
DRAFT STATUTORY INSTRUMENTS

2019 No. 000

**EXITING THE EUROPEAN UNION
ENVIRONMENTAL PROTECTION
FEES AND CHARGES
HEALTH AND SAFETY
PESTICIDES**

The Chemicals (Health and Safety) and
Genetically Modified Organisms (Contained Use)
(Amendment etc.) (EU Exit) Regulations 2019

*Made - - - - 2019
Coming into force in accordance with
regulation 1(2)*

**THE CHEMICALS (HEALTH AND SAFETY) AND
GENETICALLY MODIFIED ORGANISMS (CONTAINED
USE) (AMENDMENT ETC.) (EU EXIT) REGULATIONS 2019**

1. Citation, commencement and extent
 2. Amendments to retained EU law
 3. Revocation of Commission Regulation (EU) No 440/2010
 4. Transitional provision in relation to Regulation (EC) No 1272/2008
 5. Transitional provision in relation to Regulation (EU) No 649/2012
- Signature

SCHEDULE 1 — AMENDMENTS TO SUBORDINATE LEGISLATION

1. Health and Safety (Enforcing Authority) Regulations 1998
2. Health and Safety (Enforcing Authority) Regulations (Northern Ireland) 1999
3. Control of Substances Hazardous to Health Regulations 2002
4. Dangerous Substances and Explosive Atmospheres Regulations 2002

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5. Control of Substances Hazardous to Health Regulations (Northern Ireland) 2003
6. Dangerous Substances and Explosive Atmospheres Regulations (Northern Ireland) 2003
7. Plant Protection Products (Fees and Charges) Regulations 2011
8. (1) Regulation 2(1) is amended as follows.
9. Omit regulation 3.
10. (1) Regulation 4 is amended as follows.
11. In regulation 6— (a) for the heading substitute “Charge for...
12. In regulation 7(2)— (a) omit “or”; (b) at the end...
13. In regulation 8(6) in the definition of “total costs incurred”—...
14. (1) Schedule 1 is amended as follows.
15. (1) Schedule 2 is amended as follows.
16. After Schedule 2 insert— SCHEDULE 3 Maximum residue level supplementary...
17. Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013
18. In regulation 4(1)— (a) in the definition of “the Biocides...
19. In regulation 6(1) omit “of Article 43”.
20. For regulation 7 substitute— (1) For the purposes of the PIC Regulation, the Designated...
21. In regulation 8— (a) in paragraph (2) omit “or Member...
22. In regulation 13— (a) for paragraph (1) substitute—
23. (1) Regulation 14 is amended as follows.
24. In regulation 17, for “Member State” substitute “Secretary of State”....
25. In regulation 21— (a) for the heading, substitute “Duties on...
26. In regulation 30(1)— (a) in sub-paragraph (a), omit “or”;
27. In regulation 38 omit paragraph (2).
28. In Schedule 2— (a) in paragraph 1, in the definition...
29. In Schedule 3, in paragraph 7, omit sub-paragraphs (c) and...
30. Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2013
31. In regulation 4(1)— (a) in the definition of “the Biocides...
32. In regulation 6 omit “of Article 43”.
33. In regulation 7— (a) in paragraph (2) omit “or Member...
34. In regulation 12— (a) for paragraph (1) substitute—
35. (1) Regulation 13 is amended as follows.
36. In regulation 16 for “Member State” substitute “Secretary of State”....
37. In regulation 18(1)— (a) in sub-paragraph (a), omit “or”;
38. In Schedule 1— (a) in paragraph 1, in the definition...
39. In Schedule 2, in paragraph 7, omit sub-paragraphs (c) and...
40. Genetically Modified Organisms (Contained Use) Regulations 2014
41. Control of Major Accident Hazards Regulations 2015
42. Explosives (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2015
43. Biocidal Products (Fees and Charges) Regulations (Northern Ireland) 2015
44. The Control of Major Accident Hazards Regulations (Northern Ireland) 2015
45. Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 2015
46. Health and Safety and Nuclear (Fees) Regulations 2016

1. Regulation (EC) No 1907/2006
2. In Article 3, after paragraph 41 insert— UK mandatory classification and labelling list: the list of mandatory...
3. In Article 15, for paragraph 2 substitute— Active substances manufactured or imported for use in biocidal products...
4. In Article 59, in paragraphs 2 and 3, for “Part...
5. In Annex I— (a) in point 1.3.1, for “Part 3...
6. In Annex II— (a) in point 3.2.1(a)(ii) and (iii), for...
7. In Annex XVII— (a) in entries 28 to 30 of...
8. (1) The foreword to Appendices 1 to 6 is amended...
9. In the heading of Appendix 1 omit “(Table 3.1)” and...
10. (1) Appendix 2 is amended as follows.
11. In the headings of Appendices 3, 4, 5 and 6,...
12. Regulation (EC) No 1272/2008
13. (1) Article 1 is amended as follows.
14. In Article 2— (a) in paragraphs 10, 15 (in each...
15. In Article 4, in paragraph 3— (a) in the first...
16. In Article 7, in paragraph 1, for “within the meaning...
17. In Article 10— (a) in paragraph 3, for “harmonised” substitute...
18. In Article 15— (a) in paragraph 4, for “harmonised” substitute...
19. Omit Article 16.
20. In Article 17, in paragraph 2— (a) in the first...
21. In Article 18, in paragraph 2— (a) in point (a),...
22. In Article 21, in paragraph 3, for “Part 3 of...
23. In Article 24— (a) in paragraph 2—
24. In Article 25— (a) in paragraph 1, in the third...
25. In Article 26, in paragraph 2, in the second subparagraph,...
26. In Article 29— (a) in paragraph 1, omit “in the...
27. In Article 30, in paragraph 3— (a) for “Directives 91/414/EEC...
28. In Article 32— (a) in paragraphs 2 and 3, after...
29. Omit Article 34.
30. For the heading of Title V substitute “MANDATORY CLASSIFICATION AND...
31. For the heading of Chapter 1 in Title V substitute...
32. In Article 36— (a) in the heading, for “Harmonisation of”...
33. For Article 37, substitute— Article 37 Procedure for mandatory classification...
34. After Article 37, insert— Article 37A Procedure where Article 37(1)...
35. In Article 38— (a) in the heading, for “harmonised” substitute...
36. After Article 38, insert— Article 38A UK mandatory classification and...
37. For the heading to Chapter 2 substitute “UK notification database”...
38. In Article 39 in point (b), omit “or Directive 1999/45/EC”....
39. In Article 40, in paragraph 1— (a) in the first...
40. In Article 41, for “inventory” in both places it occurs,...
41. In Article 42— (a) in the heading, for “classification and...
42. For the heading to Title VI, substitute “HELPDESK AND APPOINTMENT...
43. Omit Article 43.
44. In Article 44, for “Member States shall establish national helpdesks”...
45. In Article 45— (a) in paragraph 1, for “Member States”...
46. Omit Articles 46 and 47.
47. In Article 48, in paragraph 2, in the second subparagraph,...
48. In Article 49, in paragraph 3— (a) in the first...

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49. In Article 50— (a) omit paragraph 1;
50. Omit Article 51.
51. For Article 52 substitute— Article 52 Safeguard clause The Secretary of State or a Devolved Authority may take...
52. In Article 53— (a) for “Commission may” substitute “Secretary of...
53. After Article 53, insert— Article 53A Regulation making power Any power to make regulations conferred on the Secretary of...
54. Omit Articles 54, 60, 61 and 62.
55. In Annex I— (a) in point 1.1.2.2.2.(a)(i), for “Part 3...
56. In Annex II— (a) in point 1.2.5, in the second...
57. (1) Annex VI is amended as follows.
58. Commission Regulation (EU) No 544/2011
59. Commission Regulation (EU) No 545/2011
60. Commission Regulation (EU) No 547/2011
61. Regulation (EU) No 528/2012
62. (1) Article 1 is amended as follows.
63. (1) Article 2 is amended as follows.
64. (1) Article 3 is amended as follows.
65. In Article 5— (a) in paragraph 1, in point (d),...
66. (1) Article 6 is amended as follows.
67. (1) Article 7 is amended as follows.
68. (1) Article 8 is amended as follows.
69. After Article 8 insert— Article 8A The UK List The...
70. (1) Article 9 is amended as follows.
71. (1) Article 10 is amended as follows.
72. Omit Article 11.
73. In Article 12— (a) in paragraph 1, for “Commission” substitute...
74. In Article 13— (a) in paragraph 1, for “Agency” substitute...
75. (1) Article 14 is amended as follows.
76. For Article 15, substitute— Article 15 Review of approval of...
77. Omit Article 16.
78. (1) Article 17 is amended as follows.
79. Omit Article 18.
80. In Article 19— (a) in paragraph 1, in point (a),...
81. In Article 20— (a) in paragraph 1, after point (a)(iii)...
82. In Article 21, omit paragraph 3.
83. (1) Article 23 is amended as follows.
84. Omit Article 24.
85. Before Article 25, insert— Article 24A The Simplified Active Substance...
86. In Article 25, paragraph 1, in point (a)—
87. (1) Article 26 is amended as follows.
88. Omit Article 27.
89. In Article 28— (a) in the heading, for “Annex I”...
90. (1) Article 29 is amended as follows.
91. In Article 30, omit “receiving” in each place it occurs....
92. In Article 31— (a) omit “receiving” in each place it...
93. Omit Articles 32 to 46.
94. In Article 47— (a) in paragraph 1, omit “that granted...
95. (1) Article 48 is amended as follows.
96. In Article 49— (a) omit “that granted the national authorisation...
97. (1) Article 50 is amended as follows.
98. Omit Article 51.
99. In Article 52, omit “or, in the case of a...

100. Omit Article 53.
101. In Article 54— (a) for “Agency” in each place it...
102. For Article 55, substitute— Article 55 Derogation from the requirements...
103. (1) Article 56 is amended as follows.
104. In Article 57, omit “ 27,”.
105. (1) Article 58 is amended as follows.
106. (1) Article 59 is amended as follows.
107. (1) Article 60 is amended as follows.
108. In Article 62(2)— (a) for “Agency” substitute “competent authority” in...
109. In Article 63— (a) in paragraph 3, for “Agency” in...
110. (1) Article 64 is amended as follows.
111. (1) Article 65 is amended as follows.
112. (1) Article 66 is amended as follows.
113. (1) Article 67 is amended as follows.
114. In Article 68, omit paragraph 2.
115. (1) Article 69 is amended as follows.
116. Omit Article 70.
117. (1) Article 71 is amended as follows.
118. Omit Articles 74 to 76.
119. For Article 77, substitute— Article 77 Appeals Appeals against decisions of the competent authority taken pursuant to...
120. Omit Article 78.
121. For Article 79, substitute— Article 79 Formats for submission of...
122. Omit Article 80.
123. (1) Article 81 is amended as follows.
124. Omit Articles 82, 83 and 84.
125. Before Article 85 insert— Article 83A Regulation procedure Regulations made by the Secretary of State under this Regulation...
126. For Article 85, substitute— Article 85 Adaptation to scientific and...
127. In Article 86, for “for which the Commission has adopted...
128. Omit Article 87.
129. For Article 88, substitute— Article 88 Safeguard clause Where on the basis of new evidence the competent authority...
130. For Article 89, substitute— Article 89 Existing transitional measures The competent authority shall carry on with the work programme...
131. (1) Article 90 is amended as follows.
132. In Article 91, in the first subparagraph—
133. In Article 92, after paragraph 1 insert— 1A. The competent...
134. (1) Article 93 is amended as follows.
135. (1) Article 94 is amended as follows.
136. (1) Article 95 is amended as follows.
137. After Article 95 insert— Article 95A Transitional measures for simplified...
138. Omit Article 97.
139. Omit Annex I.
140. (1) Annex II is amended as follows.
141. (1) Annex III is amended as follows.
142. In Annex IV— (a) in paragraph 1.2. for “Commission” in...
143. (1) Annex VI is amended as follows.
144. Regulation (EU) No 649/2012
145. In Article 1— (a) in paragraph 1, in the second...
146. (1) Article 2 is amended as follows.
147. (1) Article 3 is amended as follows.
148. Omit Article 4.

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149. (1) Article 5 is amended as follows.
150. For Article 6 substitute— Article 6 Tasks of the Designated...
151. (1) Article 7 is amended as follows.
152. (1) Article 8 is amended as follows.
153. (1) Article 9 is amended as follows.
154. (1) Article 10 is amended as follows.
155. (1) Article 11 is amended as follows.
156. In Article 12, for the words from “Annex” to “the...
157. (1) Article 13 is amended as follows.
158. (1) Article 14 is amended as follows.
159. In Article 15— (a) in paragraph 1, in point (a),...
160. In Article 16— (a) in paragraph 2—
161. In Article 17— (a) in paragraph 1—
162. (1) Article 18 is amended as follows.
163. In Article 19— (a) in paragraph 1, omit the words...
164. In Article 20— (a) in paragraph 1—
165. In Article 21— (a) in the first paragraph—
166. Omit Article 22.
167. In Article 23— (a) in the heading, for “annexes” substitute...
168. After Article 23, insert— Article 23A Regulation making power Any power to make regulations conferred on the Secretary of...
169. Omit Articles 24 to 31.
170. Omit Annex I.
171. (1) Annex II is amended as follows.
172. Omit Annex III.
173. In Annex IV, in paragraph 1, in point (f), for...
174. Omit Annex V.
175. Omit Annex VII.
176. Commission Regulation (EU) No 283/2013
177. Commission Regulation (EU) No 284/2013
178. Regulation (EU) No 354/2013
179. In Article 2, in paragraph 2— (a) for “Agency” in...
180. Omit Article 3.
181. (1) Article 4 is amended as follows.
182. (1) Article 5 is amended as follows.
183. In the heading of Chapter II, for “products authorised by...
184. (1) Article 6 is amended as follows.
185. (1) Article 7 is amended as follows.
186. (1) Article 8 is amended as follows.
187. Omit Articles 9 to 13.
188. (1) Article 14 is amended as follows.
189. (1) Article 15 is amended as follows.
190. In Article 16, for “concerned Member States have or, in...
191. In Article 17— (a) for “a Member State, the Agency...
192. Omit Article 18.
193. (1) Section 1 of Title 1 of the Annex is...
194. Commission Implementing Regulation (EU) No 414/2013
195. In Article 1, in the first paragraph, after “authorised or...
196. In Article 2— (a) in the first sentence omit “and...
197. (1) Article 3 is amended as follows.
198. Omit Article 4.
199. In Article 4a, in paragraph 1, omit “that has granted...
200. Omit Article 4b.

201. In Article 5— (a) in the heading omit “national”;
202. Omit Article 6.
203. In Article 6a— (a) in paragraph 1, for “receiving competent...
204. (1) Article 7 is amended as follows.
205. Omit Article 8.
206. Commission Implementing Regulation (EU) No 88/2014
207. In Article 1— (a) in the first paragraph, for “Annex...
208. (1) Article 3 is amended as follows.
209. (1) Article 4 is amended as follows.
210. (1) Article 5 is amended as follows.
211. Omit Article 6.
212. In the Annex— (a) in the heading, for “Annex I...
213. Commission Delegated Regulation (EU) No 1062/2014
214. (1) Article 2 is amended as follows.
215. (1) Article 3 is amended as follows.
216. For Article 4 substitute— The competent authority shall inform the...
217. (1) Article 5 is amended as follows.
218. (1) Article 6 is amended as follows.
219. (1) Article 7 is amended as follows.
220. In Article 8— (a) for “the Agency” in each place...
221. (1) Article 9 is amended as follows.
222. (1) Article 10 is amended as follows.
223. (1) Article 11 is amended as follows.
224. (1) Article 12 is amended as follows.
225. (1) Article 13 is amended as follows.
226. In Article 14, in paragraph 1, for “Agency” substitute “competent...
227. (1) Article 15 is amended as follows.
228. (1) Article 16 is amended as follows.
229. (1) Article 17 is amended as follows.
230. For Article 18 (except the heading), substitute— Where a substance/
product-type...
231. In Article 19— (a) for “the Agency” in each place...
232. (1) Article 20 is amended as follows.
233. (1) Article 21 is amended as follows.
234. For Article 22 (except the heading), substitute— Without prejudice to
Article 55(1) of Regulation No 528/2012, within...
235. After Article 22 insert— Article 22A Transitional measures for ongoing...
236. Omit Article 23.
237. Omit Article 24.
238. In the text following Article 24, omit “This Regulation shall...
239. In Annex I, in point (3), for “Annex 1 to...
240. In Annex II omit the column entitled “Rapporteur Member State”....
241. Omit Annex III.

SCHEDULE 3 — AMENDMENTS TO ANNEX II TO THE EEA AGREEMENT

1. In Annex II to the EEA agreement, in Part 2—...

Explanatory Note