
STATUTORY INSTRUMENTS

2016 No. 1091

The Electromagnetic Compatibility Regulations 2016

PART 5

Enforcement and market surveillance

Designation of enforcing authorities

52.—(1) Except in relation to the apparatus referred to in paragraph (3), it is the duty of the following authorities to enforce these Regulations and RAMS (in its application to apparatus)—

- (a) in Great Britain—
 - (i) OFCOM insofar as action taken to enforce these Regulations relates to the protection and management of the radio spectrum; and
 - (ii) within its area, the weights and measures authority.
- (b) in Northern Ireland—
 - (i) OFCOM insofar as action taken to enforce these Regulations relates to the protection and management of the radio spectrum; and
 - (ii) the Department of Enterprise, Trade and Investment.

(2) The Secretary of State, or a person appointed by the Secretary of State to act on behalf of the Secretary of State, may enforce these Regulations and RAMS (in its application to apparatus).

(3) In Northern Ireland, these Regulations may be enforced in relation to electricity meters, other than those which are wireless telegraphy apparatus, by the Northern Ireland Authority for Energy Regulation or a person appointed by the Northern Ireland Authority for Energy Regulation.

^{F1}(4)

(5) In Scotland, only the Lord Advocate may commence proceedings for an offence.

Textual Amendments

F1 [Reg. 52\(4\)](#) omitted (26.12.2017) by virtue of [The Radio Equipment Regulations 2017 \(S.I. 2017/1206\)](#), regs. 1, **81(3)** (with [regs. 3-5, 77](#))

Changes to legislation:

The Electromagnetic Compatibility Regulations 2016, Section 52 is up to date with all changes known to be in force on or before 08 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- [reg. 74A\(4\)-\(6\) omitted by S.I. 2024/696 reg. 11\(5\)](#)