

RoSPA comments on the BIS Red Tape Challenge Retail and Manufacturing Consultation

8. Consultation questions

Question 1 Do you agree with the amendment of the Pyrotechnic Articles (Safety) Regulations 2010?

Yes

Question 2. Are there any other consequences to the amendment of the Pyrotechnic Articles (Safety) Regulations 2010 not outlined in this document?

No comment

Question 3. What benefits will the amendment of the Pyrotechnic Articles (Safety) Regulations 2010 have? Can you quantify these?

No comment

Question 4. Are there any costs for business that have not been anticipated as a result of the amendment of the Pyrotechnic Articles (Safety) Regulations 2010? Can you quantify these?

No Comment

Question 5. Do you agree with the revocation of the Bunk Beds (Entrapment Hazards) (Safety) Regulations 1987?

Yes

Question 6. Are there any other consequences to the revocation of the Bunk Beds (Entrapment Hazards) (Safety) Regulations 1987 not outlined in this document?

No comment

Question 7. What benefits will the revocation of the Bunk Beds (Entrapment Hazards) (Safety) Regulations 1987 have? Can you quantify these?

The principal benefit will be a flexible, current framework for protecting children from these hazards that will be open to new standards and changes in technology which can be used as part of the safety assessment for these products. Please see general comments in response to Q52 below.

Question 8. Are there any costs for business that have not been anticipated as a result of the revocations of the Bunk Beds (Entrapment Hazards) (Safety) Regulations 1987? Can you quantify these?

No Comment

Question 9. Do you agree with the revocation of the Children's Clothing (Hood Cords) Regulations 1976?

Yes

Question 10. Are there any other consequences to the revocation of the Children's Clothing (Hood Cords) Regulations 1976 not outlined in this document?

No Comment

Question 11. What benefits will the revocation of the Children's Clothing (Hood Cords) Regulations 1976 have? Can you quantify these?

The principal benefit will be a flexible, current framework for protecting children from these hazards that will be open to new standards and changes in technology which can be used as part of the safety assessment for these products. Please see general comments in response to Q52 below.

Question 12. Are there any costs for business that have not been anticipated as a result of the revocation of the Children's Clothing (Hood Cords) Regulations 1976? Can you quantify these?

No Comment

Question 13. Do you agree with the revocation of the Imitation Dummies (Safety) Regulations 1993?

Yes, although there are still products of this type on the marketplace

Question 14. Are there any other consequences to the revocation of the Imitation Dummies (Safety) Regulations 1993 not outlined in this document?

No comment

Question 15. What benefits will the revocation of Imitation Dummies (Safety) Regulations 1993 have? Can you quantify these?

A more flexible regime in this area will help expand the scope of products covered by the legislation – although GPSR 2005 currently does cover other baby products it may be helpful that specific focus is not solely on imitation dummies but also includes other “baby bling” products etc.

Question 16. Are there any costs for business that have not been anticipated as a result of the revocation of the Imitation Dummies (Safety) Regulations 1993? Can you quantify these?

No comment

Question 17. Do you agree with the revocation of the Pencils and Graphic Instruments (Safety) Regulations 1998?

Yes

Question 18. Are there any other consequences to the revocation of the Pencils and Graphic Instruments (Safety) Regulations 1998 not outlined in this document?

No comment

Question 19. What benefits will the revocation of Pencils and Graphic Instruments (Safety) Regulations 1998 have? Can you quantify these?

The principal benefit will be a flexible, current framework for protecting children from these hazards that will be open to new standards and changes in technology which can be used as part of the safety assessment for these products, both using GPSR and the new Toys Safety Regs. Please see general comments in response to Q52 below.

Question 20. Are there any costs for business that have not been anticipated as a result of the revocation of the Pencils and Graphic Instruments (Safety) Regulations 1998? Can you quantify these?

No Comment

Question 21. Do you agree with the revocation of the Wheeled Child Conveyances (Safety) Regulations 1997?

Yes

Question 22. Are there any other consequences to the revocation of the Wheeled Child Conveyances (Safety) Regulations 1997 not outlined in this document?

No comment

Question 23. What benefits will the revocation of Wheeled Child Conveyances (Safety) Regulations 1997 have? Can you quantify these?

The principal benefit will be a flexible, current framework for protecting children from these hazards that will be open to new standards and changes in technology which can be used as part of the safety assessment for these products. Please see general comments in response to Q52 below.

Question 24. Are there any costs for business that have not been anticipated as a result of the revocation of the Wheeled Child Conveyances (Safety) Regulations 1997? Can you quantify these?

No Comment

Question 25. Do you agree with the revocation of the Gas cooking Appliances (Safety) Regulations 1989?

Yes

Question 26. Are there any other consequences to the revocation of the Wheeled Gas cooking Appliances (Safety) Regulations 1989 not outlined in this document?

No comment

Question 27. What benefits will the revocation of Gas cooking Appliances (Safety) Regulations 1989 have? Can you quantify these?

The principal benefit will be a flexible, current framework for protecting children from these hazards that will be open to new standards and changes in technology which can be used as part of the safety assessment for these products. The issue of second hand products is also very important and GPSR covers this. The combination of the European Directive and GPSR is welcomed, but please see general comments in response to Q52 below.

Question 28. Are there any costs for business that have not been anticipated as a result of the revocation of the Gas cooking Appliances (Safety) Regulations 1989? Can you quantify these?

No Comment

Question 29. Do you agree with the revocation of the Heating Appliances (Fireguards) Regulations 1991?

Yes

Question 30. Are there any other consequences to the revocation of the Heating Appliances (Fireguards) Regulations 1991 not outlined in this document?

No comment

Question 31. What benefits will the revocation of the Heating Appliances (Fireguards) Regulations 1991 have? Can you quantify these?

The principal benefit will be a flexible, current framework for protecting children from these hazards that will be open to new standards and changes in technology which can be used as part of the safety assessment for these products. Please see general comments in response to Q52 below.

Question 32. Are there any costs for business that have not been anticipated as a result of the revocation of the Heating Appliances (Fireguards) Regulations 1991? Can you quantify these?

No Comment

Question 33. Do you agree with the revocation of the Gas Catalytic Heaters (Safety) Regulations 1984?

Yes

Question 34. Are there any other consequences to the revocation of the Gas Catalytic Heaters (Safety) Regulations 1984 not outlined in this document?

No comment

Question 35. What benefits will the revocation of Gas Catalytic Heaters (Safety) Regulations 1984 have? Can you quantify these?

The principal benefit will be a flexible, current framework for protecting children from these hazards that will be open to new standards and changes in technology which can be used as part of the safety assessment for these products. We welcome the European legislation and controls on second hand items, although please see general comments in response to Q52 below.

Question 36. Are there any costs for business that have not been anticipated as a result of the revocation of the Gas Catalytic Heaters (Safety) Regulations 1984? Can you quantify these?

No Comment

Question 37. Do you agree with the revocation of the All-Terrain Motor Vehicle (Safety) Regulations 1989?

Yes

Question 38. Are there any other consequences to the revocation of the All-Terrain Motor Vehicle (Safety) Regulations 1989 not outlined in this document?

No comment

Question 39. What benefits will the revocation of All-Terrain Motor Vehicle (Safety) Regulations 1989 have? Can you quantify these?

The principal benefit of the Machinery Regulations is clarity on both the coverage and safety requirements for these products. RoSPA hopes that BIS will support this move with published guidance for manufacturers, consumers and enforcers.

Question 40. Are there any costs for business that have not been anticipated as a result of the revocation of the All-Terrain Motor Vehicle (Safety) Regulations 1989? Can you quantify these?

No Comment

Question 41. Do you agree with the revocation of the Cooking Utensils (Safety) Regulations 1972?

Yes

Question 42. Are there any other consequences to the revocation of the Cooking Utensils (Safety) Regulations 1972 not outlined in this document?

No Comment

Question 43. What benefits will the revocation of Cooking Utensils (Safety) Regulations 1972 have? Can you quantify these?

The principal benefit will be an updated European legislative framework to work within and we welcome this.

Question 44. Are there any costs for business that have not been anticipated as a result of the revocation of the Cooking Utensils (Safety) Regulations 1972? Can you quantify these?

Question 45. Do you agree with the revocation of the Indication of Prices (Beds) Order 1978?

No comment

Question 46. Are there any other consequences to the revocation of the Indication of Prices (Beds) Order 1978 not outlined in this document?

No comment

Question 47. What benefits will the revocation of Indication of Prices (Beds) Order 1978 have? Can you quantify these?

No Comment

Question 48. Are there any costs for business that have not been anticipated as a result of the revocation of the Indication of Prices (Beds) Order 1978? Can you quantify these?

No Comment

Question 49. Do you agree with the removal of the Child Resistant Packaging and Tactile Danger Warning (Safety) (Revocation) Regulations 1992 from the statute book?

Yes – as higher safety standards are in place

Question 50. Do you agree with the removal of the Stands for Carry-cots (Safety) (Revocation) Regulations 1996 from the statute book?

Yes – as higher safety standards are in place

Question 51. Do you agree with the removal of the Magnetic Toys (Safety) (Revocation) Regulations 2009 from the statute book?

Yes as higher safety standards are in place.

Question 52. Do you have any other comments that might aid the consultation process as a whole?

RoSPA has anticipated this shift from national product specific legislation to a focus on GPSR 2005 and European legislation for many years now. RoSPA agrees entirely that having national legislation in place which brings in to play specific British or European Standards is problematic, in that it renders this legislation “out of date” very quickly and requires constant amendments to legislation when standards become updated.

As such we agree in principle with the shift towards the use of GPSR 2005 and other European Legislation to protect consumers in these areas. The problem with using GPSR 2005 is that the definition of a “Safe Product” can be open to interpretation, particularly regarding the “state of the art of technology” element. This is where national legislation is helpful – it is very specific about the requirements of the legislation and we have found that manufacturers, trading standards and even consumers have welcomed this clarity.

We hope that BIS will support all groups with up to date guidance on how the new framework (if implemented) will work so that this clarity is not lost and replaced by ambiguity in interpretation of safety standards.

RoSPA also supports the move to reduce red tape and unnecessary legislative burdens and we do feel that this exercise will assist in this process. We note that upholstered furniture and plugs and sockets were not included in this exercise – we maintain that tighter controls are important for these products are vital given the risks associated with them.

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