**Authorised Officers
Protective Services**

Sub delegation of these functions is by the Protective Services Manager to carry out the duties appropriate to the designation under the legislation hereinafter referred to and under any amending Acts, Regulations or Orders made thereunder.

**1)Consumer Advice and Fair Trading**

Accommodation Agencies Act 1953

Advanced Television Services Regulations 2003

Business Protection from Misleading Marketing Regulations 2008

Cancer Act 1939

Companies Act 2006

Companies (Trading Disclosures) Regulations 2008

Consumer Contracts (Information, Cancellations and Additional

Charges) Regulations 2013

Consumer Protection (Distance Selling) Regulations 2000

Consumer Protection Act 1987

Consumer Rights Act 2015

Consumer Protection from Unfair Trading Regulations 2008

Consumer Rights (Payment Surcharges) Regulations 2012

Enterprise Act 2002

Estate Agents Act 1979

European Union (Withdrawal Agreement) Act 2020

Electronic Commerce (EC Directive) Regulations 2002

Footwear (Indication of Composition) Labelling Regulations 1995 Package Travel, Package Holidays and Package Tours

Regulations 1992

Provision of Services Regulations 2009

Radio Equipment and Telecommunications Terminal Equipment Regulations 2000

Rights of Passengers in Bus and Coach Transport (Exemptions and Enforcement) Regulations 2013

Single Use Carrier Bags Charge (Scotland) Regulations 2014 Textile Products (Labelling and Fibre Composition) Regulations

2012

The Company, Limited Liability Partnership and Business Names (Sensitive Words and Expressions) Regulations 2014

Unsolicited Goods and Services Act 1971

**2 Consumer Credit and Prices**

Consumer Credit Acts 1974 and 2006

Debt Arrangement and Attachment (Scotland) Act 2002

Development of Tourism Act 1969

European Union (Withdrawal Agreement) Act 2020

Prices Act 1974

Price Indications (Bureau de Change) (No. 2) Regulations 1992

Price Marking Order 2004

Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010

Financial Services Act 2012

Financial Services Act 2012 (Consumer Credit) Order 2013

Financial Services (Distance Marketing) Regulations 2004

Financial Services and Markets Act 2000

Legal Services Act 2007

**3 Petroleum and Dangerous Substances**

Clean Air Act 1993

Civic Government (Scotland) Act 1982

European Union (Withdrawal Agreement) Act 2020

Explosives Acts 1875 and 1923

Explosives Regulations 2014

Fireworks Act 2003

Fireworks (Scotland) Regulations 2004 as amended

Health and Safety at Work etc. Act 1974 (sections 20, 21, 22 and 25)

and, by virtue of section 19(1) of the Act, any other related Health and Safety Regulation for which Scottish Borders Council is responsible

Petroleum (Consolidation) Regulations 2014

Pyrotechnic Articles (Safety) Regulations 2015

Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2012

**4 Consumer Safety and Poisons**

Aerosol Dispensers Regulations 2009

Antisocial Behaviour etc. (Scotland) Act 2004

Biocidal Products and Chemicals (Appointment of Authorities and

Enforcement) Regulations 2013

Biofuel (Labelling) Regulations 2004

Cat and Dog Fur (Control of Import, Export and Placing on the

Market) Regulations 2008

Chemicals (Hazard Information and Packaging for Supply)

Regulations 2009

EC No. 1272/2008 Classification, Labelling and Packaging

Regulations

Children and Young Persons (Protection from Tobacco) Act 1991

Cigarette Lighter Refill (Safety) Regulations 1999

Construction Products Regulations 2013

Cosmetic Products Enforcement Regulations 2013

Consumer Protection Act 1987

Detergents Regulations 2010

Electrical Equipment (Safety) Regulations 2016

Electromagnetic Compatibility Regulations 2016

Energy Act 1976

Energy Conservation Act 1996

Energy Information Regulations 2011

European Union (Withdrawal Agreement) Act 2020

Food Imitations (Safety) Regulations 1989

Furniture and Furnishings (Fire) (Safety) Regulations 1988

Gas Appliances (Safety) Regulations 1995

General Product Safety Regulations 2005

Household Appliances (Noise Emission) Regulations 1990

Medical Devices Regulations 2002

Motorcycle Noise Act 1987

Motor Fuel (Composition and Content) Regulations 1999

Motor Vehicle Tyres (Safety) Regulations 1994

Nightwear (Safety) Regulations 1985

N-nitrosamines and N-nitrosatable Substances in Elastomer or

Rubber Teats and Dummies (Safety) Regulations 1995

Oil Heaters (Safety) Regulations 1977

Packaging (Essential Requirements) Regulations 2015

Passenger Car (Fuel Consumption and CO2 Emissions

Information) Regulations 2001

Pedal Bicycles (Safety) Regulations 2010

Personal Protective Equipment Regulations 2002

Pesticides (Fees and Enforcement) Act 1989

Plant Protection Products Regulations 2011

Plugs & Sockets etc. (Safety) Regulations 1994

Poisons Act 1972

Pressure Equipment (Safety) Regulations 2016

REACH Enforcement Regulations 2008

Recreational Craft Regulations 2017

Regulation 76512008/EC on Accreditation and Market Surveillance

Road Traffic Act 1988 (sections 17 and 18)

Road Vehicles (Brake Linings Safety) Regulations 1999

Standardised Packaging of Tobacco Products Regulations 2015

Tobacco Advertising and Promotion Act 2002

Tobacco for Oral Use (Safety) Regulations 1992

Tobacco and Primary Medical Services (Scotland) Act 2010

Tobacco and Related Products Regulations 2016

Tobacco Products (Manufacture, Presentation and Sale) (Safety)

Regulations 2002

Toys (Safety) Regulations 2011

Simple Pressure Vessels (Safety) Regulations 2016

Supply of Machinery (Safety) Regulations 2008

**5 Trade Descriptions and Hallmarking**

Copyright, Designs and Patents Act 1988

Copyright, etc. and Trade Marks (Offences and Enforcement) Act

2002

Energy Conservation Act 1996

European Union (Withdrawal Agreement) Act 2020

Hallmarking Act 1973

Housing (Scotland) Act 2006

Intellectual Property Act 2014

Olympic Symbol etc. (Protection) Act 1995

Trade Descriptions Act 1968

Trade Marks Act 1994

Registered Designs Act 1949

Video Recording Acts 1984 and 2010

**6. Quality Control, Food and Agriculture**

Agriculture Act 1970

Animal By-Products (Enforcement) (Scotland) Regulations 2013

Animal Feed (Scotland) Regulations 2010

EC Fertilisers (Scotland) Regulations 2006

European Union (Withdrawal Agreement) Act 2020

Feed (Hygiene and Enforcement) (Scotland) Regulations 2005

Food and Environment Protection Act 1985

Genetically Modified Animal Feed (Scotland) Regulations 2004

Medicines Act 1968

Official Feed and Food Controls (Scotland) Regulations 2009

Trade in Animals and Related Products (Scotland) Regulations 2012

The Veterinary Medicines Regulations 2013

**7 Quantity Control**

European Union (Withdrawal Agreement) Act 2020

Measuring Container Bottles (EEC Requirements) Regulations 1977

Measuring Instruments Regulations 2016

Measuring Instruments (EEC Requirements) Regulations 1988

Non-automatic Weighing Instruments Regulations 2016

Weights and Measures Acts 1976 and 1985

**8. Animal Health (TS)**

Animal Boarding Establishments Act 1963

Animal Health Act 1981

Animal Health and Welfare (Scotland) Act 2006

Animals (Scotland) Act 1987

Anthrax Order 1991

Avian Influenza (Preventive Measures in Zoos) (Scotland)

Regulations 2005

Avian Influenza (Preventive Measures) (Scotland) Order 2007

Avian Influenza and Influenza of Avian Origin in Mammals

(Scotland) Order 2006

Avian Influenza (Slaughter and Vaccination) (Scotland)

Regulations 2006

Avian Influenza (H5N1 in Poultry) (Scotland) Order 2007

Avian Influenza (H5N1 in Wild Birds) (Scotland) Order 2007

Cattle Identification (Scotland) Regulations 2007

Dangerous Wild Animals Act 1976

Deer (Scotland) Act 1996

Disease Control (Interim Measures) (Scotland) Order 2002

Diseases of Animals (Approved Disinfectants) (Scotland) Order

2008

Diseases of Poultry (Scotland) Order 2003

Diseases of Swine Regulations 2014

Foot-and-Mouth Disease (Scotland) Order 2006

Foot-and-Mouth Disease (Slaughter and Vaccination) (Scotland)

Regulations 2006

Horse Identification (Scotland) Regulations 2009

Importation of Animal Pathogens Order 1980

Importation of Animals Order 1977

Infectious Diseases of Horses Order 1987

Non-Commercial Movement of Pet Animals Order 2011

Performing Animals (Regulation) Act 1925

Pigs (Records, Identification and Movement) (Scotland) Order

2011

Rabies (Control) Order 1974

Rabies (Importation of Dogs, Cats and other Mammals) Order

1974

Riding Establishments Act 1964 & 1970

Sheep and Goats (Records, Identification and Movement)

(Scotland) Order 2009

Sheep Scab (Scotland) Order 2010

The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021

Transmissible Spongiform Encephalopathies (Scotland) Regulations 2010

Transport of Animals (Cleansing and Disinfection) (Scotland) Regulations 2005

Tuberculosis (Scotland) Order 2007

Tuberculosis in Specified Animals (Scotland) Order 2015

Welfare of Animals at Markets Order 1990

Welfare of Animals (Transport) (Scotland) Regulations 2006

Welfare of Farmed Animals (Scotland) Regulations 2010

Welfare of Horses at Markets (and Other Places of Sale) Order 1990

Wildlife and Countryside Act 1981

Zoo Licensing Act 1981

**9. Environmental Health — Public Health**

Caravan Sites and Control of Development Act 1960

Civic Government (Scotland) Act 1982

Environmental Protection Act 1990

Housing (Scotland) Act 1987

Housing (Scotland) Act 2006

Housing (Scotland) Act 2014

National Assistance Act 1948 (Section 50)

Noise and Statutory Nuisance Act 1993

Prevention of Damage by Pests Act 1949

Private Rented Housing (Scotland) Act 2011

Public Health etc. (Scotland) Act 2008

Refuse Disposal (Amenity) Act 1978

Removal and Disposal of Vehicles Regulations 1986

Road Traffic Act 1991

Road Traffic (Vehicle Emissions) (Fixed Penalty) Scotland Regulations 2003

Smoking, Health and Social Care Scotland Act 2005

**10 Private Water**

Private Water Supplies (Scotland) Regulations 2006

Private Water Supplies (Grants) (Scotland) Regulations 2006

Private Water Supplies (Notices) (Scotland) Regulations 2006

Water (Scotland) Act 1980

Water Intended for Human Consumption (Private Water Supplies) (Scotland) Regulations 2017

**11 Pollution**

Air Quality Standards (Scotland) Regulations 2010

Air Quality (Scotland) Regulations 2000, as amended 2002 and 2016

Antisocial Behaviour etc. (Scotland) Act 2004

Clean Air Act 1993

Contaminated Land (Scotland) Regulations 2000

Contaminated Land (Scotland) Regulations 2005

Control of Pollution Act 1974

Control of Pollution (Amendment) Act 1989

Environment Act 1995

Environmental Protection Act 1990

Noise and Statutory Nuisance Act 1993

**12 Food Safety**

Deer (Scotland) Act 1996

European Union (Withdrawal Agreement) Act 2020

Food Safety Act 1990 (and Regulations made thereunder)

Food Hygiene (Scotland) Regulations 2006

Food and Environment Protection Act 1985

Food Information (Scotland) Regulations 2014

**13 Food Safety**

Service of Hygiene Emergency Prohibition Notices and Orders under regulation 8 of the Food Hygiene (Scotland) Regulations 2006

Service of Hygiene Prohibition Orders under Regulation 7 of the Food Hygiene (Scotland) Regulations 2006

Service of Remedial Action Notices and Detention Notices under Regulation 9 of the Food Hygiene (Scotland) Regulations 2006

Service of Hygiene Improvement Notices under Regulation 6 of the Food Hygiene (Scotland) Regulations 2006

**14 Health and Safety at Work etc. Act 1974**

The officer is empowered to authorise any person to accompany him/her, if necessary on visits to premises for the purpose of carrying out his/her duties in terms of the Health and Safety at Work, etc. Act 1974. This officer is also hereby authorised to exercise the power of an inspector specified in:-

1. Sections 20, 21, 22 and 25 of the Health and Safety at Work etc Act 1974; any health and safety regulations made under the above Act; and
2. The provisions specified in the third column of Schedule 1 of the Act which and of the regulations, orders or other instruments of a legislative character made or having effect under any provision so specified.

**15 Animal Welfare**

Animal Health Act 1981

Animal Health and Welfare (Scotland) Act 2006

Civic Government (Scotland) Act 1982

Control of Dogs (Scotland) Act 2010

Dog Fouling (Scotland) Act 2003

Environmental Protection Act 1990

Local Government (Scotland) Act 1992

Microchipping of Dogs (Scotland) Regulations 2016

The Control of Dogs Order 1992

**16 Pest Control**

Prevention of Damage by Pests Act 1949 Environmental Protection Act 1990