

## SCHEDULE 33

### Amendment of Regulation (EC) No 765/2008

#### 3. In Article 2—

- (a) in the text before paragraph 1 omit “shall”;
- (b) in paragraphs 1 to 3, 6, 7, 12 to 15 and 17 for “shall mean” substitute “ means ”;
- (c) in paragraph 1—
  - [<sup>F1</sup>(i) for “Community market” substitute “ market of Great Britain ”;]
  - (ii) at the end, insert “ and related expressions must be construed accordingly ”;
- (d) in paragraph 2—
  - [<sup>F2</sup>(i) for “Community market” substitute “ market of Great Britain ”;]
  - (ii) at the end, insert “ and related expressions must be construed accordingly ”;
- <sup>F3</sup>(e) . . . . .
- (f) for paragraph 5 substitute—

“5. “importer” means any person established in the United Kingdom who places a product from a country outside of the United Kingdom on the market;”;
- (g) omit paragraphs 8 and 9;
- (h) for paragraph 10 substitute—

“10. “accreditation” means an attestation by a national accreditation body conveying formal recognition that a conformity assessment body is competent to carry out a specific conformity assessment activity;”;
- (i) for paragraph 11 substitute—

“11. “UK national accreditation body” means the body appointed by the Secretary of State in accordance with Article 4;”;
- (j) omit paragraph 16;
- (k) in paragraph 17 for “the relevant Community harmonisation legislation” substitute “ any relevant enactment; ”;
- (l) for paragraph 18 substitute—

“18. “market surveillance authority” means an authority responsible for carrying out market surveillance in the United Kingdom;”;
- (m) for paragraph 19 substitute—

“19. “the free circulation procedure” means the procedure set out in Schedule 1 to the Taxation (Cross-border Trade) Act 2018 <sup>M1</sup>;”;
- (n) for paragraph 20 substitute—

“20. “conformity marking” means a marking, such as the UK marking, by which the manufacturer indicates that a product is in conformity with the applicable requirements of any enactment providing for the affixing such a marking;”;
- (o) for paragraph 21 substitute—

“21. “relevant enactment” means any retained EU law [<sup>F4</sup>, as it applies in Great Britain, ] derived from an EU instrument harmonising the conditions for the marketing of products in the EU;”;

**Changes to legislation:** There are currently no known outstanding effects for the *The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 3.* (See end of Document for details)

(p) after paragraph 21 insert—

“22. “UK marking” means the marking in the form set out in Annex 2.”.

- F1** Sch. 33 para. 3(c)(i) substituted (31.12.2020 immediately before IP completion day) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(UK\(NI\) Indication\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1460\)](#), reg. 1(4), **Sch. 3 para. 22(3)(a)**
- F2** Sch. 33 para. 3(d)(i) substituted (31.12.2020 immediately before IP completion day) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(UK\(NI\) Indication\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1460\)](#), reg. 1(4), **Sch. 3 para. 22(3)(b)**
- F3** Sch. 33 para. 3(e) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(UK\(NI\) Indication\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1460\)](#), reg. 1(4), **Sch. 3 para. 3(n)**
- F4** Words in Sch. 33 para. 3(o) inserted (31.12.2020 immediately before IP completion day) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(UK\(NI\) Indication\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1460\)](#), reg. 1(4), **Sch. 3 para. 22(3)(c)**

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**Commencement Information**

- II** Sch. 33 para. 3 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), **Sch. 5 para. 1(1)**), see [reg. 1](#)

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**Marginal Citations**

- M1** [2018 c.22.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 3.