

**Personal Protective Equipment (Enforcement) Regulations 2018  
(as applicable in Great Britain)**

Regulation 5(4) and Schedule 4, 3(5)(c)

## **INTENTION TO SERVE RECALL NOTICE**

[Date]

To: [Business / Company Registered Name and Number]

Of: [Business / Company Registered Address]

This Notice is served under Regulation 5(4) and Schedule 4, 3(5)(c) of the Personal Protective Equipment (Enforcement) Regulations 2018.

[Enforcement authority] is an authority responsible for enforcing the Personal Protective Equipment (Enforcement) Regulations 2018. (PPER) (S.I. 2018/390).

This notification is also to offer an opportunity to [Business / company name] to submit your views prior to the service of the notice.

Once served, the recall notice will apply throughout Great Britain.

The notice will be issued by [name of person / enforcement authority issuing the Notice] on behalf of the [enforcement authority]. The enforcement authority has reasonable grounds for believing that the PPE described below is a dangerous item of PPE that has already been supplied or has been made available to consumers

### **PART A**

***Description of PPE***

### **PART B**

***Suspicion on which the Notice is based***

***This is set out in the recall notice attached that it is intended will be sent to you.***

### **PART C**

***Action Required***

### **PART D**

## **Information**

Under Regulation 5(4) of the PPER, I hereby give you 10 days' notice starting on the day after the date of service of this notification, that I intend to serve on you a Recall Notice requiring you to recall the PPE described in Part A.

During the 10 day period of notice, you may require the [enforcement authority] to seek the advice of persons specified by the Chartered Institute of Arbitrators (charitable organisation with registered number 803725) on the question of whether the PPE described in Part A is in fact dangerous and whether the issue of a Recall Notice is a proportionate response to the risk. In that case, the [enforcement authority] is obliged to take account of such advice prior to issuing the Recall Notice.

If you request the enforcement authority to seek advice as specified by the Chartered Institute of Arbitrators, then you are fully responsible for all the fees, costs, and expenses of the Institute and of any other persons appointed by them to advise the enforcement authority.

## **Opportunity to submit views to [enforcement authority]**

This notification invites you to submit your views prior to the service of the Recall Notice. If you wish to provide views, please send these to:

[Insert contact details...]

Signed:

[Officer] appointed by the [enforcement authority]

[Insert Contact Details]

*This is a template designed to assist Trading Standards officers in drafting a notification of intention to issue a notice relating to the stated legislation. It does not constitute legal advice. Each notification will need to be drafted taking account of the facts of the specific case and considering the relevant legislation to ensure compliance. You may need to seek legal advice.*

[N.B.: the Personal Protective Equipment (Enforcement) Regulations 2018 apply to PPE placed on the market on or after 21<sup>st</sup> April 2018 (Regulation 2, and see further for exclusions).]