

Proceedings of the Institute of Acoustics

A User's Perspective

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TRADING STANDARDS DEPARTMENTS

- * WHAT ARE THEY
- * WHERE ARE THEY
- * ROLE IN MACHINERY
- * ADVICE TO BUSINESS
- * GET IT RIGHT FIRST TIME
- * ENFORCEMENT POLICY

LACOTS

- * WHAT IS IT
- * ROLE
- * HOME AUTHORITY PRINCIPLE

The Home Authority Principle was developed as an aid to effective enforcement based on good practice and commonsense. The principle has been widely adopted by local authorities and is supported by trade, industry and government. It applies to all the trading standards, food hygiene, product safety and consumer protection laws enforced by local authorities.

The Home Authority principle is designed to ensure that:

- ❖ *local authorities place special emphasis on the surveillance of goods and services originating in their area*
- ❖ *every trade or business offering goods or services in the UK is able to turn to a specific Trading Standards authority for preventive guidance or advice.*
- ❖ *trading standards legislation is interpreted in a uniform way throughout the UK **
- ❖ *"enforcing authorities" liaise closely with the home authority on issues affecting the policies of an enterprise*
- ❖ *machinery exists for monitoring and resolving disputes in appropriate cases*

* There are however differences in certain legislation applicable in Scotland, Northern Ireland and the Isle of Man, and you may be referred to the appropriate authority for advice.

What this means to you

The Home Authority Principle effectively provides any business with a known contact point for enquiries concerning all food and trading standards legislation. It is a two way process:-

- ❖ You can ask us for general information concerning the law and its interpretation or seek guidance on specific points.
- ❖ As the Home Authority we will advise you on current and impending legal requirements. Should a problem with any of your products be identified by our colleagues elsewhere in the UK, we will endeavour to bring it your attention at an early stage. We will also endeavour to suggest solutions to these problems to prevent them recurring
- ❖ In this way, your quality systems should be enhanced and improved, enabling you to "Get it Right First Time" with future products and services.

The Home Authority is the local authority which has accepted responsibility for assisting colleagues and liaising with colleagues from other local authorities where appropriate, co-ordinating guidance and advice to companies based within its area, regardless of their size or the number of outlets.

However, it is often difficult to establish which particular authority should be the home authority. It may be the authority in the area where goods are imported or produced, or the authority where the registered office of the company is based. In essence, the intention is to designate as home authority the authority covering the business premises where the relevant effective company decisions are made.

Before offering significant advice the Home Authority will liaise closely with other authorities having direct experience of the company's activities - in particular any "originating authorities". An Originating Authority is the authority in whose area goods are produced or packaged and/or services are made available OR in the case of imported goods, where the goods were first physically handled in the UK for marketing or final distribution. An Authority which receives complaints or enquiries, or detects infringements relating to traders for which it is not the home or originating authority, is known as the Enforcing Authority.

Where infringements are detected and possible legal action is contemplated, the Enforcing Authority will liaise closely with the Home Authority. Minor infringements will often be referred to the Home Authority to take whatever action they consider appropriate.

Although we will do all we can to help and advise, we cannot compromise over legal requirements. The onus is always on you to comply with the law. We offer advice in good faith but there are grey areas of the law where, although we may decide not to take legal action in respect of a particular product or service, other authorities would not be precluded from doing so.

WORKING WITH BUSINESS TO
GET IT RIGHT
FIRST TIME



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OTHER ENFORCEMENT AGENCIES

- * CUSTOMS and EXCISE
- * PROSAFE
- * EUROPEAN AGENCIES

OTHER SOUND RELATED ISSUES

- * TOYS
- * HOUSEHOLD APPLIANCES (NOISE
EMISSION) REGULATIONS