

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent

Changes to legislation: There are currently no known outstanding effects for the The Radio Equipment Regulations 2017, Paragraph 5. (See end of Document for details)

SCHEDULE 10

Enforcement and investigatory powers conferred on the enforcing authority and the market surveillance authority

PART 2

Notices

Withdrawal notice **E+W+S**

5.—(1) An enforcing authority may serve a withdrawal notice on a relevant economic operator in respect of radio equipment if the authority has reasonable grounds for believing that—

- (a) the radio equipment has been made available on the market, and
- (b) there is non-compliance.

(2) A withdrawal notice must prohibit the relevant economic operator from making the radio equipment available on the market without the consent of the enforcing authority.

(3) A withdrawal notice may require the relevant economic operator to take action to alert end-users to any risk presented by the radio equipment.

(4) A withdrawal notice may require the relevant economic operator to keep the enforcing authority informed of the whereabouts of any radio equipment referred to in the notice.

(5) A consent given by the enforcing authority pursuant to a withdrawal notice may impose such conditions on the making available on the market of the radio equipment as the enforcing authority considers appropriate.

(6) Subject to sub-paragraph (7), an enforcing authority may revoke or vary a withdrawal notice by serving a notification on the economic operator.

(7) An enforcing authority may not vary a withdrawal notice so as to make it more restrictive for the economic operator or more onerous for the economic operator to comply.

(8) A withdrawal notice has effect throughout the United Kingdom.

Extent Information

E1 This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

Withdrawal notice **N.I.**

5.—(1) An enforcing authority may serve a withdrawal notice on a relevant economic operator in respect of radio equipment if the authority has reasonable grounds for believing that—

- (a) the radio equipment has been made available on the market, and
- (b) there is non-compliance.

(2) A withdrawal notice must prohibit the relevant economic operator from making the radio equipment available on the market without the consent of the enforcing authority.

(3) A withdrawal notice may require the relevant economic operator to take action to alert end-users to any risk presented by the radio equipment.

(4) A withdrawal notice may require the relevant economic operator to keep the enforcing authority informed of the whereabouts of any radio equipment referred to in the notice.

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent

Changes to legislation: There are currently no known outstanding effects for the The Radio Equipment Regulations 2017, Paragraph 5. (See end of Document for details)

(5) A consent given by the enforcing authority pursuant to a withdrawal notice may impose such conditions on the making available on the market of the radio equipment as the enforcing authority considers appropriate.

(6) Subject to sub-paragraph (7), an enforcing authority may revoke or vary a withdrawal notice by serving a notification on the economic operator.

(7) An enforcing authority may not vary a withdrawal notice so as to make it more restrictive for the economic operator or more onerous for the economic operator to comply.

(8) A withdrawal notice has effect throughout [^{F1}Northern Ireland].

Extent Information

E2 This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

Textual Amendments

F1 Words in [Sch. 10 para. 5\(8\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), reg. 1(b), [Sch. 16 para. 8\(4\)](#)

Status:

There are multiple versions of this provision on screen. These apply to different geographical extents.

Skip to:

- E+W+S - England, Wales and Scotland extent
- N.I. - Northern Ireland extent

Changes to legislation:

There are currently no known outstanding effects for the The Radio Equipment Regulations 2017, Paragraph 5.