

Informative translation of
Act on Products and Market Surveillance¹⁾
(LOV nr 799 af 09/06/2020)

This is a translation of the Act on
Products and Market Surveillance.
In any case of misinterpretation
between the translated version and
the Danish version, the Danish
version has legal force.

WE MARGRETHE THE SECOND, by the Grace of God Queen of Denmark, make it known:

The Danish Parliament (Folketinget) has passed and We have confirmed by Royal Consent the following Act:

Chapter 1

Scope and definitions

1. The Act complements Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and on amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (market surveillance regulation).
2. The law applies to the products covered by the following directives or regulations:
 - 1) Directive of the European Parliament and of the Council on general product safety.
 - 2) Directive of the European Parliament and of the Council on machinery.
 - 3) Directive of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to equipment and protective systems intended for use in a potentially explosive atmosphere.
 - 4) Directive of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to lifts and safety components for lifts.
 - 5) Directive of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment.
 - 6) Directive of the European Parliament and of the Council on transportable pressure equipment.
 - 7) Directive of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of simple pressure vessels.
 - 8) Council Directive on the approximation of the laws of the Member States relating to aerosols dispensers.

9) Directive of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits.

10) Directive of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of pyrotechnic articles.

11) Directive of the European Parliament and of the Council on safety of toys.

12) Council Directive on the approximation of the laws of the Member States concerning products which, appearing to be other than they are, endanger the health or safety of consumers.

13) Regulation of the European Parliament and of the Council on cableway installations.

14) Regulation of the European Parliament and of the Council on personal protective equipment.

15) Regulation of the European Parliament and of the Council on appliances burning gaseous fuels.

(2) The Act shall also apply to:

1) Electrical equipment not covered by subsection (1) no. 9.

2) Gas equipment not covered by subsection (1) no. 15.

3. The act applies unless there are specific provisions for the same purpose in other legislation that implements or complements the EU harmonisation acts covered by section 2(1), no. 2-15, which regulate in a more specific way specific market surveillance and enforcement aspects.

4. For the purposes of this Act, the following definitions apply:

1) Economic operator: A manufacturer, authorised representative, importer, distributor, distribution service provider or any other natural or legal person having obligations in connection with the manufacture, making available on the market or putting into service of products covered by section 2 and anyone who trades in name of such economic operator or on behalf of such an economic operator as part of his or her profession.

2) Electrical equipment: Equipment of any nature which forms part of or is intended to form part of or be connected to an electrical plant or electrical installation, except for electrical equipment particularly intended for use on board vessels, on mobile offshore installations or in aircraft and in vehicles used on the railway network as well as electrical equipment in motor vehicles intended for operation of the motor vehicle, while charging plugs intended to form part of electrically powered motor vehicles.

3) Gas equipment: Equipment of any kind that is included in or intended to be included in gas plants or gas installations.

4) Product regulations: Collective designation for the regulations in section 2(1), no. 13-15.

Chapter 2

General obligations

5. The economic operator must ensure that a product placed on the market or made available on the market complies with the following requirements:

1) The product complies with the rules laid down in this Act or rules laid down pursuant to this Act.

2) The product complies with the rules of the product regulations or the market surveillance regulation as far as the scope of this Act is concerned.

3) The product does not pose a risk when it is

a) installed and maintained in a suitable manner and

b) used for the intended purpose or used under reasonably foreseeable conditions.

(2) A product that does not comply with subsection (1) must not be installed, put into service or used.

(3) If an economic operator becomes aware that a product that he or she has placed on the market or has made available on the market does not comply with subsection (1) no. 3 he or she shall immediately inform the enforcement authority thereof and take the necessary measures.

(4) Subsections (1)-(3) shall not apply to the extent that a regulation lays down provisions on the obligations of economic operators.

6. A product is presumed to comply with this Act and rules laid down pursuant to this Act when it is manufactured in accordance with standards, references to which are published in the Official Journal of the European Union.

(2) A product is presumed to comply with this Act and the rules laid down pursuant to this Act when, if relevant, it is marked with a conformity marking and, where required, is accompanied by a declaration of conformity.

7. Anyone who, as a private person or in co-ownership with other private persons, makes a product available to others for value or other valuable consideration, shall maintain the product according to the manufacturer's instructions.

(2) The legal person who makes a product available for value or free of charge shall ensure that the product is maintained in accordance with the manufacturer's instructions and that the product is suitable for its intended use.

(3) When commercially renting a product, the lessor shall ensure that the rented product is maintained and in accordance with the rules of this Act, rules laid down pursuant to this Act or product regulations within the scope of this Act. The lessor shall also instruct the user of the product about the safe use of what is rented.

8. The Minister for Industry, Business and Financial Affairs may lay down rules on the safety, technical and formal requirements for a product covered by section 2, including requirements for the characteristics, execution, labelling and marketing of a product.

(2) The Minister for Industry, Business and Financial Affairs may lay down detailed rules on requirements for economic operators who are obligated under this Act.

(3) The Minister for Industry, Business and Financial Affairs may lay down rules necessary for the implementation and enforcement of legal acts adopted by the European Union institutions concerning products covered by this Act.

Chapter 3

Regulatory Control

9. Unless otherwise provided for in subsection (2), the Danish Safety Technology Authority carries out the task as enforcement authority.

(2) Where, in accordance with or pursuant to other legislation, rules are laid down for the prevention of specific risks for specific products, the relevant enforcement authority that examines risks for products covered by section 2(1), in the case of such special products, is the authority responsible for compliance with the other legislation.

(3) The relevant enforcement authority monitors the compliance with the rules of this Act and the rules laid down pursuant to this Act. The enforcement authority also monitors compliance with rules laid down in product regulations or the market surveillance regulation as far as the scope of this Act is complied with.

(4) The enforcement authority shall exercise regulatory control pursuant to subsection (3) in such a way as to intervene with the means and speed required by the seriousness of the risk, including the use of a hidden identity. In doing so, the authority shall take due account of the scientific uncertainty about the impact of a product on human health and the seriousness of the risk that a product will cause injury to people.

10. The enforcement authority may require from anyone all information deemed necessary for the work of the enforcement authority, including in determining whether a matter falls within the competence of the enforcement authority.

(2) Pictorial material obtained during an inspection may subsequently be used in connection with information to the public, cf. section 22.

11. The enforcement authority shall at all times, against proper identification and without court order, have access to all business premises and means of transport where products that fall within the scope of this Act may be found. The access also includes private premises where elevators and other lifting equipment, pressure equipment, electrical equipment and gas equipment may have been installed or stored to the extent required to carry out the regulatory control, cf. section 9.

(2) The enforcement authority may, as part of the inspection, carry out technical investigations of an on-site product.

(3) The enforcement authority may, as part of the documentation of the inspection, photograph and record video as well as collect samples for further analysis or examination.

(4) The enforcement authority may be assisted by one or more independent experts in relation to access under subsection (1) and technical studies according to subsection (2).

(5) Where necessary, the police provides assistance in carrying out the inspections. The Minister for Industry, Business and Financial Affairs may, after consulting the Minister of Justice, lay down further regulations on this matter.

12. As part of the control of compliance with the rules, cf. section 9, the enforcement authority may select any product that falls within the scope of this Act, including the use of a hidden identity. The selection can be made by the enforcement authority without payment, or the market surveillance authority can claim the reimbursement of the cost if the selection of the product necessitated a payment.

(2) An economic operator constituting part of the placing on the market of a product is obliged to submit or deliver the product for inspection at the request of the market surveillance authority, cf. subsection (1). The economic operator from whom the product is selected shall bear the cost of any freight to the location designated by the enforcement authority.

(3) The enforcement authority may carry out or have carried out technical examinations of products selected pursuant to subsection (1). The enforcement authority may demand that costs related to the external technical investigations is refunded by the economic operator to whom, cf. sections 13, 14 and 16(1), a decision is made in connection with the investigation.

(4) The enforcement authority may obtain expert opinions, which the authority deems necessary in order to make a decision. The market surveillance authority may demand that costs related to obtaining opinions from experts refunded by the economic operator to whom, cf. sections 13, 14 and 16(1), a decision is made in connection with the investigation.

(5) The Minister for Industry, Business and Financial Affairs may authorise another public authority or public or private businesses to exercise the powers conferred on the enforcement authority pursuant to subsection (1).

13. The enforcement authority may issue a temporary prohibition on the delivery, marketing, display or other way of making a product available if the product is considered to pose a risk. The prohibition may be applied to anyone who has made a product available on the market. The duration of the prohibition cannot extend beyond what is necessary to take control measures for the purpose of examining or assessing the safety of the product.

14. If a product or an economic operator does not comply with the rules of this Act, rules laid down pursuant to this Act, product regulations or the Market Surveillance Regulation within the scope of this Act, the enforcement authority may issue orders to anyone who has placed a product on the market, or has been part of the marketing of a product, to

- 1) alert users of the risks related with the product,
- 2) stop marketing that may mislead users,
- 3) remedy matters which do not comply with the rules,

- 4) stop the sale or delivery of the product,
- 5) withdraw the product from the market efficiently and immediately,
- 6) recall the product from users or
- 7) destroy the product in a proper manner.

15. The enforcement authority can control whether a CE marking has been improperly affixed to a product.

(2) If a CE marking has been improperly affixed to a product, the enforcement authority may order anyone who provides the product to stop selling or dispatching the product and, where necessary, withdraw the product from the market.

(3) The enforcement authority may order a manufacturer or importer to remove the CE marking within a specified period. Sales of the product can be resumed after the CE marking has been removed.

16. The enforcement authority may prohibit anyone from placing a product on the market, make it available on the market, deliver it or putting it into service if the product or the economic operator does not comply with the rules of this Act, rules laid down pursuant to this Act, Product Regulations or the Market Surveillance Regulation within the scope of this Act.

(2) The enforcement authority may order the one to whom the prohibition pursuant to subsection (1) applies to destroy the product in a proper manner.

(3) The enforcement authority may arrange for the product to be destroyed if this has not been done within a reasonable time after receipt of the order, in accordance with subsection (2). The costs of destruction shall be borne by the one informed of the order.

17. The enforcement authority may order the owner of an online interface to modify or remove content that refers to a product that does not comply with the rules of this Act, the rules laid down pursuant to this Act, or regulations that are within the scope of this Act.

18. An online interface may be blocked if an order pursuant to section 17 is not complied with or the online interface has repeatedly sold or brokered the sale of products that pose a serious risk.

(2) A decision according to subsection (1) on blocking an online interface is made by court order at the request of the enforcement authority. Before the court decides, it shall, as far as possible, give the party to whom the intervention is directed, the right to make a statement. The order states the specific circumstances of the case, which support that the terms for the intervention are fulfilled.

(3) It is the responsibility of information society service providers to assist the enforcement authority in the execution of orders in accordance with subsection (2). The enforcement authority may impose penalty payment on providers of information society services for the purpose of enforcing activities that are incumbent on the providers.

(4) The enforcement authority shall ensure that an intervention pursuant to subsection (1) is not maintained beyond the period in which the basis for the blocking is present. The enforcement authority shall make the decision on its own initiative or at the request of the one to whom the intervention is directed, to unblock it.

(5) If the one to whom the intervention is directed requests for unblocking in accordance with subsection (1) and this request is supported by the fact that there have been significant changes in the content of the online interface, the enforcement authority shall, if the blocking is not lifted pursuant to subsection (4), bring the matter to the court as soon as possible. By order, the court will decide whether the intervention is to be maintained. If a request is rejected, a new request cannot be made until three months have passed since the order was issued.

19. The enforcement authority may make a decision regarding any other economic operator who is affiliated with the product other than the one who has placed the product on the market or made it available on the market, in order to contribute, as appropriate, to mitigate risks and prevent risks from arising.

20. If the enforcement authority cannot find the one who has placed a product on the market or made it available on the market or does the one in question not comply with the decision issued to it, the authority may take the measures referred to in sections 13 and 14, section 15(2) and (3), section 16(1) and (2), and section 17, on behalf of the one in question.

(2) The enforcement authority may demand the costs arising from the measures taken by the authority pursuant to subsection (1), refunded by the addressee of the decision.

21. The enforcement authority may require that the one required to take measures pursuant to sections 13 and 14, section 15(2) and (3), section 16(1) and (2), and sections 17 and 19, inform the authority about how the measures have been taken and of the effect thereof.

22. The enforcement authority shall, if necessary, inform the public of products that do not comply with the rules of this Act, rules laid down pursuant to this Act, product regulations or the market surveillance regulation as to the scope of this Act, including:

- 1) relevant characteristics for the identification of the product,
- 2) the nature of the risk, where relevant,
- 3) the measures taken, and
- 4) how the public should behave.

(2) Information which has the nature of being trade secrets may only be disclosed if necessary to protect human safety and health.

23. If the enforcement authority deems it necessary, including to prevent a wide range of users from being exposed to dangerous products, or because the number of manufacturers, importers or distributors related to the product is very large and these are of a diverse nature, prohibitions pursuant to section 16(1) may be issued by executive order.

24. The enforcement authority may collect and process, as well as combine, information from other public authorities and from publicly available sources for purposes of control.

(2) The enforcement authority may process, as well as combine, information which the authority, in addition to the cases referred to in subsection (1), is in possession of, for the purposes of control.

(3) The market surveillance authority may collect and process, as well as combine, information that is not publicly available from public and private businesses and business or consumer organisations for the purposes of control.

25. The Customs and Tax Administration, in agreement between the Minister of Taxation and the Minister for Industry, Business and Financial Affairs, provides the enforcement authority with assistance in carrying out the control pursuant to section 9. The Minister for Industry, Business and Financial Affairs may, after negotiation with the Minister of Taxation, lay down detailed rules on this matter, including that the Customs and Tax Administration may withhold a product where the recipient of the product is not an economic operator and that the Customs and Tax Administration can withhold a product at airports, ports or at border crossings or the like, where the one who imports the product is not an economic operator if the product in question is presumed not to comply with the rules of this Act, rules laid down pursuant to this Act or product regulations within the scope of this Act.

(2) The Minister for Industry, Business and Financial Affairs may, in regulations laid down pursuant to subsection (1), also determine how the enforcement authority decides that a product does not comply with the rules of this Act, rules laid down pursuant to this Act or product regulations within the scope of this Act and whether the product can be confiscated and destroyed.

Chapter 4

Notified bodies

26. On application, the Minister for Industry, Business and Financial Affairs may designate private and public businesses as well as public authorities as a notified body to carry out approval and conformity assessment tasks, as far as possible in accordance with the directives, cf. section 2(1) and the product regulations.

(2) The Minister for Industry, Business and Financial Affairs may lay down rules on designation, including on accreditation, supervision and control of designated businesses and authorities, and on the tasks to be performed by those designated.

Chapter 5

Liaison Office and other administrative provisions

27. The Danish Safety Technology Authority is designated as a central liaison office in accordance with Article 10(3) of the Market Surveillance Regulation.

(2) The Danish Safety Technology Authority coordinates cooperation between the enforcement authorities carrying out control on products referred to in the European Parliament and Council directive on general product safety.

(3) The Minister for Industry, Business and Financial Affairs, after negotiation with the relevant ministers, lays down detailed rules on cooperation between authorities covered by subsections (1) and (2).

28. If the European Commission is to be informed in accordance with the directive of the European Parliament and of the Council on general product safety, the enforcement authority shall immediately notify the Danish Safety Technology Authority of decisions on the safety of products determined pursuant to this Act, any other act or rules laid down pursuant to it or other act.

(2) In the case of a product posing a serious risk, the Danish Safety Technology Authority immediately forwards this notification to the European Commission through the system of rapid exchange of information between the Member States of the Union, Safety Gate RAPEX.

(3) The Minister for Industry, Business and Financial Affairs may lay down rules on the use of the Safety Gate RAPEX and the notification of the European Commission.

29. The Minister for Industry, Business and Financial Affairs may lay down rules that payment may be charged to cover the cost of time spent on litigation within the scope of this Act.

30. The Minister for Industry, Business and Financial Affairs may assign his powers under this Act to the Danish Safety Technology Authority.

Chapter 6

Digital communication, etc.

31. The Minister for Industry, Business and Financial Affairs may lay down rules that require that written communication to and from authorities on matters covered by this Act, rules laid down pursuant to this Act, Product Regulations or Market Surveillance Regulations within the scope of this Act, shall be conducted digitally.

(2) The Minister for Industry, Business and Financial Affairs may lay down detailed rules for digital communication and the use of certain IT systems, particular digital formats and the like.

(3) A digital message is considered to have appeared at the time the message is accessible to the addressee in the mail solution.

32. The Minister for Industry, Business and Financial Affairs may lay down rules that rules laid down pursuant to this Act, containing requirements for businesses and products, and technical specifications referred to in such regulations, shall not be published in Lovtidende (the Danish Law Gazette).

(2) The Minister for Industry, Business and Financial Affairs may lay down rules on how information on the content of the rules and technical specifications not published in Lovtidende (the Danish Law Gazette), cf. subsection (1), can be obtained.

(3) The Minister for Industry, Business and Financial Affairs may lay down rules that technical specifications not published in Lovtidende (the Danish Law Gazette), cf. subsection (1), shall be applicable even if they are not accessible in Danish.

Chapter 7

Advisory board

33. The Minister for Industry, Business and Financial Affairs may establish an advisory board that can perform advisory tasks for the Danish Safety Technology Authority regarding products and market surveillance in accordance with this Act and other market surveillance tasks.

(2) The Minister for Industry, Business and Financial Affairs lays down detailed rules on the tasks to be carried out by the advisory board.

Chapter 8

Appeal and judicial review

34. The decisions of the enforcement authority made in accordance with this Act or rules laid down pursuant to this Act cannot not be brought before another administrative authority, but see subsection (2).

(2) The Minister for Industry, Business and Financial Affairs may lay down rules on access to appeal concerning decisions made on the basis of rules laid down pursuant to section 25(1) and (2).

35. Complaints against decisions made by notified bodies, cf. section 26, may be brought before the Safety Technology Authority within four weeks after the decision has been notified to the one in question.

36. Orders or prohibitions issued pursuant to sections 13 and 14, section 15(2) and (3), section 16(1) and (2), and sections 17 and 19 may be brought before the courts if the one in question by the decision claims it. Such requests shall be submitted to the enforcement authority that made the decision within four weeks of the notification of the order or prohibition to the one in question. If the deadline expires on a Saturday, Sunday or public holiday, the deadline is extended to the following working day. The enforcement authority shall, without undue delay, bring the case before the courts, where the case will be processed in accordance with the forms of civil procedure.

(2) The court may decide that a request as referred to in subsection (1) will act as a stay of execution.

Chapter 9

Penalties

37. Unless a more severe penalty is incurred in pursuance of other legislation, a fine is imposed on anyone who

1) violates section 5(1)-(3),

2) fails to fulfil his or her obligations in accordance with section 7,

3) fails to provide the enforcement authority information pursuant to section 10(1) or provides incorrect information in connection with the proceedings,

4) fails to grant access to the enforcement authority in accordance with section 11(1),

- 5) fails to submit or hand over products in accordance with section 12(2),
- 6) violates or fails to comply with a decision of the enforcement authority, cf. sections 13 or 14, section 15(2) or (3), section 16(1) or (2), or sections 17 or 19,
- 7) bypasses or evades the enforcement authority's control or attempts to do so,
- 8) does not fulfil the obligations of the economic operator, cf. Article 4(1), (3) or (4), of the Market Surveillance Regulation,
- 9) does not have an authorised representative where required, or has not given the authorised representative the powers or means to perform the task, cf. Article 4(3) and Article 5 of the Market Surveillance Regulation.
- 10) as authorised representative, fails to provide a copy of the mandate, cf. Article 5(2) of the Market Surveillance Regulation, or
- 11) improperly uses the CE mark, cf. Article 30(2) of Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products.

(2) Where a violation referred to in subsection (1) no. 1 and 3-10 is committed in a product area covered by section 2(1) no. 1-11 or 13-15, or subsection (2) no. 1 or 2, the penalty may, under aggravating circumstances, increase to imprisonment for up to two years. Aggravating circumstances are regarded as being when

- 1) the violation has posed a danger to safety or health,
- 2) the violation has resulted in an accident involving serious personal injury or death,
- 3) there are repeated infringements where the business has previously committed a similar violation,
- 4) the violation was committed as part of a systematic violation of the rules for economic benefit, or
- 5) the economic operator has tried to bypass or evade the control of the enforcement authority.

(3) If, by one or more actions, someone has committed several violations of this Act or rules laid down pursuant to this Act, and if the violations result in the imposition of a fine, the fines shall be added together for each violation. If, by one or more actions, someone has violated this Act or rules laid down pursuant to this Act and one or more other acts, and if the violations result in the imposition of a fine, the fines shall be added for each violation of this Act or rules laid down in accordance with this Act and the fine for the violation of this or the other acts.

(4) If, by one or more actions, someone has committed several violations of this Act or rules laid down pursuant to this Act, and one of the violations results in a sentence of imprisonment, while another entails a sentence of a fine, the court shall impose a fine in addition to the prison sentence. The same applies if, by one or more actions, someone has violated this Act or rules laid down pursuant to this Act and one or more other acts, and if the violation of this Act or rules laid down pursuant to this Act results in a fine and the violation of this or the other acts results in imprisonment.

(5) The provisions of subsections (3) and (4) may be waived when special reasons so warrant.

(6) Imposition of a fine may be laid down in rules issued pursuant to this Act. If the product area covered by section 2(1) no. 1-11 or 13-15, or subsection 2 no. 1 or 2, it may be punishable by a fine or in aggravating circumstances imprisonment for up to two years. In addition, extended limitation periods of up to five years may be set in rules issued pursuant to this Act.

(7) The Minister for Industry, Business and Financial Affairs may lay down rules on fines or imprisonment for up to two years for violation of the product regulations, cf. section 4 no. 4.

(8) Businesses, etc. (legal persons) may be subject to criminal liability according to the rules of Chapter 5 of the Danish Criminal Code.

Chapter 10

Entry into force

38. This Act shall enter into force on 1 July 2020, but see subsections (2) and (3).

(2) Section 37(1), no. 8-10, enters into force on 16 July 2021.

(3) The Minister for Industry, Business and Financial Affairs shall determine the date of entry into force of section 40.

39. The Product Safety Act, cf. Consolidation Act No. 3 of 3 January 2019, is repealed.

40. Act No. 155 of 20 February 2013 on interior design etc. of certain products is repealed.

41. Rules laid down pursuant to the Product Safety Act, cf. Consolidation Act No. 3 of 3 January 2019, the Electricity Safety Act, cf. Consolidation Act No. 26 of 10 January 2019, the Gas Safety Act, Act No. 61 of 30 January 2018, the Act on Fireworks and other pyrotechnic Articles, cf. Consolidation Act No. 2 of 3 January 2019, and Act No. 155 of 20 February 2013 on configuration etc. of certain products remain in force until they are repealed or replaced by rules laid down pursuant to this Act.

Chapter 11

Amendments to other legislation

42. The Electrical Safety Act, cf. Consolidation Act no. 26 of 10 January 2019, is amended as follows:

1. The Act's title shall be worded as follows:

'Act on Safety for Electrical Plants and Electrical Installations (The Electrical Safety Act)'.

2. Section 1, second sentence is repealed.

3. Section 4 is repealed.

4. In Section 5(1), no. 2, 'installations,' is amended to: 'Installations and', and no. 3 is repealed.

No. 4 then becomes no. 3.

5. In section 5(2), 'no. 1-3' is amended to: 'no.1 and 2'.
 6. Section 5(3) is repealed.
 7. Section 8 is repealed.
 8. In section 13(2), second sentence, 'installations, owners' is amended to: 'Installations, and owners' and 'as well as all stages of placing on the market of electrical equipment' is deleted.
 9. Sections 19-21 is repealed.
 10. In section 23(1), 'electrical plants, electrical installations and electrical equipment' is replaced by the following: 'electrical plants and electrical installations', "section 17" is amended to: 'section 17 and', and ', section 20 and section 21(1) and (2)' is deleted.
 11. In section 24(1), no. 3, 'section 17' is amended to: 'section 17 and', and ', section 20 and section 21(1) and (2)' is deleted.
 12. In section 34(1), no. 1 , "sections 3 or 4" is amended to: »section 3«.
 13. In section 34(1), no. 3 'sections 20-22' is amended to: »section 22«.
- 43.** The Gas Safety Act, Act No. 61 of 30 January 2018, as amended by section 6 of Act no. 1533 of 18 December 2018, is amended as follows:
1. The act's title shall be worded as follows:
'Act on Safety for Gas Plants and Gas Installations (The Gas Safety Act)'.
 2. In section 1(1), ', gas installations and gas equipment' is amended to: 'and gas installations'.
 3. Section 4 is repealed.
 4. Section 5(1), no. 3, is repealed.
No. 4 and 5 then becomes no. 3 and 4.
 5. In section 5(2), ', gas installations and gas equipment' is amended to: 'and gas installations'.
 6. Section 5(4) is repealed.
 7. In section 7(1) ', no. 1, 2, 4 and 5' is deleted.
 8. Sections 8 and 18-20 is repealed.
 9. In section 23(1), ', gas installations and gas equipment' is amended to: 'and gas installations', and 'section 17(1), section 19 or section 20(1) and (2)' is amended to: 'or section 17(1)'.
 10. Section 23(3) is repealed.
 11. In section 24(1) 'no. 4' is amended to: 'no. 3«.
 12. In section 24(2), 'section 17(1), or section 19' is amended to: 'or section 17(1)'.
 13. In section 31(1) no. 3, 'or sections 19-22' is amended to: 'or sections 21 or 22'.

44. The Act on Fireworks and other pyrotechnic articles, cf. Consolidation Act no. 2 of 3 January 2019, is amended as follows:

1. Section 4(2) and (3) is repealed.

Subsection (4) then becomes subsection (2).

2. In section 5 no. 2, 'articles' is amended to: 'articles, and', in no. 3, 'section 3(1), no. 12, and' is amended to: 'section 3(1) no. 12' and no. 4 is repealed.

3. In section 7(1), no. 3, 'section 4(4)' is amended to: 'section 4(2)'.

45. Act No. 155 of 20 February 2013 on the configuration, etc. of certain products, as amended by section 2 of Act 238 of 18 March 2014 and Act 197 of 13 March 2018, is amended as follows:

1. Sections 1, 4, 5 and 11-27 is repealed.

Chapter 12

Territorial validity

46. The Act shall not extend to the Faroe Islands and Greenland.

Given at Christiansborg Slot, 9 June 2020

Under Our Royal Hand and Seal

MARGRETHE R.

/ Simon Kollerup

Official notes

1. The Act contains provisions implementing parts of Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety, Official Journal 2002, no. L 11, page 4, Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery and amending Directive 95/16/EC, Official Journal 2006, no. L 157, page 24, Directive 2014/34/EU of the European Parliament and of the Council of 26 February 2014 on harmonisation of the laws of the Member States on equipment and security systems for use in a potentially explosive atmosphere, Official Journal 2014, no. L 96, page 309, Directive 2014/33/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States lifts and safety components for lifts, Official Journal 2014, L 96, page 251, Directive 2014/68/EU of the European Parliament and of the Council of 15 May 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment, Official Journal 2014, no. L 189, page 164, Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and

1999/36/EC, Official Journal 2010, L no. 165, page 1, Directive 2014/29/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of simple pressure, Official Journal 2014, no. L 96, page 45, Council Directive 75/324/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to aerosol dispensers, Official Journal 1975, no. L 147, page 40, Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States to the making available on the market of electrical equipment designed for use within certain voltage limits, Official Journal 2014, no. L 96, page 357, Directive 2013/29/EU of the European Parliament and of the Council of 12 June 2013 on the harmonisation of the laws of the Member States on the making available on the market of pyrotechnic articles, Official Journal 2013, no. L 178, page 27, Directive 2009/48/EC of the European Parliament and of the Council of 18 June 2009 on safety for toys, Official Journal 2009, no. L 170, page 1, and Council Directive 87/357/EEC of 25 June 1987 on the approximation of the laws of the Member States concerning products which, appearing to be other than they are, endanger the health or safety of consumers, Official Journal 1987, no. L 192, page 49.

The Act incorporates certain provisions of Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011, Official Journal 2019, no. L 169, page 1. According to Article 288 of TEUF, a regulation applies immediately in each Member State.

The reproduction of these provisions in this Act is therefore exclusively due to practical considerations and shall not affect the direct applicability of the regulation in Denmark.