
STATUTORY INSTRUMENTS

2016 No. 1101

The Electrical Equipment (Safety) Regulations 2016

PART 4

Market surveillance and enforcement

Compensation

60.—(1) When an enforcing authority other than the Health and Safety Executive, the Health and Safety Executive for Northern Ireland or the Office for Nuclear Regulation serves a relevant notice in respect of electrical equipment, that authority is liable to pay compensation to a person having an interest in the electrical equipment for any loss or damage suffered by reason of the notice if both of the conditions in paragraph (2) are met.

(2) The conditions are that—

(a) the electrical equipment in respect of which the relevant notice was served neither—

(i) presents a risk; nor

(ii) contravenes any requirement of these Regulations; and

(b) the relevant notice was not served because of neglect or default by a relevant economic operator.

(3) In this regulation, “relevant notice” means a suspension, withdrawal or recall notice as referred to in regulation 58(5)(b).