businesscompanion
trading standards law explained

Second-hand electrical goods

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This guidance is for England, Scotland and Wales

Sellers of second-hand electrical goods are responsible for ensuring the goods meet legal safety requirements, and sellers may be liable to pay compensation if they sell unsafe goods, which then cause injury or damage. If the equipment you are selling complies with an acceptable standard it will normally meet safety requirements.

Distributors and retailers, including second-hand dealers and auctions, must only sell appliances that are correctly fitted with an approved plug, with sleeved neutral and live pins, and the correct fuse. Electric fires for use in the home must have a fireguard that meets British standards, or the European equivalent.

Your responsibilities

If you are in the business of selling any second-hand electrical goods, you should be aware of the following:

- the goods must meet legal safety requirements
- if you sell unsafe goods, and the goods cause injury or damage, you may have to pay compensation

If you are unsure whether the goods are safe, it is recommended that a competent person examines them for access to live parts, the adequacy of the insulation, and creepage and clearance distances. The items tested should be clearly identified in a report describing the tests carried out and the results. The tester should also label each item to show it has passed and include the date and their initials. All failed equipment should be destroyed if it cannot be safely repaired.

You should also check whether the electrical appliances are subject to a recall. The GOV.UK website contains information on recalled and withdrawn products, including electrical products. Product recalls and safety notices for electrical products, in particular, can be found on the Electrical Safety First website.

It is good practice to advise all staff that no electrical goods are to be sold unless they have a UKCA / CE mark and a dated PAT test label is attached. A PAT test will not always find all the hazards inherent in a product. Undertaking a physical examination of an appliance may reveal exposed or twisted wiring, for example, indicating a potential safety risk and that the appliance should not be sold. Keep all test reports for your own reference and for the purpose of showing to enforcement officers if requested.

Be sure electrical equipment is safe

The equipment you sell must be safe. If it complies with an acceptable standard - for example, a British / European standard - it will normally meet safety requirements.

These safety requirements cover:

- labelling, construction, design and manufacture
- insulation and earthing
- protection from electric shock
- adequate guards for radiant heaters or moving parts
- preventing the generation of excessive heat, radiation or toxic gases
- the need to provide instructions for safe use

Wiring colour codes

The wires of a three-core mains flexible lead must be coloured as follows:

- earth - green and yellow
- neutral - blue
- live - brown

Make sure the lead is safe and there is no fraying, nor any breaks, kinks or exposed wires. If you change a lead, have it checked by an electrician. Incorrect wiring may cause electrocution.

Plugs and sockets

Distributors and retailers, including second-hand dealers and auctions, must only sell appliances that are correctly fitted with an approved plug, which has sleeved neutral and live pins, and the correct fuse. An approved plug is one that complies with BS 1363.

All plugs must carry the name and reference number of the approval body, normally BSI or ASTA (ASTA Diamond Mark, run by Intertek). The plug does not have to be moulded on, but it must be fused with the appropriate fuse link.

Some appliances may be supplied without a standard plug - electric cookers for instance - because the appliance is intended to be permanently connected to fixed wiring.

If you fit a new plug (for example, if the old one shows signs of damage), it must be securely clamped by a cord grip on to the outer insulating flex to prevent excess strain at the wire terminations. The inner cores of flex in the plug must be of the correct length to prevent arcing and securely fastened at the appropriate terminations.

You must provide clear wiring instructions for the plug if it is of the rewirable kind, even if you have fitted it yourself (for example, manufacturer's wiring card fitted over the pins).

All sockets (for example, on mains extension flexible leads), adaptors and similar devices must meet British standards.

Safe fireguards for electric fires

Electric fires for use in the home must have a fireguard that meets British standards or the European equivalent. The distance between the bars and the strength of the guard are laid down in these standards.

The fireguard is satisfactory if any vertical bars are 5 mm or less apart. If they are not, the guard must satisfy one of the following:

- if the horizontal bars are 12 mm or less apart, the vertical bars must not be more than 126 mm apart
- if the horizontal bars are 20 mm or less apart, the vertical bars must not be more than 53 mm apart

Selling electric blankets

We advise you not to sell second-hand electric blankets, as their history, usage and condition may be unknown.

Trading Standards

For more information on the work of Trading Standards services - and the possible consequences of not abiding by the law - please see 'Trading Standards: powers, enforcement and penalties'.

In this update

Information on PAT testing updated.

Last reviewed / updated: September 2023

Key legislation

General Product Safety Regulations 2005

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links often only shows the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on changes to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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