

## 1994年5月18日第364號法案

### 丹麥產品安全法<sup>1</sup>

我等 MARGRETHE THE SECOND 茲奉丹麥女皇恩詔，宣布丹麥 Folketing 已通過本法案，並獲我等同意確認：

#### 第一節

##### 本法之適用範圍等

1.

- (1) 本法適用於所有流通於市場之產品以及與特定產品相關之服務。
- (2) 無論相關產品或服務是否基於對價而提供，本法均應適用。
- (3) 個人間互相提供之產品或服務，以及專為企業生產所需而製造或提供之產品或服務，均不在本法適用之列。
- (4) 如買受人已受書面通知，則供應使用前尚須另行維修之二手貨，亦不適用本法。本法之適用範圍也不包括古董在內。
- (5) 為執行有關產品安全或危險之特定工會規則而依法制定條款者，本法並不適用於其所及之範圍。

### Danish Product Safety Act

#### Part 1

##### Scope of Act etc.

1.

- (1) This Act shall apply to any product which is placed on the market. Furthermore, the Act shall apply to services related to a product.
- (2) This Act shall apply no matter whether the product or the service is offered for a consideration or not.
- (3) This Act shall not apply to products or services which private individuals provide to each other or which are manufactured or provided exclusively for use in the production of a business enterprise.
- (4) Furthermore, this Act shall not apply to second-hand movables supplied as products to be repaired or reconditioned prior to being used, provided that the acquirer has been notified hereof in writing, nor shall it apply to antiques.
- (5) This Act shall not apply to the extent provisions have been laid down by or in accordance with other legislation to implement specific union rules concerning aspects of product

2.

(1)就所有在本國製造、陳列以供販賣、銷售、或提供之產品及服務，或所有擬出口至其他歐洲聯盟國家之所有產品及服務，本法均不適用。

(2)除國際條約或工業暨協調部 (Minister of Industry and Coordination) 之法規另有規定外，本法不適用於出口至歐洲聯盟以外國家之產品及服務。

## 第二節

### 定義 產品

3. 產品係指任何種類之動產 (包括原料及天然產品在內)、不動產 (但不含基地)、不動產之構成部分及從物。

### 製造商

4.

(1)製造商係指：

(a)製造產品或其成分之人；

丹麥商業暨工業部 j.no.90-334-24

1) 本法包含實施理事會指令92/59之條款，參見Official Journal 1992 L 228 p.

safety or categories of risk for the product concerned.

2.

(1)This Act shall apply to all products and services which are manufactured, offered for sale, sold, offered or provided in this country or which are intended for export to another EU country.

(2)This Act shall not apply to products and services exported to a country outside the EU unless otherwise provided for by international agreement or by regulations laid down by the Minister of Industry and Coordination.

## Part 2

### Definitions

#### Product

3. A product shall mean movables of any kind whether it is a raw material or a natural product. Moreover, a product shall mean real property, excluding the site, as well as component parts of and appurtenances to such real property.

#### Producer

4.

(1)Producer shall mean

(a) the manufacturer of the product or a component part;

(b)將原料或天然產品置於市場流通之人；

(c)藉由在產品上為姓名、商標或其他明顯標示，以製造商自居之人。

(d)維修產品之人。

(2)如前項第(1)款所指製造者並非設立於歐洲聯盟境內，則本法之製造商亦包括該製造者之代表在內。如亦無設立於歐洲聯盟境內之製造商代表，則產品之進口商即視為製造商。

(3)其他位於產品供銷體系中之從業人員，就其行為得影響產品安全性之限度內，亦應視為製造商。

#### 經銷商

5.

(1)經銷商係指供銷體系中，其行為對產品安全性並無影響之從業人員。

(2)將不動產置於市場流通者，亦應同樣被視為經銷商。

#### 安全產品

6.

(1)當產品依其預定目的或可預期之方式使用，並不致對人體健康安全或財產安全造成危險者，即被視為安全產品。

(b) the person placing a raw material or a natural product on the market;

(c) the person presenting him or herself as the manufacturer by affixing to the product his or her name, trade mark or other distinctive mark;

(d) the person who reconditions the product.

(2)In addition, producer shall mean the manufacturer's representative as stated in subsection (1) if the manufacturer is not established in the EU and there is no representative of the producer established in the EU, the importer of the product shall be deemed to be producer.

(3)Other professionals in the supply chain shall be deemed to be producers, insofar as their activities affect the safety properties of a product.

#### Distributor

5.

(1)Distributor shall mean any professional in the supply chain whose activity does not affect the safety properties of a product.

(2)Anyone placing real property on the market shall likewise be deemed to be a distributor.

#### Safe product

6.

(1)A product shall be deemed to be safe if it does not present any risk to the health and safety of persons or property when used for the assumed purpose or in a way in which it is expected to

(2)產品不應僅因有達到更高安全性之可能或另有更安全之產品存在，即被視為危險產品。

(3)第(1)款及第(2)款亦應適用於服務。

7.

(1)如產品之設計製造或服務之提供已符合法定之健康安全規範，該產品就此一安全層面應被視為安全產品。

(2)未有法定之健康安全規範者，其產品或服務之安全性評估應依：

(a)為實施統一之歐洲標準或共同體技術準則而制定之丹麥國家標準，如無，則應依：

(b)丹麥國家標準，如無，則應依：

(c)現今科技水準以及消費者應得合理期待之安全性，如無，則應依：

(d)相關產業之優良慣例規約。

(3)就共同體法設有統一安全標準之限度內，即由該安全標準取代前述第(1)及第(2)款之安全標準。

be used.

(2)A product shall not be considered dangerous for the sole reason that it is possible to obtain higher levels of safety or because another and safer product is available.

(3)Subsections (1) and (2) shall apply correspondingly to services.

7.

(1)To the extent a product is designed and manufactured or a service is provided in accordance with the health and safety requirements laid down by law, the product shall be deemed safe in relation to these safety aspects.

(2)Where no health and safety requirements are laid down by law, the safety of a product or a service shall be assessed having regard to

(a) a Danish standard giving effect to a harmonised European standard or Community technical specifications or, failing these, to

(b) a Danish standard or, failing this, to

(c) the state of the art and technology and to the safety which consumers may reasonably expect; or, failing this, to

(d) codes of good practice in the sector concerned.

(3)To the extent harmonised safety requirements have been laid down by Community law or in pursuance thereof in respect of products or services, these shall replace the corresponding safety requirements laid down in the provisions of subsections

### 第三節

#### 行銷及製造

8.

- (1)任何人僅得將安全產品置於市場上流通，並僅得提供安全服務。
- (2)任何將產品置於市場流通者，在其活動範圍內，應採取一切合理措施防止其對人身或財產造成危險。服務之提供亦然。

9.

- (1)任何將產品置於市場流通或提供服務之人，應就造成危險之風險以及如何採取預防措施，提供適當之資訊。但資訊提供本身，不得免除任何人遵守本法所制定之其他規範。
- (2)製造商及經銷商應在其各別活動範圍內，採取避免行銷危險產品之可能必要措施，包括商品標示、調查申訴，以及傳播產品危險之資訊。
- (3)如依上述第(1)款及第(2)款所採取之措施不足夠或不適當時，製造商及經銷商應在其各別活

(1) and (2).

### Part 3

#### Marketing and manufacture

8.

- (1)Only safe products may be placed on the market, and only safe services may be provided.
- (2)Within the limits of his or hers activities anyone placing or having placed a product on the market shall take all reasonable measures to prevent danger to persons or property. This shall also apply to services.

9.

- (1)Anyone placing a product on the market or providing a service shall in a suitable manner provide information on any possible risk of danger and on how to take precautions against those risks. Such information shall not in itself exempt any person from compliance with the other requirements laid down by this act.
- (2)Within the limits of their respective activities the producer and the distributor shall adopt the necessary measures to avoid the marketing of dangerous products. Such measures may include marking of the product, sample testing of marketed products and investigating complaints made and passing on information on product dangers.
- (3)If measures adopted under subsections (1) and (2) are not adequate, the producer and the distributor shall within the

動範圍內，自市場上回收該產品。

## 第四節

### 市場監督

10. 監督機關應監管產品及服務之安全。供銷系統中之任何從業人員均應在必要範圍內，就監督事宜予以配合。
11. 如尚未置於市場流通之產品或尚未提供之服務將構成對健康或安全之威脅者，監督機關得決定：
  - (1) 該產品或服務僅能在同時提供有關可能危險之指定資訊下，始得置於市場流通或始得提供；
  - (2) 除其符合有關該產品或服務之指定規範外，不得將特定或某批產品置於市場流通，或不得提供服務；
  - (3) 一旦有危險發生，在實行管制之必要時間內，暫時禁止任何人提供、供應、或陳列特定或某批產品或服務；
  - (4) 如產品或服務造成危險，而上述第(1)、(2)或(3)款之資訊或規範並不充分者，不得將該產品置於市場上流通或提供該服務。

limits of their respective activities withdraw the product from the market.

## Part 4

### Monitoring of the market

10. The monitoring authority shall supervise the safety of products and services. Any professional in the supply chain shall, to the extent it is necessary, cooperate in the monitoring.
11. If a product which has not yet been placed on the market or a service which has not yet been provided constitutes a health or safety risk, the monitoring authority may determine
  - (1) that a product may only be placed on the market or a service may only be provided together with specified information about the dangers which the product or the service may present;
  - (2) that a product or a product batch may not be placed on the market or a service may not be provided if they present a danger unless specified requirements regarding the product or the service are satisfied;
  - (3) temporarily to prohibit, for the period required to carry out controls, anyone from offering, supplying or exhibiting a product or product batch or a service whenever danger arises therefrom;
  - (4) that a product may not be placed on the market or a service may not be provided if the product or the service presents a danger and information or requirements under paragraphs

12.

(1)如一危險產品或服務被置於市場上流通或被提供，監督機關得命將該產品置於市場上流通或提供該服務之人，在其活動範圍內，立即或於特定時限內

(a)就該產品或服務之危險及如何採取預防措施，提供資訊；

(b)就危險發生之原因予以補救；

(c)回收產品；

(d)在適當情況下銷毀產品。

(2)為實施有關某產品或服務之規範而對供銷體系中之從業人員採取行動時，其他任何自危險發生時起已位於供銷體系中之從業人員，得被要求予以配合。

(3)如產品依第(1)項第(3)及第(4)

款被要求回收或銷毀，丹麥買賣法第 54 條及第 83 條規定之時限不予適用。

13.

(1)監督機關得於任何必要之時，以行政命令禁止銷售或廣告不安全之產品或服務。

(1), (2) or (3) must be considered inadequate.

12.

(1)If a product or a service which presents a danger is placed on the market or provided, the monitoring authority may order that anyone who placed the product on the market or provided the service shall within the limits of the activities of the person concerned forth-with or within a specified time-limit

(a) subsequently provide information on the danger of the product or the service and on how to take precautions against such danger;

(b) remedy matters which are the cause of the danger;

(c) withdraw the product;

(d) destroy the product under appropriate conditions.

(2)Anyone who has been a professional in the supply chain from the time when the danger arose may be required to cooperate in action taken to implement a requirement relating to a product or a service which has been imposed on another professional in the supply chain under this provision.

(3)In cases where a product is required to be withdrawn in pursuance of paragraph (3) of subsection (1) or to be destroyed in pursuance of paragraph (4) of subsection (1), the time-limits set out in sections 54 and 83 of the Danish Sale of Goods Act shall not apply.

13.

(1)Whenever it is deemed necessary, the monitoring authorities may prohibit by executive order the sale and advertising of

(2)就任何依第 12 條第(1)項或第 13 條第(1)項  
發布之規範或禁令，監督機關於採取行動以維修或回收  
該產品時，得要求產品所有人按指定方式予以配合。

(3)無論產品或服務是否符合第 7 條第(1)項或第(2)  
項之要件，如監督機關認為該產品或服務對健康或安全  
造成危險，得禁止該產品置於市場上流通或禁止提供該  
項服務，或僅在特定條件下始得使其流通或始得提供，  
或產品必須回收。

14. 監督機關得於必要時公布產品或服務之危險。

### 第五節

有關因外觀易被誤認為食品之玩具及產品的安全規範

15. 就因外觀易被誤認為食品，因而對消費者之健康或安全造  
成危險之玩具及產品，工業暨協調部得制定有關之安全規  
範。

16. 為發布第 15 條之規範，得制定：

products and services which are not safe.

(2) In connection with any requirement or prohibition made or  
issued in pursuance of section 12(1) or section 13(1), the  
monitoring authority may determine that the owner of a  
products shall cooperate in a specified manner in the action  
taken to have the product repaired or withdrawn.

(3) If the product or the service is deemed by the monitoring  
authority to present a risk to health or safety, no matter  
whether it satisfies the requirements of section 7(1) and (2),  
the authority may determine that the product shall not be  
placed on the market or the service not be provided or that this  
may only take place under certain conditions or that the  
product shall be withdrawn.

14. The monitoring authorities may whenever necessary inform the  
public of the danger of a product or a service.

### Part 5

Safety requirements for toys and products which due to their  
outer appearance may be mistaken for foodstuffs

15. The Minister of Industry and Coordination may lay down rules  
on safety requirements for toys and products which due to their  
outer appearance may be mistaken for foodstuffs and thus  
present a danger to the health or safety of consumers.

16. Furthermore, in rules issued in pursuance of section 15, rules  
may be laid down on

- (1)禁止製造及供應之禁令，包括禁止進口至丹麥之禁令；
- (2)有關依標準製造、產品種類核准、及標示之規範；
- (3)核准產品種類所需規費之支付規定；
- (4)如經監督確認玩具並不符合重大安全規範，或未依標準或未依經核准之模範產品而製造者，有關主管機關就執行監督所需費用之支付規定；
- (5)有關發布買回命令之規定。

## 第六節

### 本法之施行

17.

- (1)監督機關應依本法負責監督產品及服務之安全。
- (2)除第18條另有規定外，丹麥國家消費者局應負責監督本法之主管機關，並應負責監督機關間之協調工作。

18.

- (1)如就特殊產品或服務之危險預防，依其他法律制定規範者，負責執行該法律之主管機關亦應就該特殊產品或服務，行使本法中監督機關之職權。職權範圍涵蓋該其他

- (1)prohibitions of manufacture and supply, including prohibition of imports into Denmark;
- (2)requirements concerning manufacture in accordance with standards, concerning type approvals and concerning labelling;
- (3)payment of a fee for type approvals;
- (4)payment of costs connected with the monitoring carried out by the authorities if it is ascertained in connection with such monitoring that the toys do not satisfy material safety requirements or have not been made in accordance with the standards or an approved prototype;
- (5)the issue of repurchase orders.

## Part 6

### Administration of the Act

17.

- (1)The monitoring authority shall be responsible for monitoring the safety of products and services under this Act.
- (2)The National Consumer Agency of Denmark shall handle the function of monitoring authority under this Act unless otherwise provided by section 18. Moreover, the Agency shall be responsible for coordinating the work of the monitoring authorities.

18.

- (1)If provisions are laid down by or in accordance with other legislation concerning prevention of the danger of special products or services, the authority responsible for ensuring

法律之部會首長，得就個案執行及申訴權制定與本法不同之法規。

(2)除有特別立法另行制定安全規範外，工業暨協調部部長得經諮詢相關主管機關後，以行政命令將其依本法之職權授權予其他主管機關。

19.

(1)第五節所規定之指導、核准及監督措施，應由中央或地方主管機關、或經工業暨協調部授權之私人團體執行。

(2)第五節所規定之禁令及命令，應由丹麥國家消費者局發布制定。議會（Council）得授權第(1)項之主管機關發布或制定禁令或命令。

20.

(1)監督機關得依職權或依通知就特定事項予以斟酌。如依其認為通知無理由者，監督機關得決定不予斟酌。

(2)丹麥公共行政法關於詢問相關當事人意見之規定，應適

compliance with such legislation shall moreover exercise the powers as monitoring authority under this Act as regards these products or services. The minister whose sphere of activity covers such other legislation may lay down rules concerning case administration and right of complaints which differ from the provisions of this Act.

(2)Unless safety provisions are laid down by special legislation, the Minister of Industry and Coordination may after consultation with the authorities affected delegate powers under this Act to another authority by executive order.

19.

(1)The supervisory, approval and monitoring measures set out under Part 5 shall be carried out by central or local government authorities or private enterprises authorised for the purpose by the Minister of Industry and Coordination.

(2)Prohibitions and orders under Part 5 shall be issued and made by the National Consumer Agency of Denmark. The Council may authorise the authorities mentioned in subsection (1) to issue or make prohibitions or orders.

20.

(1)The monitoring authority may of its own motion or based on a notification take up a matter for consideration. The monitoring authority may determine that a notification shall not be considered if, in the opinion of the authority, there are no grounds for considering the notification.

(2)The rules laid down by the Danish Public Administration Act

用於依本法採取之措施。如因監督機關因緊急措施無法詢問相關當事人之意見者，於相關措施一經執行後，該當事人應有機會提出意見。

21.

(1) 監督機關得因其主管事務所需，要求提供所有必要之資訊，包括其為決定某事項是否適用本法所需之資訊在內。

(2) 丹麥檔案公開法不適用於依下述取得之資料：

- (a) 主管機關為監督企業本身所實行之內部控制而取得之資料；
- (b) 經由相對應之官方控制所取得之資料；
- (c) 有關企業品質認證之資料。

22.

(1) 監督機關為檢驗及測試所需，有權免費取得產品或其成分之樣品。監督機關於適當表明身份後，無須持法院命令，應得進入製造、銷售及儲存場所等，以及屬於第4條及第5條之任何人所有之交通工具。

(2) 警察應協助監督機關。法務部得於諮詢工業暨協調部

concerning consultation of the relevant parties shall apply to measures covered by this Act. If because of the urgency of the measures to be taken the monitoring authority takes action without having consulted the party affected, such party shall be given an opportunity to submit its views as soon as possible after the measure concerned has been implemented.

21.

(1) The monitoring authority may demand all information that is deemed to be necessary for the activity of the authority, including its decision as to whether a matter comes within the provisions of the Act.

(2) The Danish Open Files Act shall not apply to information obtained

- (a) for use for the authority's control on the control carried out by the enterprises themselves;
- (b) through the public control corresponding hereto; or
- (c) concerning the quality certification of the enterprises.

22.

(1) The monitoring authority shall be entitled, free of charge, to take samples of products or components thereof with a view to examinations and tests. The monitoring authority shall against due proof of identity have access without a court order to the manufacturing, sales and storage premises etc. as well as means of transportation belonging to anyone covered by sections 4 and 5.

(2) The police shall assist the monitoring authority. The Minister

後，制定執行細則。

- (3) 監督機關為決定是否制定或發布某規範或禁令，認為必要而諮詢專家者，應支付取得專家意見之費用。監督機關得向因而受發布規範或禁令之人，要求償還該筆費用。

23.

(1) 除第 18 條(參照)外，監督機關依本法所為之決定，不得再由任何其他行政機關審查。

(2) 就監督機關依第 12 條及第 13 條所發布之禁令或規範，監督機關應於受發布之人表示異議後，立即向法院起訴。

(3) 法院得決定第(2)項之訴訟是否有使原禁令或規範停止執行之效力。

24. 就依第 11 條第(2)至(4)款、第 12 條第(1)項第(2)至(4)款、及第 13 條第(1)及第(3)項所採取之重大產品安全措施或任何其他立法，監督機關應立即通知丹麥國家消費者局。丹麥國家消費者局則應按歐洲聯盟理事會 92/59 號指令所要求之限度，將依本法採取之措施通知歐洲聯盟執行委員會。

of Justice may after consultation with the Minister of Industry and Coordination lay down more detailed rules thereon.

(3) The monitoring authority shall pay the cost of obtaining expert opinions which are deemed necessary by the authority to determine whether a requirement or prohibition shall be made or issued. The authority may demand that the cost thereof shall be reimbursed by anyone on whom a requirement or prohibition has been imposed.

23.

(1) The decision of a monitoring authority under this Act cannot be brought before any other administrative authority, cf., however, section 18.

(2) Any requirements or prohibitions made or issued in pursuance of sections 12 and 13 shall without undue delay be brought before the courts of law by the monitoring authority if an objection is made by the person to whom the prohibition or requirement is addressed.

(3) The court may determine that any action brought as mentioned in subsection (2) shall have suspensive effect.

24. The National Consumer Agency of Denmark shall forthwith be notified by the monitoring authority of any significant product safety measures adopted in pursuance of paragraphs (2)-(4) of section 11, paragraphs (2)-(4) of section 12(1) and subsections (1) and (3) of section 13 of this Act or any other legislation. The National Consumer Agency of Denmark shall notify the Commission of the European Union of measures adopted in

25.

- (1) 工業暨協調部應就本法之施行制定細則，包括在諮詢相關部會首長後，制定如何協調各監督機關之規則。
- (2) 工業暨協調部部長得將第(1)項之職權授權予監督機關。
- (3) 工業暨協調部亦應就施行或適用歐洲聯盟有關產品安全之法律文件，制定必要之法規。就法律文件之相關產品涉及其他部會之職權者，應由該部會首長制定法規。

## 第七節

法院程序

26.

- (1) 涵蓋於本法適用範圍之案件，應於市法院審理。但如有關產品安全之專門知識細節係判決所需之重要事項，則該案件應由哥本哈根海事商業法院審理。
- (2) 如案件係因違反法律而由哥本哈根海事商業法院審理

pursuance of the Act to the extent required by Council Directive 92/59 EEC.

25.

- (1) The Minister of Industry and Coordination shall lay down detailed rules concerning the administration of the Act, including, after consultation with the ministers affected, rules on how to coordinate the efforts of the monitoring authority.
- (2) The Minister of Industry and Coordination may delegate the powers under subsection (1) to the monitoring authority.
- (3) Moreover, the Minister of Industry and Coordination may lay down the rules required for the future implementation or application in this country of the legal documents of the European Union concerning product safety. As regards, legal documents which concern products coming within the spheres of other ministries, the minister in question shall lay down the rules.

## Part 7

Court proceedings

26.

- (1) Cases covered by this Act shall be heard by the city court. If, however, detailed knowledge of product safety matters is deemed to be of significance to decide the case, the case shall be heard by the Maritime and Commercial Court in Copenhagen.
- (2) If proceedings are brought before the Maritime and

(第(1)項參照)，得將起訴事宜授權丹麥國家消費者局  
(丹麥法務行政法第 105 條第(3)項參照)。

## 第八節

### 罰則等

27.

- (1)除其他法律有較重之處罰外，故意違反第 8 條第(1)項者，應處以罰金。
- (2)除其他法律有較重之處罰外，故意、因重大過失、或連續違反第 11 條及第 12 條之規範或禁令者，應處以罰金。
- (3)未提供第 21 條之資料予監督機關者，得處以罰金。
- (4)工業暨協調部部長依第 13 條及第 15 條所發布之法規中，得就違反該法規之行為規定處以罰金。

28.公司、社團、獨立機構、基金會或類似團體違法者，得對各該法人處以罰金。丹麥政府、地方政府機關、或聯合自治團體（a joint municipal enterprise）違法者（地方政府法第 60 條參照），得對其處以罰金。

Commercial Court in Copenhagen by reason of infringement of legislation, cf. subsection (1), the prosecution of the offence may be delegated to the National Consumer Agency of Denmark, cf. section 105(3) of the Danish Administration of Justice Act.

## Part 8

### Penalty provisions etc.

27.

- (1)Unless the offence carries a more severe penalty under any other legislation, anyone who wilfully infringes section 8(1) shall be liable to a fine.
- (2)Unless the offence carries a more severe penalty under any other legislation, anyone who wilfully or through gross negligence or repeatedly fails to comply with any requirement or infringes a prohibition under sections 11 and 12 shall be liable to a fine.
- (3)Failure to supply the monitoring authority with any information requested under section 21 shall be punishable by fine.
- (4)In regulations issued by the Minister of Industry and Coordination in pursuance of sections 13 and 15, fines may be imposed for infringement of the provisions of such regulations.

28. Where an offence is committed by a company, an association, an independent institution, a foundation or the like, liability to pay a fine may be imposed on the legal person as such. If the offence is committed by the Danish government, a local authority or a

29. 經 1993 年 6 月 30 日第 469 號法案修改之丹麥法務行政法 (1992 年 11 月 10 日第 905 號法規彙編法案參照)，應修改如下：

第 105 條第(3)項應制定如下：

(3) 有關丹麥行銷措施法之案件，丹麥法務部部長得指定丹麥國家消費者局之消費者保護官及人員，向海事商業法院及市法院提起訴訟。有關丹麥產品安全法之案件，得指定丹麥國家消費者局之人員向海事商業法院起訴。

## 第九節

### 生效及過渡條款

30.

(1) 本法應自 1994 年 6 月 15 日起施行。

(2) 丹麥行銷措施法第 12a 條、第 12b 條、第 15 條第(2)項及第(3)項、以及第 19 條第(6)項 (1992 年 6 月 27 日第 594 號法規彙編法案參照)，應同時廢止。

(3) 依丹麥行銷措施法第 12a 條制定之條款，應繼續有效至

joint municipal enterprise, cf. section 60 of the Local Government Act, liability to pay a fine may be imposed on the Danish government, local authority or joint municipal enterprise.

29. The Danish Administration of Justice Act, cf. Consolidated Act No. 905 of 10 November 1992, as amended by Act No. 469 of 30 June 1993, shall be amended as follows:

Section 105(3) shall be drafted as follows:

(3) The Danish Minister of Justice may appoint the Consumer Ombudsman and employees of the National Consumer Agency of Denmark to prosecute any offence before the Maritime and Commercial Court and the city courts in cases concerning the Danish Marketing Practices Act. Employees of the National Consumer Agency of Denmark may be appointed to prosecute offences before the Maritime and Commercial Court in cases concerning the Danish Product Safety Act.

## Part 9

### Commencement and transitional provisions

30.

(1) This Act shall come into operation on 15 June 1994.

(2) At the same time, sections 12a and 12b as well as section 15(2) and (3) and section 19(6) of the Danish Marketing Practices Act, cf. Consolidated Act No. 594 of 27 June 1992, shall be repealed.

(3) The provisions laid down in pursuance of section 12 a of the

被廢止或被依本法制定之條款所替代時為止。

31. 本法不得適用於法羅群島 (Faroe Islands) 及格陵蘭島。

發布於 1994 年 5 月 18 日克莉絲茨堡(Christiansborg Castle)

蒙吾皇手印

奉女王之名

王子弗列得利(FREDERIK, Crown Prince)

/ 米密·賈克伯森(Mimi Jakobsen)

Danish Marketing Practices Act shall remain in force until repealed or replaced by provisions laid down in pursuance of this Act.

31. This Act shall not extend to the Faroe Islands and Greenland.

*Given at Christiansborg Castle this 18th day of May 1994*

Under Our Royal Hand and Seal

In the Name of the Queen:

FREDERIK Crown Prince

/Mimi Jakobsen