

SCHEDULE

Article 3

Amendments consequential on Schedules 5 and 6
to the Act, and amendment to Schedule 5 to the Act

Weights and Measures (Northern Ireland) Order 1981

1.—(1) The Weights and Measures (Northern Ireland) Order 1981 is amended as follows.

(2) In Article 26(1) (special powers of inspector with respect to certain goods), for “Article 41” substitute “Schedule 5 to the Consumer Rights Act 2015”.

(3) In Article 39 (function of Department)—

- (a) the existing text becomes paragraph (1), and
- (b) after paragraph (1) insert—

“(2) For the investigatory powers available to the Department for the purposes of the duty in paragraph (1) see Schedule 5 to the Consumer Rights Act 2015.”

(4) Omit Article 41 (general powers of inspection and entry)(1).

(5) In Article 42(1)(a) and (c) (obstruction of inspectors), omit “or the packaged goods regulations”(2).

(6) In Article 47 (penalties)—

- (a) after paragraph (2) insert—

“(2A) A person guilty of an offence under Article 42(1) or (2) shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.”

- (b) omit paragraph (4), and

- (c) in paragraph (5) for “(4)” substitute “(2A)”(3).

Consumer Rights Act 2015

2.—(1) Schedule 5 to the Consumer Rights Act 2015 (investigatory powers) is amended as follows.

(2) In paragraph 10 (enforcer’s legislation: duties and powers mentioned in paragraph 9(1)(a))—

- (a) in the entry for section 27(1) of the Consumer Protection Act 1987, after “under that Act” insert “and by regulation 18 of the Standardised Packaging of Tobacco Products Regulations 2015 (S.I. 2015/829) to those Regulations”; and
- (b) at the appropriate place, insert “regulation 53 of the Tobacco and Related Products Regulations 2016 (S.I. 2016/507).”

(3) In paragraph 11 (enforcer’s legislation: legislation mentioned in paragraph 9(1)(b)), in the table, after the last entry insert—

“A London borough council	Section 75 of the London Local Authorities Act 2007”
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(1) Amended by the Weights and Measures (Amendment) Act (Northern Ireland) 2000 (c.5).

(2) Amended by the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011 (S.R. (N.I.) No 2011/331).

(3) Amended by the Fines and Penalties (Northern Ireland) Order 1984 (S.I.1985/703 (N.I. 3)).

London Local Authorities Act 2007

3. In section 75 of the London Local Authorities Act 2007⁽⁴⁾ (mail forwarding businesses: enforcement provisions), for subsection (12) substitute—

“(12) For the investigatory powers available to a borough council in relation to enforcement of this section see Schedule 5 to the Consumer Rights Act 2015.”

(4) 2007 c.ii.