

SCHEDULE 4

Compliance, Withdrawal and Recall Notices

Withdrawal notice

2.—(1) An enforcement authority may serve a withdrawal notice on a relevant economic operator in respect of an appliance or fitting if the authority has reasonable grounds for believing that—

- (a) the appliance or fitting has been made available on the market; and
- (b) either of the following conditions are met—
 - (i) the appliance or fitting presents a risk; or
 - (ii) the appliance or fitting is not in conformity with the requirements of EU Regulation 2016/426 or RAMS (in its application to appliances or fittings).

(2) A withdrawal notice must prohibit the relevant economic operator from making the appliance or fitting available on the market without the consent of the enforcement authority.

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

(4) A withdrawal notice may require the relevant economic operator to keep the enforcement authority informed of the whereabouts of any appliance or fitting referred to in the notice.

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

Changes to legislation:

There are currently no known outstanding effects for the The Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018, Paragraph 2.