

## CTSI Professional Competency Framework (CPCF) written examination

### Unit 4: Product Safety

November 2019

### Guidance for this examination

Please ensure that you indicate, by writing on the front of your examination booklet, the law viewpoint from which you will be answering: English, Scottish or Welsh.

The examiners may expect candidates to show knowledge of legislation which is in place but not in force (i.e. has been enacted) and regulations which have been made but are not yet in force, if they are directly relevant to the subject-matter of the examination.

### Examination structure

There are two sections to the examination paper:

**Section A** Consists of six questions.  
Candidates should attempt to answer four questions.  
Total allocation of marks is 40 marks.  
Suggested time allocation is 30 minutes.

**Section B** Consists of three questions.  
Candidates should attempt to answer one question.  
Total allocation of marks is 60 marks.  
Suggested time allocation is 60 minutes.

Total time allowed – two hours (plus ten minutes' reading time).

### Note:

The Product Safety paper is a **closed book**; no materials are permitted to be taken into the examination room.

*The examination paper has **four** pages, including this front sheet.*

**Section A**

Candidates should attempt to answer four questions.

Each question carries ten marks.

Total: 40 marks.

1. With examples, briefly explain the obligations of a distributor under aligned New Approach Regulations. (10 marks)
  
2. Outline the economic operator obligations for a manufacturer manufacturing USB chargers. (10 marks)
  
3. (a) What is the difference between 'instructions for use' and 'warning' labels? Illustrate your answer with examples of each and when you would expect to find them. (7 marks)  
(b) When are warnings an acceptable way of managing product risk? (3 marks)  
**(total 10 marks)**
  
4. Briefly outline the responsibilities of Trading Standards Services under the REACH Regulation and provide examples of how this legislation can be used for product safety enforcement under The General Product Safety Regulations 2005. (10 marks)
  
5. What is the function of a 'Compliance Notice'? Provide an example of when an enforcement authority would issue one, and what further options for action are available in the event that it is not complied with. (10 marks)
  
6. Briefly outline the requirements of The Furniture and Furnishings (Fire)(Safety) Regulations 1988 (as amended) with respect to letting agents who let furnished accommodation. (10 marks)

**Section A total of 40 marks.**

**Section A continues over the page.**

Section B

Candidates should attempt to answer one question.

Each question carries 60 marks.

Total: 60 marks.

7. Freetat Ltd is a business based in your area, supplying a range of low value products to magazine publishers, to be included as free gifts with a range of magazines. You receive a complaint, via another Trading Standards Authority, that a child used one of their products – a face paint which was included on the front of a children’s comic – and had a significant allergic reaction to it. The Authority requests that you follow this up with Freetat Ltd.

(a) What regulatory requirements could apply to the product in question?

(10 marks)

You visit Freetat and ask them for the relevant documentation to support the product. They ask you what you mean by this and do not have a clear idea of the relevant regulatory requirements.

(b) Outline the documents that you would expect to see.

(10 marks)

They also show you a sample of the product.

(c) What labelling would you expect to find?

(10 marks)

The product is manufactured in China and Freetat, have been advised that no documentation is available as the product was supplied to them over a year ago, even though it was only used on the magazine six weeks ago.

(d) What offences may have been committed, by whom and what other action would you take as a result of this information?

(5 marks)

(e) Develop a brief action plan detailing the priorities for the investigation.

(10 marks)

(f) Develop a list of questions to be used when interviewing the company under caution, giving adequate consideration to any offences and statutory defences available.

(15 marks)

**(total 60 marks)**

**Section B continues over the page.**

8. A business in your area approaches your service for advice on their legal obligations in relation to the importation and direct supply to consumers, via Amazon and eBay, of a wide range of products including toys, batteries, small electrical appliances and electronic devices.
- (a) Outline the advice that you would give to them in respect of these four product groups. (40 marks)
- (b) What offences could be committed if they chose to ignore your advice? What defences would be available to them, and what is the relationship between the availability of these and the advice you provide? (20 marks)
- (total 60 marks)**

9. A UK manufacturer of motorcycle wear approaches you for advice with respect to their legal obligations. They manufacture motorcycle gloves, jackets, boots, and trousers. At the moment, none of their products carry a CE mark.
- (a) What advice would you provide to them so that they could apply the CE mark to their products? (25 marks)
- (b) Outline the relevant conformity assessment requirements, manufacturer's obligations and documentation necessary for the CE mark to be legally applied to these products. (30 marks)
- (c) Under what circumstances would offences have already been committed by the manufacturer in placing these products on the market? (5 marks)
- (total 60 marks)**

**Section B total of 60 marks.**

**End of examination paper.**