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STATUTORY INSTRUMENTS

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**2017 No. 737**

**The Recreational Craft Regulations 2017**

**PART 6**

**MISCELLANEOUS**

**Amendment to the Consumer Rights Act 2015**

**84.** In paragraph 10 of Schedule 5 to the Consumer Rights Act 2015<sup>(1)</sup> at the appropriate place insert—

“regulation 66(1) or (2) of the Recreational Craft Regulations 2017 ([S.I. 2017/737](#));”.

**Amendment to the Enterprise Act 2002 (Part 9 Restrictions on Disclosure of Information) (Specification) Order 2004**

**85.** The Enterprise Act 2002 (Part 9 Restrictions on Disclosure of Information) (Specification) Order 2004<sup>(2)</sup> Schedule 1 (specified subordinate legislation) is amended as follows—

- (a) “The Recreational Craft Regulations 1996 insofar as not revoked by the Recreational Craft Regulations 2004” substitute “The Recreational Craft Regulations 2004 insofar as not revoked by the Recreational Craft Regulations 2017”; and
- (b) omit the entry “The Recreational Craft Regulations 2004” and at the appropriate place insert “The Recreational Craft Regulations 2017”.

**Amendment to the Legislative and Regulatory Reform (Regulatory Functions) Order 2007**

**86.** The Legislative and Regulatory Reform (Regulatory Functions) Order 2007<sup>(3)</sup> is amended as follows—

- (a) in Part 3 of the Schedule, under the heading “Public health and safety” omit the entry “The Recreational Craft Regulations 2004” and after the last entry insert “The Recreational Craft Regulations 2017”;
- (b) in Part 8 of the Schedule, omit the entry “The Recreational Craft Regulations 2004” and after the last entry insert “The Recreational Craft Regulations 2017”; and
- (c) in Part 13 of the Schedule, omit the entry “The Recreational Craft Regulations 2004” and after the last entry insert “The Recreational Craft Regulations 2017”.

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(1) 2015 c.15.

(2) [S.I. 2004/693](#). Regulation 3(a) inserts a reference to the Recreational Craft Regulations 2004 into the Enterprise Act 2002 (Part 9 Restrictions on Disclosure of Information) (Specification) Order 2004.

(3) [S.I. 2007/3544](#).

## **Amendment to the Co-ordination of Regulatory Enforcement (Regulatory Functions in Scotland and Northern Ireland) Order 2009**

**87.** The Co-ordination of Regulatory Enforcement (Regulatory Functions in Scotland and Northern Ireland) Order(4) is amended as follows—

- (a) in Part 4 of Schedule 1 omit the entry “The Recreational Craft Regulations 2004” ; and at the end insert “The Recreational Craft Regulations 2017”; and
- (b) in Part 2 of Schedule 2 omit the entry “The Recreational Craft Regulations 2004” and at the end insert “The Recreational Craft Regulations 2017”.

### **Review**

**88.**—(1) The Secretary of State must from time to time—

- (a) carry out a review of the regulatory provisions contained in these Regulations; and
- (b) publish a report setting out the conclusions of the review.

(2) The first report must be published before the end of the period of 5 years beginning on the commencement date.

(3) Subsequent reports must be published at intervals not exceeding 5 years.

(4) Section 30(3) of the Small Business, Enterprise and Employment Act 2015(5) requires that a review carried out under this regulation must, so far as is reasonable, have regard to how the Directive is implemented in other member States.

(5) Section 30(4) of the Small Business, Enterprise and Employment Act 2015 requires that a report published under this regulations must, in particular—

- (a) set out the objectives intended to be achieved by the regulatory provisions referred to in paragraph 1(a);
- (b) assess the extent to which those objectives are achieved;
- (c) assess whether those objectives remain appropriate; and
- (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(6) In this regulation, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).

### **Transitional provisions**

**89.**—(1) Nothing in these Regulations prevents the making available on the market of a product which—

- (a) is in conformity with the requirements of [Directive 94/25/EC](#) on the approximation of laws, regulations and administrative provisions of the Member States relating to recreational craft(6); and
- (b) was placed on the market before the commencement date.

(2) Nothing in these Regulations prevents the making available on the market or the putting into service of outboard SI (Spark Ignition) propulsion engines with power equal to less than 15kW which comply with the stage 1 exhaust emission limits laid down in point 2.1 of Part B of Annex 1 of the Directive which are—

- (a) manufactured by small or medium-sized enterprises; and

(4) [S.I. 2009/669](#).

(5) [2015 c.26](#)

(6) [OJ No L 164, 30.6.1994, p.15.](#)

- (b) placed on the market before 18th January 2020.

### **Revocations and savings**

**90.**—(1) The Recreational Craft Regulations 1996(7) are revoked save as regard their application to—

- (a) any watercraft that was placed on the market or put into service prior to 1st January 2005; and
- (b) the appointment or termination of appointment of any notified body for the purposes of those Regulations.

(2) The Recreational Craft Regulations 2004(8) are revoked save as regards their application to—

- (a) any watercraft that was placed on the market or put into service prior to the commencement date; and
- (b) the appointment or termination of appointment of any notified body for the purposes of those Regulations.

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(7) [S.I. 1996/1353](#); these Regulations were revoked with savings in respect of certain limited exceptions, by [S.I. 2004/1464](#), regulation 1(4).

(8) [S.I. 2004/1464](#).