

Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 21,417, 4 ta' April, 2025

Taqsima B

L.N. 68 of 2025

**PRODUCT SAFETY ACT
(CAP. 427)**

General Product Safety (Implementing) Regulations, 2025

IN EXERCISE of the powers conferred by articles 38 and 39 of the Product Safety Act, the Minister responsible for consumer affairs, on the advice of the Director General (Technical Regulations), has made the following regulations:-

1. (1) The title of these regulations is the General Product Safety (Implementing) Regulations, 2025. Citation and scope

(2) The scope of these regulations is to implement the requirements of Regulation (EU) 2023/988 of the European Parliament and of the Council of 10 May 2023 on general product safety, amending Regulation (EU) No 1025/2012 of the European Parliament and of the Council and Directive (EU) 2020/1828 of the European Parliament and the Council, and repealing Directive 2001/95/EC of the European Parliament and of the Council and Council Directive 87/357/EEC.

2. In these regulations, unless the context otherwise requires: Interpretation.

"Act" means the Product Safety Act; Cap. 427.

"national market surveillance authority" shall have the same meaning as assigned to it in the Market Surveillance and Compliance of Products Regulations; S.L. 427.105.

"Regulation (EU) 2019/1020" means Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011;

"Regulation (EU) 2023/988" means Regulation (EU) 2023/988 of the European Parliament and of the Council of 10 May 2023 on general product safety, amending Regulation (EU) No 1025/2012 of the European Parliament and of the Council and Directive (EU) 2020/1828 of the European Parliament and the Council, and repealing Directive 2001/95/EC of the European Parliament and of the Council and Council Directive 87/357/EEC;

S.L. 427.105.	"Technical Regulations Division" shall have the same meaning as assigned to it in the Market Surveillance and Compliance of Products Regulations.
Labelling and product information.	3. For the purposes of articles 9(7), 11(4), 19, 21, 22(9) and 36(2) of Regulation (EU) 2023/988, the instructions and safety information of the product including the labelling thereof shall be written in either the Maltese or the English language.
Powers of national market surveillance authorities.	4. (1) For the purpose of carrying out market surveillance, investigation, and enforcement in accordance with Regulation (EU) 2023/988, the national market surveillance authorities shall have, whether directly or by recourse to other public authorities or upon application to the Maltese Courts, all the powers provided for in article 22(4) of Regulation (EU) 2023/988 and these regulations. (2) The powers provided for in sub-regulation (1) shall be without prejudice to the powers of national market surveillance authorities under any other law or Union harmonisation legislation.
Single national point of contact.	5. The Technical Regulations Division shall be designated as the single national point of contact for the purpose of carrying out the activities mentioned in article 25(2) of Regulation (EU) 2023/988: Provided that for the purpose of carrying out the activities in accordance with Regulation (EU) 2023/988, the Technical Regulations Division may establish technical committees in accordance with article 20(1)(e) of the Malta Competition and Consumer Affairs Authority Act.
Cap. 510.	
Proceedings.	6. Part IV of the Act shall apply to any offence under Regulation (EU) 2023/988 and these regulations.
Amendment to the Representative Actions (Consumers) Act. Cap. 635.	7. Item 8 of the Schedule to the Representative Actions (Consumers) Act shall be substituted by the following new item: "(8) Regulation (EU) 2023/988 of the European Parliament and of the Council of 10 May 2023 on general product safety, amending Regulation (EU) No 1025/2012 of the European Parliament and of the Council and Directive (EU) 2020/1828 of the European Parliament and the Council, and repealing Directive 2001/95/EC of the European Parliament and of the Council and Council Directive 87/357/EEC (OJ L 135, 23.5.2023, p. 1): Article 39."