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STATUTORY INSTRUMENTS

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**1987 No. 2049**

**The Consumer Protection (Northern Ireland) Order 1987**

**PART II**

**PRODUCT LIABILITY**

**Purpose and construction of Part II**

4.—(1) This Part [<sup>F1</sup>was enacted] for the purpose of making such provision as [<sup>F2</sup>was] necessary in order to comply with the product liability Directive and shall be construed accordingly.

(2) In this Part—

*Definition rep. by 2001 c. 13 (NI)*

“dependant” and “relative” have the same meaning as they have in the Fatal Accidents (Northern Ireland) Order 1977<sup>F3</sup>;

“producer”, in relation to a product, means—

- (a) the person who manufactured it;
- (b) in the case of a substance which has not been manufactured but has been won or abstracted, the person who won or abstracted it;
- (c) in the case of a product which has not been manufactured, won or abstracted but essential characteristics of which are attributable to an industrial or other process having been carried out (for example, in relation to agricultural produce), the person who carried out that process;

“product” means any goods or electricity and (subject to paragraph (3)) includes a product which is comprised in another product, whether by virtue of being a component part or raw material or otherwise; and

“the product liability Directive” means the Directive of the Council of the European Communities, dated 25th July 1985 (No.85/374/EEC) on the approximation of the laws, regulations and administrative provisions of the member States concerning liability for defective products.

(3) For the purposes of this Part a person who supplies any product in which products are comprised, whether by virtue of being component parts or raw materials or otherwise, shall not be treated by reason only of his supply of that product as supplying any of the products so comprised.

**F1** Words in art. 4(1) substituted (31.12.2020) by [The Metrology, Health and Safety and Product Safety \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/202\)](#), reg. 1(2), [Sch. 1 para. 1\(2\)\(a\)](#); 2020 c. 1, Sch. 5 para. 1(1)

**F2** Word in art. 4(1) substituted (31.12.2020) by [The Metrology, Health and Safety and Product Safety \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/202\)](#), reg. 1(2), [Sch. 1 para. 1\(2\)\(b\)](#); 2020 c. 1, Sch. 5 para. 1(1)

**F3** 1977 NI 18

**Changes to legislation:**

There are currently no known outstanding effects for the The Consumer Protection (Northern Ireland) Order 1987, Section 4.