STATUTORY INSTRUMENTS

2025 No. 1221

HEALTH AND SAFETY

The Biocidal Products (Data Protection Periods) (Amendment) Regulations 2025

Made - - - -	*24th November 2025*
Laid before Parliament	*25th November 2025*
Coming into force - -	*30th December 2025*

The Secretary of State makes these Regulations in exercise of the powers conferred by Articles 83A(2) and 89(2)(b) of Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products(**a**).

In accordance with Article 89(4) of that Regulation, these Regulations are made with the consent of the Scottish Ministers and the Welsh Ministers(**b**).

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Biocidal Products (Data Protection Periods) (Amendment) Regulations 2025 and come into force on 30th December 2025.

(2) These Regulations extend to England and Wales and Scotland.

(3) In these Regulations, "the GB Biocidal Products Regulation" means Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products.

Amendments to Article 95 of the GB Biocidal Products Regulation

2. Article 95 of the GB Biocidal Products Regulation (transitional measures concerning access to the active substance dossier) is amended as follows—

(a) in paragraph 3, for "Regulation (EC) No 1451/2007" substitute "Regulation (EU) No 1062/2014"(**c**);

(b) for paragraph 5, substitute—

"5. By way of derogation from Article 60, all data protection periods for active substance/product-type combinations listed in Annex II to Regulation (EU) No

(**a**) EUR 2012/528; Article 83A was inserted by paragraph 125 of Schedule 2 to S.I. 2019/720; Article 89 was substituted by paragraph 130 of Schedule 2 to the same instrument.
(**b**) The consent requirement is set out in Article 83B, as inserted by paragraph 125 of Schedule 2 to S.I. 2019/720.
(**c**) EUR 2014/1062, amended by S.I. 2019/720.

1062/2014, but for which no decision as to whether the active substance/product-type combination is approved(**a**) has been issued by—

(a) the Secretary of State, under this Regulation, or

(b) before IP completion day, the Commission, under Regulation (EU) No 528/2012(**b**),

shall end on 31 December 2030.".

Signed by authority of the Secretary of State for Work and Pensions

Stephen Timms
Minister of State
Department for Work and Pensions

24th November 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Article 95 of Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (EUR 2012/528) ("the GB Biocidal Products Regulation").

Regulation 2 amends paragraphs 3 and 5 of Article 95 of the GB Biocidal Products Regulation to cross refer to Annex II to Regulation (EU) No 1062/2014 (EUR 2014/1062).

Regulation 2 also amends the date, under Article 95(5) of the GB Biocidal Products Regulation, on which data protection ends for those active substance/product-type combinations listed in Annex II of Regulation (EU) No 1062/2014 where no decision on approval has yet been reached. That date is extended by five years, from 31 December 2025 to 31 December 2030.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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(**a**) Details of approved active substances/product-type combinations can be found at: https://www.hse.gov.uk/biocides/active-substances/uk-list-active-substances.htm. Details can also be requested from: Health and Safety Executive, Redgrave Court, Merton Road, Bootle, Merseyside L20 7HS.

(**b**) OJ No. L 167, 27.6.2012, p. 1; relevant amending instruments are OJ No. L 204, 31.7.2013, p. 25 and OJ No. L 1398, 22.5.2024, p. 1.

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