

Online Sale of Goods (Safety) Bill

[AS INTRODUCED]

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[AS INTRODUCED]

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B I L L

TO

Provide for the Secretary of State to make regulations about the safety of goods sold online; and for connected purposes.

BE IT ENACTED by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Duty to make regulations about the safety of goods sold online

- (1) The Secretary of State must, within one year of the passing of this Act, make regulations requiring the operator of any online marketplace to take reasonable steps to ensure that—
- (a) all goods offered for sale in the online marketplace comply with—5
 - (i) the General Product Safety Regulations 2005 (S.I. 2005, No. 1803) (“the 2005 Regulations”), and
 - (ii) such other safety requirements as the Secretary of State may specify; and
 - (b) that no goods offered for sale in the marketplace have been the subject of a notification to an enforcement authority under regulation 9 of the 2005 Regulations.10
- (2) Regulations under subsection (1) may make different provisions in respect of different types of goods.
- (3) Regulations under subsection (1) may include provision—15
- (a) creating criminal offences punishable with a fine in respect of failures to comply with the regulations,
 - (b) about such offences, and
 - (c) for, about or connected with the imposition of civil sanctions.
- (4) Regulations under subsection (1) are subject to annulment in pursuance of a resolution of either House of Parliament.20

2 Interpretation

In this Act—

- (a) “online marketplace” means a service using software, including a website, part of a website or an application, operated by or on behalf25

of a trader, which allows consumers to conclude distance contracts with other traders or consumers; and

- (b) “safety requirement” includes—
- (i) any relevant enactment governing the safety of products or of a specific type of products, 5
 - (ii) any voluntary national standard of the United Kingdom, and
 - (iii) any standard adopted by an international standardising body.

3 Short title, commencement and extent

- (1) This Act may be cited as the Online Sale of Goods (Safety) Act 2023.
- (2) This Act comes into force on the day on which it is passed. 10
- (3) This Act extends to England, Wales, and Scotland.

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Presented by Ian Mearns

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