.I. 2004/693; there are other amending instruments but none is relevant.

41. In regulation 16(3) (application of Schedule 10 on enforcement) for “section 29 of the 1987 Act, as it is applied by Schedule 10” substitute “Schedule 5 to the Consumer Rights Act 2015 to the extent that it applies by virtue of paragraph 1(a) of Schedule 10”.

42.—(1) Paragraph 1 of Schedule 10 (enforcement) is amended as follows.

(2) In sub-paragraph (c) omit “28 to”.

(3) Omit paragraphs (c)(iv) to (c)(vii).

Tobacco Products (Manufacture, Presentation and Sale) (Safety) Regulations 2002

43. In regulation 15(2) (enforcement and penalties) of the Tobacco Products (Manufacture, Presentation and Sale) (Safety) Regulations 2002(17) after “1987” insert “and Schedule 5 to the Consumer Protection Act 2015”.

Price Marking Order 2004

44. Article 15 (enforcement) of the Price Marking Order 2004(18) is revoked.

General Product Safety Regulations 2005

45. Regulations 21 to 26 of the General Product Safety Regulations 2005(19) are revoked.

Weights and Measures (Packaged Goods) Regulations 2006

46. The Weights and Measures (Packaged Goods) Regulations 2006(20) are amended as follows.

47. In regulation 2 (interpretation) omit the entry for “credentials”.

48. Omit regulation 10(5) (enforcement by local weights and measures authority).

49. Omit Schedule 7 (powers of inspectors and local weights and measures authorities).

Measuring Instruments (Automatic Discontinuous Totalisers) Regulations 2006

50. The Measuring Instruments (Automatic Discontinuous Totalisers) Regulations 2006(21) are amended as follows.

51. Regulation 23 (testing of automatic discontinuous totalisers) is revoked.

52. In regulation 25 (powers of entry and inspection)—

(a) omit paragraphs (1) to (5);

(b) in paragraph (6) for “by virtue of this regulation” substitute “for the purposes of these Regulations”; and

(c) omit paragraphs (8) and (9).

53. Regulation 26 (obstruction of enforcement officer) is revoked.

54. Regulation 31 (savings for certain privileges) is revoked.

55. In Schedule 5 (adaptations for Northern Ireland) omit paragraphs 4 and 5.

(17) [S.I. 2002/3041](#).

(18) [S.I. 2004/102](#).

(19) [S.I. 2005/1803](#).

(20) [S.I. 2006/659](#), to which there are amendments not relevant to this Order.

(21) [S.I. 2006/1255](#), to which there are amendments not relevant to this Order.

Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006

56. The Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006⁽²²⁾ are amended as follows.

- 57. Regulation 24 (testing of rail-weighbridges) is revoked.
- 58. In regulation 26 (powers of entry and inspection)—
 - (a) omit paragraphs (1) to (5);
 - (b) in paragraph (6) for “by virtue of this regulation” substitute “for the purposes of these Regulations”; and
 - (c) omit paragraphs (8) and (9).
- 59. Regulation 27 (obstruction of enforcement officer) is revoked.
- 60. Regulation 32 (savings for certain privileges) is revoked.
- 61. In Schedule 5 (adaptations for Northern Ireland) omit paragraphs 4 and 5.

Measuring Instruments (Automatic Catchweighers) Regulations 2006

62. The Measuring Instruments (Automatic Catchweighers) Regulations 2006⁽²³⁾ are amended as follows.

- 63. Regulation 26 (testing of automatic catchweighers) is revoked.
- 64. In regulation 28 (powers of entry and inspection)—
 - (a) omit paragraphs (1) to (5);
 - (b) in paragraph (6) for “by virtue of this regulation” substitute “for the purposes of these Regulations”; and
 - (c) omit paragraphs (8) and (9).
- 65. Regulation 29 (obstruction of enforcement officer) is revoked.
- 66. Regulation 34 (savings for certain privileges) is revoked.
- 67. In Schedule 6 (adaptations for Northern Ireland) omit paragraphs 4 and 5.

Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006

68. The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006⁽²⁴⁾ are amended as follows.

- 69. Regulation 24 (testing of automatic gravimetric filling instruments) is revoked.
- 70. In regulation 26 (powers of entry and inspection)—
 - (a) omit paragraphs (1) to (5);
 - (b) in paragraph (6) for “by virtue of this regulation” substitute “for the purposes of these Regulations”; and
 - (c) omit paragraphs (8) and (9).
- 71. Regulation 27 (obstruction of enforcement officer) is revoked.
- 72. Regulation 32 (savings for certain privileges) is revoked.

⁽²²⁾ S.I. 2006/1256, to which there are amendments not relevant to this Order.

⁽²³⁾ S.I. 2006/1257, to which there are amendments not relevant to this Order.

⁽²⁴⁾ S.I. 2006/1258, to which there are amendments not relevant to this Order.

73. In Schedule 6 (adaptations for Northern Ireland) omit paragraphs 4 and 5.

Measuring Instruments (Beltweighers) Regulations 2006

74. The Measuring Instruments (Beltweighers) Regulations 2006⁽²⁵⁾ are amended as follows.

75. Regulation 24 (testing of beltweighers) is revoked.

76. In regulation 26 (powers of entry and inspection)—

- (a) omit paragraphs (1) to (5);
- (b) in paragraph (6) for “by virtue of this regulation” substitute “for the purposes of these Regulations”; and
- (c) omit paragraphs (8) and (9).

77. Regulation 27 (obstruction of enforcement officer) is revoked.

78. Regulation 32 (savings for certain privileges) is revoked.

79. In Schedule 6 (adaptations for Northern Ireland) omit paragraphs 4 and 5.

Measuring Instruments (Capacity Serving Measures) Regulations 2006

80. The Measuring Instruments (Capacity Serving Measures) Regulations 2006⁽²⁶⁾ are amended as follows.

81. In regulation 23 (powers of entry and inspection)—

- (a) omit paragraphs (1) to (5);
- (b) in paragraph (6) for “by virtue of this regulation” substitute “for the purposes of these Regulations”; and
- (c) omit paragraphs (8) and (9).

82. Regulation 24 (obstruction of enforcement officer) is revoked.

83. Regulation 29 (savings for certain privileges) is revoked.

84. In Schedule 6 (adaptations for Northern Ireland) omit paragraphs 4 and 5.

Measuring Instruments (Liquid Fuel and Lubricants) Regulations 2006

85. The Measuring Instruments (Liquid Fuel and Lubricants) Regulations 2006⁽²⁷⁾ are amended as follows.

86. Regulation 23 (testing of measuring systems) is revoked.

87. In regulation 25 (powers of entry and inspection)—

- (a) omit paragraphs (1) to (5);
- (b) in paragraph (6) for “by virtue of this regulation” substitute “for the purposes of these Regulations”; and
- (c) omit paragraphs (8) and (9).

88. Regulation 26 (obstruction of enforcement officer) is revoked.

89. Regulation 31 (savings for certain privileges) is revoked.

⁽²⁵⁾ S.I. 2006/1259, to which there are amendments not relevant to this Order.

⁽²⁶⁾ S.I. 2006/1264, to which there are amendments not relevant to this Order.

⁽²⁷⁾ S.I. 2006/1266, to which there are amendments not relevant to this Order.

90. In Schedule 6 (adaptations for Northern Ireland) omit paragraphs 4 and 5.

Measuring Instruments (Material Measures of Length) Regulations 2006

91. The Measuring Instruments (Material Measures of Length) Regulations 2006⁽²⁸⁾ are amended as follows.

92. In regulation 23 (powers of entry and inspection)—

- (a) omit paragraphs (1) to (5);
- (b) in paragraph (6) for “by virtue of this regulation” substitute “for the purposes of these Regulations”; and
- (c) omit paragraphs (8) and (9).

93. Regulation 24 (obstruction of enforcement officer) is revoked.

94. Regulation 29 (savings for certain privileges) is revoked.

95. In Schedule 5 (adaptations for Northern Ireland) omit paragraphs 4 and 5.

Measuring Instruments (Cold-water Meters) Regulations 2006

96. The Measuring Instruments (Cold-water Meters) Regulations 2006⁽²⁹⁾ are amended as follows.

97. Regulation 23 (testing of cold-water meters) is revoked.

98. In regulation 25 (powers of entry and inspection)—

- (a) omit paragraphs (1) to (5);
- (b) in paragraph (6) for “by virtue of this regulation” substitute “for the purposes of these Regulations”; and
- (c) omit paragraphs (8) and (9).

99. Regulation 26 (obstruction of enforcement officer) is revoked.

100. Regulation 31 (savings for certain privileges) is revoked.

101. In Schedule 5 (adaptations for Northern Ireland) omit paragraphs 4 and 5.

Measuring Instruments (Liquid Fuel delivered from Road Tankers) Regulations 2006

102. The Measuring Instruments (Liquid Fuel delivered from Road Tankers) Regulations 2006⁽³⁰⁾ are amended as follows.

103. Regulation 24 (testing of meter measuring systems) is revoked.

104. In regulation 26 (powers of entry and inspection)—

- (a) omit paragraphs (1) to (5);
- (b) in paragraph (6) for “by virtue of this regulation” substitute “for the purposes of these Regulations”; and
- (c) omit paragraphs (8) and (9).

105. Regulation 27 (obstruction of enforcement officer) is revoked.

⁽²⁸⁾ S.I. 2006/1267, to which there are amendments not relevant to this Order.

⁽²⁹⁾ S.I. 2006/1268, to which there are amendments not relevant to this Order.

⁽³⁰⁾ S.I. 2006/1269, to which there are amendments not relevant to this Order.

106. Regulation 32 (savings for certain privileges) is revoked.

107. In Schedule 5 (adaptations for Northern Ireland) omit paragraphs 4 and 5.

Electromagnetic Compatibility Regulations 2006

108. The Electromagnetic Compatibility Regulations 2006(31) are amended as follows.

109. In regulation 3 (interpretation), in the definition of “enforcement authority”, after “means” insert “(subject to regulation 37A (investigatory powers))”.

110. After regulation 37 (test purchases) insert—

“37A Investigatory powers

For the purposes of regulations 38 to 41, 45 and 50 any reference to an enforcement authority is a reference to any enforcement authority other than—

- (a) local weights and measures authorities; and
- (b) the Department of Enterprise, Trade and Investment.”.

Business Protection from Misleading Marketing Regulations 2008

111. The Business Protection from Misleading Marketing Regulations 2008(32) are amended as follows.

112. Regulations 21 to 27 are revoked.

113. In regulation 28 (crown) omit paragraph (1).

Consumer Protection from Unfair Trading Regulations 2008

114. The Consumer Protection from Unfair Trading Regulations 2008(33) are amended as follows.

115. Regulations 20 to 25 are revoked.

116. In regulation 28 (crown) omit paragraph (1).

Supply of Machinery (Safety) Regulations 2008

117. Schedule 5 to the Supply of Machinery (Safety) Regulations 2008(34) (Enforcement) is amended as follows.

118. In paragraph 11 (powers of other enforcement authorities)—

- (a) in sub-paragraph (a) omit “28 to”; and
- (b) omit sub-paragraph (b).

119. In paragraph 12 omit sub-paragraphs (e) to (h).

(31) [S.I. 2006/3418](#), to which there are amendments not relevant to this Order.

(32) [S.I. 2008/1276](#), amended by [S.I. 2013/2701](#); there are other amending instruments but none is relevant.

(33) [S.I. 2008/1277](#), to which there are amendments not relevant to this Order.

(34) [S.I. 2008/1597](#), to which there are amendments not relevant to this Order.

Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010

120. Regulations 33 (powers of officers) and 34 (obstruction of authorised officers) of the Timeshare, Holiday Products, Resale and Regulations 2010(35) are revoked.

Toys (Safety) Regulations 2011

121. The Toys (Safety) Regulations 2011(36) are amended as follows.

122. In regulation 17 (technical documentation and correspondence relating to EC-type examination)—

(a) omit paragraphs (6) to (9); and

(b) in paragraph (10) for “, (3) or (9)” substitute “or (3)”.

123. In regulation 31 (duties to retain and provide information) omit paragraphs (2) to (4).

124. Regulation 36 (duty to provide information) is revoked.

Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011

125. The Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011(37) are amended as follows.

126. In regulation 2 (interpretation) omit the entry for “credentials”.

127. In regulation 10 (enforcement), omit paragraph (5).

128. Omit Schedule 7 (powers of inspectors and the department).

Textile Products (Labelling and Fibre Composition) Regulations 2012

129. The Textile Products (Labelling and Fibre Composition) Regulations 2012(38) are amended as follows.

130. Regulations 12 to 18 are revoked.

131. In regulation 19 (crown) omit paragraph (1).

Cosmetic Products Enforcement Regulations 2013

132. The Cosmetic Products Enforcement Regulations 2013(39) are amended as follows.

133. In regulation 7(1)(a) (market surveillance and enforcement powers) omit “and Schedule 2 (test purchases, powers of entry etc and warrants) of these Regulations”.

134. Omit Schedule 2 (testing, powers of entry etc and warrants).

(35) [S.I. 2010/2960](#).

(36) [S.I. 2011/1881](#).

(37) [S.R. \(NI\) 2011 No 331](#).

(38) [S.I. 2012/1102](#).

(39) [S.I. 2013/1478](#).