

## Statutory Instrument 2003 No. 2650

### **The Creosote (Prohibition on Use and Marketing)(No. 2) Amendment Regulations 2003**

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#### STATUTORY INSTRUMENTS

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**2003 No. 2650**

#### **CONSUMER PROTECTION**

The Creosote (Prohibition on Use and Marketing)(No. 2) Amendment  
Regulations 2003

<i>Made</i>	<i>9th October 2003</i>
<i>Laid before Parliament</i>	<i>15th October 2003</i>
<i>Coming into force</i>	<i>12th November 2003</i>

Whereas the Secretary of State is a Minister designated<sup>[1]</sup> for the purposes of section 2(2) of the European Communities Act 1972 ("the 1972 Act")<sup>[2]</sup> in respect of measures relating to restrictions on the marketing and use of certain dangerous substances and preparations and to consumer protection;

Now, therefore, the Secretary of State, in exercise of the powers conferred on her by section 2 of the 1972 Act, hereby makes the following Regulations -

**Citation, commencement and extent**

1. These Regulations may be cited as the Creosote (Prohibition on Use and Marketing)(No.2) Amendment Regulations 2003 and shall come into force on 12th November 2003.

**Amendment to the Creosote (Prohibition on Use and Marketing)(No.2) Regulations 2003**

2. The Creosote (Prohibition on Use and Marketing)(No.2) Regulations 2003<sup>[3]</sup> are hereby amended by the insertion after regulation 7 of the following:

" 8. These Regulations shall be treated for the purposes of the Consumer Protection Act 1987<sup>[4]</sup> other than section 12 as if they were safety regulations made under that Act to the extent that they relate to the marketing and sale of a dangerous substance or preparation, treated wood, or a product containing treated wood."

*Gerry Sutcliffe,*  
Parliamentary Under Secretary of State for Employment Relations,  
Competition and Consumers, Department of Trade and Industry

9th October 2003

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**EXPLANATORY NOTE**

*[This note is not part of the Regulations]*

These Regulations amend the Creosote (Prohibition on Use and Marketing)(No. 2) Regulations 2003 ("the No. 2 Regulations") by inserting a new regulation 8. This provides that the No. 2 Regulations are, to the extent specified, to be treated for the purposes of the Consumer Protection Act 1987 as if they were safety regulations under that Act. The Consumer Protection Act contains a number of provisions providing for the enforcement of safety regulations. Section 12 of the Act which provides for offences in respect of contravention of safety regulations is not applied because contravention of the No. 2 Regulations is made an offence by regulation 7 of those Regulations.

A transposition note in relation to these Regulations has been placed in the libraries of both Houses of Parliament. Copies are also available from the Consumer and Competition Policy Directorate, Department of Trade and Industry, Room 432, 1 Victoria Street SW1H OET.

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*Notes:*

[1] S.I. 1992/1711 and S.I. 1993/2661.[back](#)

[2] 1972 c. 68.[back](#)

[3] S.I. 2003/1511.[back](#)

[4] 1987 c. 43.[back](#)

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*Prepared 30 October 2003*