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10. /enerally we do not agree with derogation and ' inisterial control creeping into the processes as they are not e!perts in this field and will not fully understand the i pact fro an enforce ent point of view. @owever) , arlia ent already has this power

There must be positive obligations to report the actions) and the outcomes in each case to ' market Surveillance -authorities.

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Aes. It should be for all products as some products pose risks without the necessary information being provided. Consumers make purchasing decisions based on that information) and quite often that will be the information they take forward to use the product. Therefore) if that information is not complete or correct a risk may arise.

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See Question 1J.

Consumers should be clearly informed within the online environment if they are leaving the regulatory regime of the 34.

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/reater clarity on 8, SS's remit and role would be desirable. Currently) there is not a clear division of responsibilities and obligations within the current framework and feedback from the profession is that this is not always clear) whereby 8, SS would t 8, ()18.932()-5.92737

regulatory delivery and role of the local TSS supporting a national regulator + it's critical to have the local capacity to make this effective. CTSI would have concerns over any move to centralisation and the unintended consequence of local authority cuts enabling the to step away from what should be statutory duties.

CTSI would ask for further conversation and consideration around a general statutory competency requirement which would include a requirement for, product Safety enforcement officers to be suitably qualified and to maintain their competency over time. This statutory requirement could be fulfilled through the existing CTSI qualification framework and Chartered Trading Standards Practitioner definitions. This would provide assurance to businesses that officers maintain necessary knowledge and skills for the areas of law they enforce.

The new statutory competency requirement could be backed up by a supporting Code of Practice. The Code would be drawn up by B, SS O CTSI and other interested parties. It could set out the qualifications and competencies officers in Trading Standards Services should possess for the work they perform and how they can be assessed and maintained. Defining qualifications and competencies through a Code of Practice will provide assurance to businesses and signpost employers to a flexible tool and enable Trading Standards Services to benchmark their officers' skills and competencies. It will also enable local authorities (more flexibility in resourcing and structuring their services) perhaps specialising in certain areas) and cooperating with neighbouring authorities) especially at a time of increased budgetary pressures.

This recommendation would be consistent with the approach taken by the Food Standards Agency and the Health and Safety Executive.

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Aes. -t the o ent the data that is necessary for t

There have been past concerns about engagement and relationships between 8, SS and local TS. This needs to be addressed and a real partnership established in order for a S, 8C system to work effectively.

It is noted however that /, SR Regulation = notifications are rare and a significant proportion relate to recalls for quality issues rather than serious safety breaches.

There has been a significant shift to trading from home facilitated to some degree by the services of online marketplaces) ease of creating a web site) and option to use fulfilment services. In many cases) operators of such businesses have little understanding of the legislative framework that they are expected to comply with. -n individual with no experience or knowledge can easily import goods) store them at home or at a fulfilment house) and offer them to consumers without ever taking any steps to confirm safety or compliance.

Obtaining a warrant to visit a business operated from home is an extremely expensive process) by way of officer and court time. -ny enforcement visit would be restricted to areas used for the business) e.g.) manufacture) storage space or simply a desk with a laptop. -ccess to other areas would not generally be sought) unless there was reason to believe that something was being concealed. There would likely be concerns about invasion of privacy. It is suggested that additional safeguards would be needed) either via a court warrant or a similar authorisation regime to RI, - could apply to show intelligence and proportionality.

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