

---

STATUTORY INSTRUMENTS

---

**1994 No. 1386**

**ENVIRONMENTAL PROTECTION**

**The Household Appliances (Noise Emission) (Amendment) Regulations 1994**

<i>Made</i>	- - - -	<i>23rd May 1994</i>
<i>Laid before Parliament</i>		<i>25th May 1994</i>
<i>Coming into force</i>	- -	<i>28th June 1994</i>

The Secretary of State, being a Minister designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to measures relating to household appliances which emit noise, in exercise of the powers conferred on him by that section and of all his other enabling powers, hereby makes the following Regulations:

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Household Appliances (Noise Emission) (Amendment) Regulations 1994, and shall come into force on 28th June 1994.

(2) These Regulations shall extend to all parts of the United Kingdom.

**Extension to Northern Ireland**

2. The Household Appliances (Noise Emission) Regulations 1990<sup>(3)</sup> (hereinafter referred to as “the principal Regulations”) are hereby amended as follows:—

- (a) in regulation 1 after the words “which extend to Great Britain” there shall be added the words “and to Northern Ireland”;
- (b) in regulation 3(1)—
  - (i) after the words “on or after 28th February 1990” there shall be inserted the words “in Great Britain or on or after 28th June 1994 in Northern Ireland”; and
  - (ii) the words “in the law of Northern Ireland or” shall be deleted; and
- (c) in regulation 4(1) after the words “on or after 28th February 1990” there shall be inserted the words “in Great Britain or on or after 28th June 1994 in Northern Ireland”.

---

(1) S.I.1987/926.  
(2) 1972 c. 68.  
(3) S.I. 1990/161.

## Enforcement

3. The principal Regulations are hereby further amended as follows:—

- (a) in regulation 2(1)—
  - (i) at the end of the definition of “market” delete “and”; and
  - (ii) at the end of the definition of “relevant national standard“ delete the full stop and substitute “; and ”the 1987 Act” means the Consumer Protection Act 1987(4).”;
- (b) the following shall be inserted after regulation 5

### “Enforcement

6.—(1) It shall be the duty of—

- (a) every weights and measures authority in Great Britain; and
- (b) every district council in Northern Ireland, to enforce these Regulations within their area.

(2) A reference in these Regulations, or in the provisions applied to these Regulations by regulation 8 below, to an “enforcement authority” shall be construed as a reference to the bodies mentioned in paragraph (1) above.”;

- (c) regulation 6 shall be re-numbered as regulation 7 and amended as follows—
  - (i) at the start of paragraph (1) delete “The Secretary of State”and substitute “An enforcement authority”;
  - (ii) in paragraph (1) after the words “carry out in Great Britain” insert “or in Northern Ireland”;
  - (iii) in paragraph (1) after the words “or of the Directive as implemented” delete “in the law of Northern Ireland or”;
  - (iv) at the start of paragraph (2) delete “If the Secretary of State” and substitute “If an enforcement authority”;
  - (v) in paragraph (2) after the words “or of the Directive as implemented” delete “in the law of Northern Ireland or”;
- (d) the following regulation shall be inserted after regulation 7 as amended by these Regulations—

“8.—(1) Sections 28, 29, 32, 38, 44 and 47 of the 1987 Act shall also apply for the purposes of providing for the enforcement of these Regulations and in respect of proceedings for contravention thereof as if—

- (a) references to safety provisions were references to these Regulations;
- (b) in section 28, subsections (3), (4) and (5) were omitted;
- (c) in sections 28 and 29 the words “or any provision made by or under Part III of this Act”, on each occasion that they occur, were omitted;
- (d) in section 29, subsections (4), (6) and (7) and paragraph (b) of subsection (5) were omitted; and
- (e) in section 38(1), paragraphs (a) to (c) and (e) were omitted.

(2) Sections 39 and 40 shall apply to offences under section 32 as it is applied to these Regulations by paragraph (1) above.”;

- (e) regulation 7 shall be re-numbered as regulation 9, and paragraph (1) shall be amended as follows—
  - (i) delete the words “any of the provisions of regulation 3(1) or”; and
  - (ii) delete “regulation 6(2)” and substitute “regulation 7(2)”; and
- (f) regulation 8 shall be re-numbered as regulation 10.

Department of Trade and Industry  
23rd May 1994

*Patrick McLoughlin*  
Parliamentary Under-Secretary of State,

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

In Great Britain the Household Appliances (Noise Emission) Regulations 1990 (“the principal Regulations”) implemented Council Directive [86/594/EEC](#) (“the Directive”) on airborne noise emitted by household appliances. These Regulations amend the principal Regulations by:

- (a) extending to Northern Ireland on or after 28th June 1994 the prohibition on marketing by a manufacturer or importer of any household appliance in respect of which the manufacturer or importer has taken steps to inform any person to whom the appliance is to be, or may be, marketed of the level of airborne noise emitted by it unless the level is determined in accordance with article 6 of the Directive; and
- (b) making amendments to the principal Regulations consequential to the extension of their application to Northern Ireland.

These Regulations further amend the principal Regulations by substituting every weights and measures authority in Great Britain and every district council in Northern Ireland for the Secretary of State as the bodies responsible for their enforcement, and by applying certain of the enforcement provisions of the Consumer Protection Act 1987.