

SCHEDULE 33

Amendment of Regulation (EC) No 765/2008

Amendment to Chapter 4

29. For Chapter 4, substitute—

“CHAPTER 4

UK MARKING

Article 30

1. The Secretary of State must prior to exit day—
 - (a) prescribe the form of the UK marking in a graduated drawing; and
 - (b) publish the prescribed form of UK marking in the graduated drawing on the Gov.uk website (<https://www.gov.uk>)(1).
2. Any reference to the UK marking in any enactment is a reference to the UK marking in the form published in accordance with paragraph (1).
3. A requirement in any enactment to affix the UK marking is a requirement to affix the UK marking in accordance with the following requirements—
 - (a) where the UK marking is reduced or enlarged, the proportions given in the graduated drawing referred to paragraph 1 must be respected; and
 - (b) where an enactment does not require specific dimensions, the UK marking must be at least 5 millimetres high.
4. The UK marking must not be affixed to a product unless an enactment provides for its affixing.
5. An economic operator must not affix any other marking, sign or inscription which is likely to mislead any person as to the meaning or form of the UK marking.
6. An economic operator must not affix any other marking if the visibility, legibility and meaning of the UK marking would be impaired as a result.
7. Where the UK marking is affixed to a product in breach of paragraph 4, the UK marking is affixed in a false or misleading manner and Article 27(3)(c) applies.”.

(1) Copies are available from the Department for Business, Energy and Industrial Strategy (Goods, Borders and Customs team), 1 Victoria Street, London SW1H 0ET.