

# ALERTER

## A new dawn? Product Regulation and Metrology Act 2025 receives Royal Assent

**Prashant Popat KC**  
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[The Product Regulation and Metrology Act 2025](#) (the “PRMA 2025”) received Royal Assent on Monday, 21 July 2025. For practitioners, industry and consumers, the PRMA 2025 is significant insofar as it arms the Secretary of State with unprecedented powers to make secondary legislation to regulate almost all aspects of product safety. These regulatory powers would include setting the standards products must meet to be placed on the market in the UK and the enforcement of those regulations, including civil and criminal penalties. Accordingly, while Royal Assent marks a significant milestone, it will be necessary to stay up to date with the regulations that are likely to follow.

This article is the third in our series of updates on what is now the PRMA 2025, from the [King’s Speech](#) (Geraint Webb KC and Douglas Maxwell) to when the then Bill was [first laid before Parliament](#) (Prashant Popat KC and Noel Dilworth). Members of Henderson Chambers will publish further updates as and when they occur.

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### WHAT IS THE PURPOSE OF THE NEW ACT?

The basis for product safety regulation in the UK is derived mainly from EU Law, which has become assimilated law by virtue of the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 and the Product Safety, Metrology and Mutual Recognition Agreement (Amendment) (EU Exit) Regulations 2019. This includes the Product Liability Directive (EC) 85/374/EEC, the General Product Safety Regulation (EC) 2001/95/EC, and over 2,500 pages of product-specific secondary legislation. These are given effect in the UK through (among other things) the Consumer Protection Act 1987,

the General Product Safety Regulations 2005, and the Consumer Rights Act 2015.

Following the UK’s exit from the EU, there was initially only limited divergence. However, more recent years have resulted in the creeping spectre of passive divergence. Most notably, the new [General Product Safety Regulations](#) (EU) 2023/988 came into effect on 13 December 2024, and certain product specific reforms such as the Battery Regulations (EU) 2023/1542 have been introduced in the EU.

The challenge for England, Wales, and Scotland (with differing rules for Northern Ireland) was (and remains) how to effectively regulate product safety

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and metrology while encouraging trade with the UK's biggest trading partner within the post-Brexit regulatory landscape.

Part of the answer lies in the PRMA 2025, which is intended to serve the tripartite goals of “*preserv[ing] the UK's status as a global leader in product regulation, supporting businesses and protecting consumers*” (Department of Business & Trade and the OPSS, [Government response to the Product Safety Review and next steps](#) (November 2024) [36]).

## THE STRUCTURE OF THE PRMA 2025

The PRMA 2025 is divided as follows:

- Section 1 “Product Regulations”
- Section 2 “Product Requirements”
- Section 3 “Enforcement of Product Regulations”
- Section 4 “Emergencies”
- Section 5 “Metrology Regulations”
- Section 6 “Enforcement of Metrology Regulations”
- Section 7 “Information sharing”
- Section 8 “Cost recovery”
- Section 9 “Application to existing product and metrology provision”
- Section 10 “Regulations making provision within devolved competence”
- Section 12 “Interpretation”

## WHAT IS NOT COVERED?

The Schedule to the PRMA 2025 specifies that it does not cover food, plants, aircraft, military equipment, medicines, and medical devices. Chemicals “*in their raw form*” remain regulated by the REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) Regulation (Regulation (EC) No 1907/2006), as assimilated law, subject, in England, Wales and Scotland, to the EU exit amendment regulation. However, when included through a process to become a product (for example, a cosmetic product), it falls within the scope of the PRMA 2025. Construction products are excluded, with the power to make regulations on the safety of construction products contained in Schedule 11 of the Building Safety Act 2022.

## WHAT ARE THE KEY PROVISIONS?

Later articles will consider the content of the PRMA 2025 in more detail. For present purposes, in the context of product safety, it is important to highlight:

1. Section 1 grants the Secretary of State the authority to enact regulations aimed at ensuring that products marketed or used in the UK reduce or mitigate any risks presented by those products, provide accurate readings, and operate efficiently and effectively.
2. Section 2 provides that product regulations (as outlined in Section 1) may specify requirements for products marketed or used in the UK. Arguably the most controversial clause in the Act is section 2(7) which provides that Product regulations may provide that a product requirement is to be treated as met if— (a) a requirement of relevant EU law specified in product regulations is met, or (b) such a requirement is met and conditions specified in the regulations are also met.
3. During its passage through parliament, s.2(7) was criticised by certain members of both Houses as a Trojan horse to regulatory alignment with EU product safety law. However, at the Third Reading, the Parliamentary Under-Secretary of State at the Department for Business and Trade remarked: “*I have heard so many references to horses during the passage of the Bill that at times I felt I was at the Aintree racecourse. We can be clear that the Bill will not lead to dynamic alignment by default*” (HC Deb 4 June 2025 vol 768 col 418). Whether, and to what extent product safety regulation in the UK is subject to dynamic alignment will only become apparent in the coming months and years.
4. Section 3 contains sweeping powers to reform the enforcement of product regulations. In particular, section 3(9) gives the Secretary of State wide-ranging powers to create through secondary legislation a wholly new criminal offence or widen the scope of an existing offence.

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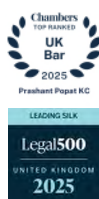
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- Due to pressure, PRMA 2024 contains in section 13(6) the requirement that “Before making regulations under this Act, the Secretary of State must consult such persons as the Secretary of State considers appropriate.” Further guidance will be needed on the nature and scope of this consultation requirement.

## CONCLUSION

With much to be determined by Secondary Legislation, members of Henderson Chambers will publish a series of updates as and when announcements are made.

## ABOUT THE AUTHORS



### Prashant Popat KC

Prashant has been instructed by defendants in many of the largest, high profile health and safety cases of recent times. His work has encompassed incidents in industries including construction, transport, retail, oil and gas, manufacturing and mining. In the field of health and safety Prashant has been awarded ‘Corporate Crime Silk of the Year’ by Legal 500 and twice been awarded ‘Health and Safety Silk of the Year’ by C&P. He is listed by C&P as a Star Individual and described by Legal 500 as “The leading most impressive advocate for health and safety, public inquiries, and inquests. Head and shoulders above all contemporaries”. He is a silk of choice for large corporate entities and C&P says of him “Prashant’s ability of dealing with cases involving large corporates is second to none”. Similarly, Legal 500 (2023) say that he is “the best in his field and is very persuasive with his cerebral attention to detail which Judge’s and clients respect and appreciate”. View Prashant’s profile [here](#).



### Noel Dilworth

Noel is recommended as a leading junior in the field of Product Liability, his practice spanning the range from health & safety, environmental and regulatory aspects of product liabilities to consumer claims in group litigation or unitary actions. He regularly advises or represents companies in the pharmaceutical, energy, transport and medical sectors.

View Noel’s profile [here](#).



### Douglas Maxwell

Douglas has a busy practice in commercial litigation, group litigation, product liability and safety, property law, banking, consumer law, and public law. Before being called to the Bar as a Lord Astbury Scholar, Douglas was awarded a PhD from the University of Cambridge.

View Douglas’s profile [here](#).



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