



Product Security and Telecommunications Infrastructure Act 2022

2022 CHAPTER 46

PART 1

PRODUCT SECURITY

CHAPTER 3

ENFORCEMENT

Other enforcement powers

47 Power to recall products

- (1) This section applies where conditions A and B are met.
- (2) Condition A is that the Secretary of State has reasonable grounds to believe that there is a compliance failure in relation to any UK consumer connectable products that have been supplied to customers.
- (3) Condition B is that—
 - (a) a person to whom a recall notice was given in relation to the compliance failure has failed to comply with it, or
 - (b) it is not possible to give a recall notice in relation to the compliance failure to one or more of the persons mentioned in section 30(2).
- (4) The Secretary of State may—
 - (a) make arrangements for the delivery of the products to the Secretary of State or another person;
 - (b) destroy or otherwise dispose of the products in whatever way the Secretary of State considers appropriate;

Changes to legislation: There are currently no known outstanding effects for the Product Security and Telecommunications Infrastructure Act 2022, Section 47. (See end of Document for details)

- (c) permit any person to whom the products are delivered under the arrangements mentioned in paragraph (a) to destroy or otherwise dispose of them—
 - (i) in accordance with a direction of the Secretary of State, or
 - (ii) in whatever way the person considers appropriate.
- (5) The Secretary of State may pay such amounts as the Secretary of State considers appropriate to any customer who returns a product in accordance with arrangements made under this section
- (6) Where an amount is paid to a customer under subsection (5) in respect of a product, a relevant person may deduct that amount from any amount which the relevant person is required to pay to the customer (whether as a result of the exercise of the customer's statutory rights or otherwise) in respect of the product.
- (7) In a case where a person to whom a recall notice was given in relation to a compliance failure failed to comply with it, the Secretary of State may recover from the person any costs or expenses reasonably incurred by the Secretary of State or another person in taking any action under this section in relation to the compliance failure.
- (8) In this section “compliance failure”, in relation to a product, means a failure by a relevant person to comply with a relevant security requirement in relation to the product.

Commencement Information

- I1** S. 47 not in force at Royal Assent, see [s. 79](#)
- I2** S. 47 in force at 29.4.2024 by [S.I. 2023/469](#), [reg. 3](#)

Changes to legislation:

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