L.N. 187 of 2011

PRODUCT SAFETY ACT
(CAP. 427)

Market Surveillance and CE Marking Regulations, 2011

IN exercise of the powers conferred by article 38(c) of the Product Safety Act, the Prime Minister, acting on the advice of the Malta Standards Authority, has made the following regulations:-

Citation and scope.

1. (1) The title of these regulations is the Market Surveillance and CE Marking Regulations, 2011.

(2) These regulations implement the provisions of Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No. 339/93, hereinafter referred to as "the EC Regulation", in so far as products are covered by the Product Safety Act and the subsidiary legislation enacted thereunder.

L.N. 39 of 2008.

2. The Market Surveillance Directorate, established by virtue of the Establishment of Directorates of the Malta Standards Authority Order, is the national market surveillance authority within the meaning of Article 17 of the EC Regulation.

3. For the purposes of paragraph 6 of Article 30 and Article 41 of the EC Regulation, any economic operator who contravenes the provisions of Article 30 of the EC Regulation, shall, on conviction, be liable to the penalties established by virtue of sub-articles (2),(3) and (4) of Article 32 of the Product Safety Act.

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