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STATUTORY INSTRUMENTS

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**2005 No. 281**

**The Electromagnetic Compatibility Regulations 2005**

**PART VII**

**ENFORCEMENT**

*Enforcement authorities and powers*

**Enforcement authorities**

**75.**—(1) Except in relation to the descriptions of apparatus mentioned in paragraph (3) below, it shall be the duty of the following authorities to enforce these Regulations—

(a) in Great Britain :

(i) OFCOM insofar as action taken to enforce a regulation relates to the protection and management of the radio spectrum; and

(ii) local weights and measures authorities within their area; and

(b) in Northern Ireland:

(i) OFCOM insofar as action taken to enforce a regulation relates to the protection and management of the radio spectrum; and

(ii) the Department of Enterprise, Trade and Investment.

(2) Except in relation to the descriptions of apparatus mentioned in paragraph (3) below, the Secretary of State may enforce these Regulations.

(3) These Regulations may be enforced—

(a) by the CAA, in relation to wireless telegraphy apparatus of a description listed in paragraph 1 of Schedule 6 hereto; and

(b) in relation to electricity meters other than those which are wireless telegraphy apparatus—

(i) in Great Britain, by the Gas and Electricity Markets Authority; and

(ii) in Northern Ireland, by the Northern Ireland Authority for Energy Regulation.

(4) Nothing in this regulation shall authorise any enforcement authority to bring proceedings in Scotland for an offence.