Draft Regulations laid before Parliament under paragraph 1(3) of Schedule 7 to the European Union (Withdrawal) Act 2018, for approval by resolution of each House of Parliament.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2022 No.

EXITING THE EUROPEAN UNION

CONSUMER PROTECTION

ELECTROMAGNETIC COMPATIBILITY

ENERGY CONSERVATION

ENVIRONMENTAL PROTECTION

HEALTH AND SAFETY

TELECOMMUNICATIONS

WEIGHTS AND MEASURES

The Product Safety and Metrology (Amendment and Transitional Provisions) Regulations 2022

Made - - - -	***
Coming into force	*31st December 2022*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(**a**).

A draft of this instrument has been laid before Parliament under paragraph 1(3) of Schedule 7 to that Act and approved by a resolution of each House.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Product Safety and Metrology (Amendment and Transitional Provisions) Regulations 2022 and come into force on 31st December 2022.

(**a**) 2018 c. 16; section 8 was amended by section 27 of the European Union (Withdrawal Agreement) Act 2020 (c. 1); paragraph 21 of Schedule 7 was amended by section 41(4) and paragraph 53(2) of Schedule 5 to that Act.

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

Expiry of provisions relating to obligations which are met by complying with requirements under European law

2. In the provisions listed in Schedule 1, for "24 months" substitute "four years".

Extension of period after which transitory labelling provisions cease to have effect

3. In the provisions listed in Schedule 2, for "36 months" substitute "seven years".

Expiry of provisions relating to information identifying importers

4. In the provisions listed in Schedule 3, for "24 months" substitute "seven years".

Amendment of the Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001

5.—(1) The Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001(**a**) are amended as follows.

(2) In regulation 23 (transitional provision relating to EU exit) after paragraph (4) insert—

"(5) Subject to paragraph (6), where before 11pm on 31st December 2024—

(a) the product has not been placed on the market or put into service; and

(b) a responsible person has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 14(1) or 14(2) of the Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 10.

(6) Paragraph (5) does not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

Amendment of the Supply of Machinery (Safety) Regulations 2008

6.—(1) The Supply of Machinery (Safety) Regulations 2008(**b**) are amended as follows.

(2) In regulation 30 (transitional provisions in relation to EU exit) after paragraph (3) insert—

"(4) Subject to paragraph (5), where before 11pm on 31st December 2024—

(a) the product has not been placed on the market or put into service; and

(b) a responsible person has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 12 of the Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 10, 11 or 12.

(5) Paragraph (4) does not apply—

(**a**) S.I. 2001/1701; they were made under section 2(2) of the European Communities Act 1972 (c. 68) and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(**b**) S.I. 2008/1597; they were made under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

Amendment of Regulation (EU) 1223/2009

7. In Article 19 of Regulation (EU) 1223/2009 of the European Parliament and Council on cosmetic products(**a**) (labelling) in paragraph (1)(ab) for "two years" substitute "seven years".

Amendment of the Ecodesign for Energy-Related Products Regulations 2010

8.—(1) The Ecodesign for Energy-Related Products Regulations 2010(**b**) are amended as follows.

(2) In regulation 20A (transitional provisions in relation to EU exit) after paragraph (4) insert—

"(4A) Subject to paragraph (4B), where before 11pm on 31st December 2024—

(a) a product has not been placed on the market or put into service; and

(b) a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 8 of the Directive

that action has effect as if it had been done under the applicable procedure set out in Schedule 1A.

(4B) Paragraph (4A) does not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

Amendment of the Toys (Safety) Regulations 2011

9.—(1) The Toys (Safety) Regulations 2011(**c**) are amended as follows.

(2) In regulation 2A (transitional provisions in relation to EU exit) after paragraph (5) insert—

"(6) Subject to paragraph (7), where before 11pm on 31st December 2024—

(a) a product has not been placed on the market; and

(b) a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 19 of the Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 13.

(7) Paragraph (6) does not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

Amendment of the Explosives Regulations 2014

10.—(1) The Explosives Regulations 2014(**a**) are amended as follows.

(**a**) EUR 2009/1223, as amended by S.I. 2019/696; there are other amending instruments but none is relevant.

(**b**) S.I. 2010/2617; they were made under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/539; there are other amending instruments but none is relevant.

(**c**) S.I. 2011/1881; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(2) In regulation 82A (transitional provision in relation to EU exit) after paragraph (4) insert—

"(5) Subject to paragraph (6), where before 11pm on 31st December 2024—

(a) a product has not been placed on the market; and

(b) a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 20 of the Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 66.

(6) Paragraph (5) does not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

Amendment of the Pyrotechnic Articles (Safety) Regulations 2015

11.—(1) The Pyrotechnic Articles (Safety) Regulations 2015(**b**) are amended as follows.

(2) In regulation 74A (transitional provision in relation to EU exit) after paragraph (4) insert—

"(5) Subject to paragraph (6), where before 11pm on 31st December 2024—

(a) a product has not been placed on the market; and

(b) a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 17 of the Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 40.

(6) Paragraph (5) does not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

Amendment of the Electromagnetic Compatibility Regulations 2016

12.—(1) The Electromagnetic Compatibility Regulations 2016(**c**) are amended as follows.

(2) In regulation 74A (transitional provision in relation to EU exit) after paragraph (4) insert—

"(5) Subject to paragraph (6), where before 11pm on 31st December 2024—

(a) a product has not been placed on the market or put into service; and

(b) a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 14 of the Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 40.

(6) Paragraph (5) does not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

(**a**) S.I. 2014/1638; they were made in part under the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2016/315, S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(**b**) S.I. 2015/1553; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(**c**) S.I. 2016/1091; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

Amendment of the Simple Pressure Vessels (Safety) Regulations 2016

13.—(1) The Simple Pressure Vessels (Safety) Regulations 2016(**a**) are amended as follows.

(2) In regulation 76A (transitional provision in relation to EU exit) after paragraph (4) insert—

"(5) Subject to paragraph (6), where before 11pm on 31st December 2024—

(a) a product has not been placed on the market; and

(b) a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 13(1) or 13(2) of the Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 40 or 41.

(6) Paragraph (5) does not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

Amendment of the Lifts Regulations 2016

14.—(1) The Lifts Regulations 2016(**b**) are amended as follows.

(2) In regulation 82 (transitional provisions)—

(a) in paragraph (3) for "In paragraphs (4), (5) and (6)" substitute "In paragraphs (4) to (8)";

(b) after paragraph (6) insert—

"(7) Subject to paragraph (8), where before 11pm on 31st December 2024—

(a) a product has not been placed on the market; and

(b) an installer or a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 15 or 16 of the Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 47 or 48.

(8) Paragraph (7) does not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

Amendment of the Pressure Equipment (Safety) Regulations 2016

15.—(1) The Pressure Equipment (Safety) Regulations 2016(**c**) are amended as follows.

(2) In regulation 88A (transitional provision in relation to EU Exit)—

(a) in paragraph (1) for "a vessel" substitute "pressure equipment or an assembly required, under regulation 6 or 7, to satisfy the essential safety requirements set out in Schedule 2";

(b) after paragraph (4) insert—

(**a**) S.I. 2016/1092; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(**b**) S.I. 2016/1093; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(**c**) S.I. 2016/1105; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

"(5) Subject to paragraph (6), where before 11pm on 31st December 2024—

(a) a product has not been placed on the market or put into service; and

(b) a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 14 of the Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 41 or 42.

(6) Paragraph (5) does not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

Amendment of the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016

16.—(1) The Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016(**a**) are amended as follows.

(2) In regulation 72A (transitional provision in relation to EU Exit) after paragraph (4) insert—

"(5) Subject to paragraph (6), where before 11pm on 31st December 2024—

(a) a product has not been placed on the market or put into service; and

(b) a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 13 of the ATEX Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 39.

(6) Paragraph (5) does not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

Amendment of the Non-automatic Weighing Instruments Regulations 2016

17.—(1) The Non-automatic Weighing Instruments Regulations 2016(**b**) are amended as follows.

(2) In regulation 4A (transitional provision in relation to EU exit) after paragraph (7) insert—

"(8) Subject to paragraph (9), where before 11pm on 31st December 2024—

(a) a non-automatic weighing instrument has not been placed on the market or put into service; and

(b) a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 13 of the Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 36.

(9) Paragraph (8) does not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

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(**a**) S.I. 2016/1107; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(**b**) S.I. 2016/1152; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(b) in any event, after 31st December 2027.".

Amendment of the Measuring Instruments Regulations 2016

18.—(1) The Measuring Instruments Regulations 2016(**a**) are amended as follows.

(2) In paragraph 2A of Schedule 3 (transitional provisions relating to UK withdrawal from the EU) after paragraph (7) insert—

"(8) Subject to paragraph (9), where before 11pm on 31st December 2024—

(a) a regulated measuring instrument has not been placed on the market; and

(b) a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 17 of the Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 39(1).

(9) Paragraph (8) does not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

Amendment of the Recreational Craft Regulations 2017

19.—(1) The Recreational Craft Regulations 2017(**b**) are amended as follows.

(2) In regulation 89A (transitional provisions in relation to EU exit) after paragraph (5) insert—

"(6) Subject to paragraph (8), where before 11pm on 31st December 2024—

(a) a product has not been placed on the market; and

(b) a manufacturer has taken any action under the procedure that applies to that product in accordance with Articles 19 to 24 of the Directive

that action has effect as if it had been done under the applicable procedure referred to in regulation 42 or 43.

(7) Subject to paragraph (8), where before 11pm on 31st December 2024—

(a) a product has not been placed on the market or put into service; and

(b) a private importer or a person to whom regulation 43(2) applies has taken any action under the procedure that applies to that product in accordance with Article 23 of the Directive

that action has effect as if it had been done under the applicable procedure referred to in regulation 43.

(8) Paragraphs (6) and (7) do not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable procedure; and

(b) in any event, after 31st December 2027.".

Amendment of the Radio Equipment Regulations 2017

20.—(1) The Radio Equipment Regulations 2017(**a**) are amended as follows.

(**a**) S.I. 2016/1153; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(**b**) S.I. 2017/737; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(2) In regulation 76A (transitional provision in relation to EU exit) after paragraph (4) insert—

"(5) Subject to paragraph (6), where before 11pm on 31st December 2024—

(a) a product has not been placed on the market or put into service; and

(b) a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 17 of the Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 41.

(6) Paragraph (5) does not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

Amendment of Regulation (EU) 2016/425

21.—(1) Regulation (EU) 2016/425 of the European Parliament and of the Council on personal protective equipment and repealing Council Directive 89/686/EC(**b**) is amended as follows.

(2) In Article 47 (transitional provisions in relation to EU exit) after paragraph 4 insert—

"**5.** Subject to paragraph 6, where before 11pm on 31st December 2024—

(a) PPE has not been placed on the market; and

(b) a manufacturer has taken any action under the conformity assessment procedure that applies to the PPE in accordance with Article 19 of Regulation 2016/425 (pre-exit)

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in Article 19 of this Regulation.

6. Paragraph 5 does not apply—

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

Amendment of Regulation (EU) 2016/426

22.—(1) Regulation (EU) 2016/426 of the European Parliament and Council on appliances burning gaseous fuels and repealing Directive 2009/142/EC(**c**) is amended as follows.

(2) In Article 44 (transitional provisions in relation to EU exit) after paragraph 4 insert—

"**5.** Subject to paragraph 6, where before 11pm on 31st December 2024—

(a) an appliance or fitting has not been placed on the market; and

(b) a manufacturer has taken any action under the conformity assessment procedure that applies to that appliance or fitting in accordance with Article 14 of Regulation 2016/426 (pre-exit)

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in Article 14 of this Regulation.

6. Paragraph 5 does not apply—

(**a**) S.I. 2017/1206; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(**b**) EUR 2016/425, as amended by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(**c**) EUR 2016/429, as amended by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

(b) in any event, after 31st December 2027.".

Name
Parliamentary Under Secretary of State
Date Department for Business, Energy and Industrial Strategy

SCHEDULE 1

Regulation 2

The provisions referred to in regulation 2 are as follows—

(a) regulation 7B(1) of the Measuring Container Bottles (EEC Requirements) Regulations 1977(**a**);

(b) regulation 12B(1) of the Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001;

(c) regulation 12B(1) of the Supply of Machinery (Safety) Regulations 2008;

(d) regulation 5A(3)(aa) of the Aerosol Dispensers Regulations 2009(**b**);

(e) regulation 20C(1) of the Ecodesign for Energy-Related Products Regulations 2010;

(f) regulation 39AA(1) of the Toys (Safety) Regulations 2011;

(g) regulation 34B(1) of the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012(**c**);

(h) regulation 64C(1) and (3) of the Explosives Regulations 2014;

(i) regulation 38E(1) and (3) of the Pyrotechnic Articles (Safety) Regulations 2015;

(j) regulation 38B(1) of the Electromagnetic Compatibility Regulations 2016;

(k) regulation 38C(1) and (3) of the Simple Pressure Vessels (Safety) Regulations 2016;

(l) regulation 45C(1) and (3) of the Lifts Regulations 2016;

(m) regulation 34B(1) of the Electrical Equipment (Safety) Regulations 2016;

(n) regulation 39C(1) and (3) of the Pressure Equipment (Safety) Regulations 2016;

(o) regulation 36C(1) and (3) of the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016;

(p) regulation 32C(1) and (3) of the Non-automatic Weighing Instruments Regulations 2016;

(q) regulation 33C(1) and (3) of the Measuring Instruments Regulations 2016;

(r) regulation 40C(1) and (3) of the Recreational Craft Regulations 2017;

(s) regulation 36B(1) of the Radio Equipment Regulations 2017;

(t) regulation 2C(1) and (3) of the Personal Protective Equipment (Enforcement) Regulations 2018(**d**);

(**a**) S.I. 1977/932; they were made under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(**b**) S.I. 2009/2824; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(**c**) S.I. 2012/3032; they were made under the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/188, S.I. 2020/1647 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(**d**) S.I. 2018/390; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(u) regulation 2C(1) and (3) of Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018(**a**).

SCHEDULE 2

Regulation 3

The provisions referred to in regulation 3 are as follows—

(a) regulation 5(2A) of the Measuring Container Bottles (EEC Requirements) Regulations 1977;

(b) regulation 7(2B) of the Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001;

(c) regulation 7(2A) of the Supply of Machinery (Safety) Regulations 2008;

(d) regulation 3(1A) of the Aerosol Dispensers Regulations 2009;

(e) regulation 18(3A) of the Toys (Safety) Regulations 2011;

(f) regulation 16(2A) of the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012;

(g) regulation 68(1A) of the Explosives Regulations 2014;

(h) regulation 42(1A) of the Pyrotechnic Articles (Safety) Regulations 2015;

(i) regulation 42(1A) of the Electromagnetic Compatibility Regulations 2016;

(j) regulation 6(1A) of the Simple Pressure Vessels (Safety) Regulations 2016;

(k) regulation 50(1A) of the Lifts Regulations 2016;

(l) regulation 39(1A) of the Electrical Equipment (Safety) Regulations 2016;

(m) regulation 49(1A) of the Pressure Equipment (Safety) Regulations 2016;

(n) regulation 41(1A) of the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016;

(o) regulation 6(2) of the Non-automatic Weighing Instruments Regulations 2016;

(p) regulation 7(2) of the Measuring Instruments Regulations 2016;

(q) regulation 54(1A) of the Recreational Craft Regulations 2017;

(r) regulation 44(1A) and (2A) of the Radio Equipment Regulations 2017;

(s) Article 17(1A) of Regulation (EU) 2016/425 of the European Parliament and of the Council on personal protective equipment and repealing Council Directive 89/686/EEC;

(t) Article 17(1A) of Regulation (EU) 2016/426 of the European Parliament and of the Council on appliances burning gaseous fuels and repealing Directive 2009/142/EC.

SCHEDULE 3

Regulation 4

The provisions referred to in regulation 4 are as follows—

(a) regulation 3(7) of the Weights and Measures (Packaged Goods) Regulations 2006(**b**);

(b) regulation 31(2)(b) of the Supply of Machinery (Safety) Regulations 2008;

(c) regulation 27(1)(a)(iii) of the Toys (Safety) Regulations 2011;

(**a**) S.I. 2018/389; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2021/1273; there are other amending instruments but none is relevant.

(**b**) S.I. 2006/659; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by S.I. 2019/696 and S.I. 2020/1460; there are other amending instruments but none is relevant.

(d) regulation 24(2)(a)(ii) of the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012;

(e) regulation 50(1A) of the Explosives Regulations 2014;

(f) regulation 17(3)(a)(ii) of the Pyrotechnic Articles (Safety) Regulations 2015;

(g) regulation 20(1A)(a)(ii) of the Electromagnetic Compatibility Regulations 2016;

(h) regulation 21(1A)(a)(ii) of the Simple Pressure Vessels (Safety) Regulations 2016;

(i) regulation 28(3)(a)(ii) of the Lifts Regulations 2016;

(j) regulation18(3)(a)(ii) of the Electrical Equipment (Safety) Regulations 2016;

(k) regulation 23(3)(a)(ii) of the Pressure Equipment (Safety) Regulations 2016;

(l) regulation 21(3)(a)(ii) of the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016;

(m) regulation 18(2)(a)(ii) of the Non-automatic Weighing Instruments Regulations 2016;

(n) regulation 19(2)(a)(ii) of the Measuring Instruments Regulations 2016;

(o) regulation 21(2)(a)(ii) of the Recreational Craft Regulations 2017;

(p) regulation 23(3)(a)(ii) of the Radio Equipment Regulations 2017;

(q) Article 10(3)(a)(ii) of Regulation (EU) 2016/425 of the European Parliament and of the Council on personal protective equipment and repealing Council Directive 89/686/EC;

(r) Article 9(3)(a)(ii) of Regulation (EU) 2016/426 of the European Parliament and Council on appliances burning gaseous fuels and repealing Directive 2009/142/EC.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c.16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular as set out in paragraphs (a), (c), (d) and (g) of section 8(2) of that Act) arising from the withdrawal of the United Kingdom from the European Union.

The Regulations extend to England and Wales and Scotland only.

Regulation 2 extends the period during which certain obligations are met by complying with EU obligations from 24 months to four years from IP completion day for a number of products as set out in Schedule 1.

Regulation 3 extends the period during which conformity markings can be placed on a label affixed to the product, or a document accompanying the product, rather than on the product itself, from 36 months to seven years from IP completion day for a number of products as set out in Schedule 2.

Regulation 4 extends the period during which information identifying an importer can be set out in a document accompanying the imported product from 24 months to seven years from IP completion day for a number of products as set out in Schedule 3.

Regulations 5 and 6, 8 to 14 and 15(2)(b) to 22 provide that where a manufacturer has taken action under EU conformity assessment procedures before 31st December 2024, that action will be treated as if taken under the conformity assessment procedures which apply in Great Britain. The provision includes conditions relating to the continued validity of certificates issued in respect of the EU conformity assessment procedures and a cut-off date of 31st December 2027, after which the provision will cease to have effect.

Regulation 7, in relation to cosmetics, extends the period during which the requirement to set out information identifying a responsible person in a document accompanying an imported cosmetic product is treated as met if the document provides information identifying an EU responsible person from 24 months to seven years from IP completion day.

Regulation 15(2)(a) corrects a minor miscellaneous deficiency.

An Explanatory Memorandum is published alongside these Regulations on www.legislation.gov.uk.

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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