

SCHEDULE 2

Regulation 4

Amendments to legislation in respect of Northern Ireland

1.—(1) The Measuring Container Bottles (EEC Requirements) Regulations 1977^{M1} are amended as follows.

(2) In the Schedule (adaptation for Northern Ireland)—

(a) after paragraph 1(b) insert—

“(c) after the definition of “production control records” insert—

““UK(NI) indication” means the marking in the form set out in Schedule 1 to Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020^{M2}.”.

1A. After regulation 5(2) insert—

“(3) Where the Secretary of State has approved a submitted mark pursuant to regulation 6, the manufacturer's mark must be accompanied by the UK(NI) indication.”.”;

(b) in paragraphs 2 and 4 for “Department of Commerce” substitute “ Department for the Economy ”;

(c) after paragraph 3 insert—

“3A. After regulation 9 insert—

“UK(NI) indication

9A. Where an inspector finds that a person is in possession in the course of business of any individual measuring container bottle which—

(a) is marked with a manufacturer's mark which has been approved by the Secretary of State; and

(b) is not accompanied by the UK(NI) indication

an inspector must give directions to that person that the bottle may not be sold or supplied with the EEC sign.”

3B. In regulation 10(4), for “Regulation 9” substitute “ Regulation 9 or Regulation 9A ”.”.

Commencement Information

II Sch. 2 para. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

Marginal Citations

M1 S.I. 1977/932, amended by S.I. 1985/306 and S.I. 2015/1630 and saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018. Amendments extending to Great Britain only are also made prospectively, with effect from IP completion day, by S.I. 2019/696.

M2 S.I. 2020/1460.

2.—(1) The Noise Emissions in the Environment by Equipment for Use Outdoors Regulations 2001^{M3} are amended as follows.

Changes to legislation: There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2. (See end of Document for details)

- (2) In regulation 2(2) after the definition of “sound power level LWA” insert—
““UK(NI) indication” means the marking in the form set out in Schedule 1 to Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020.”.
- (3) For regulation 7(2)(c) substitute—
“(c) in accordance with regulation 11, it bears the—
(i) CE marking, accompanied, where regulation 11(2A) applies, by the UK(NI) indication;
(ii) indication of the guaranteed sound power level;”.
- (4) After regulation 11(2) insert—
“(2A) Where a notified body established in the United Kingdom appointed pursuant to regulation 14 has carried out one or more of the conformity assessment procedures mentioned or referred to in regulation 10, the CE marking must be accompanied by the UK(NI) indication affixed in accordance with paragraph (2B).
(2B) The UK(NI) indication must be affixed—
(a) in a visible, legible and indelible form to each item of equipment; and
(b) before the equipment is placed on the market in Northern Ireland.”.
- (5) In regulation 17—
(a) in paragraph (2), after “complied with” insert “ , or the UK(NI) indication has not been affixed in contravention of regulation 11(2A) or has been affixed otherwise than in conformity with regulation 11(2B) ”;
(b) in paragraph (3)(a), (c)(i) and (c)(ii) after “level” insert “ , or the UK(NI) indication ”.
- (6) In regulation 19—
(a) at the beginning of paragraph (1) insert “ Subject to paragraph (1A), ”;
(b) after paragraph (1) insert—
“(1A) Where a person fails to comply with a requirement in respect of the UK(NI) indication, a person guilty of an offence under regulation 18(a) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.”.

Commencement Information

I2 Sch. 2 para. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(2)**

Marginal Citations

M3 S.I. 2001/1701, amended by S.I. 2005/3525, S.I. 2008/1597, S.I. 2011/1043, S.I. 2015/98; amendments extending only to Great Britain are also made prospectively with effect from IP completion day, by S.I. 2019/696; the instrument was saved by virtue of section 2(2)(a) of the **European Union (Withdrawal) Act 2018 (c.16)**.

3.—(1) The Supply of Machinery (Safety) Regulations 2008^{M4} are amended as follows.

- (2) In regulation 2(2) after the definition of “safety component” insert—
““UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020;”.
- (3) After regulation 7(2) insert—

Changes to legislation: There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2. (See end of Document for details)

“(2A) Where a UK notified body carries out the functions of notified bodies specified in Annexes IX and X the CE marking must be accompanied by the UK(NI) indication affixed in accordance with paragraph (2B).

(2B) The UK(NI) indication must be affixed—

- (a) in a visible, legible and indelible form to the machinery; and
- (b) before the machinery is placed on the market in Northern Ireland.

(2C) Where paragraph (2A) applies, the reference to the identification number of the notified body in Schedule 2, Part 3 Annex III, is a reference to the identification number assigned to the UK notified body by the Secretary of State pursuant to regulation 19A.”

(4) After regulation 19 insert—

“Register of UK notified bodies

19A.—(1) The Secretary of State must ensure that—

- (a) each UK notified body is assigned an identification number; and
- (b) there is a register of—
 - (i) UK notified bodies;
 - (ii) their notified body identification number;
 - (iii) the activities for which they have been notified;
 - (iv) any restrictions on those activities.

(2) The Secretary of State must ensure that the register referred to in paragraph (1) is maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b).”

(5) In regulation 21(1)(b)—

- (a) in paragraph (iii) omit “or”;
- (b) after paragraph (iii) insert—
 - “(iiia) the UK(NI) indication does not accompany the CE marking in contravention of regulation 7(2A); or
 - (iiib) the UK(NI) indication is affixed other than in accordance with regulation 7(2B); or”

(c) in paragraph (iv) after “CE marking” insert “ or the UK(NI) indication ”.

(6) In regulation 22(3)(a) for “or (f)” substitute “ , (f), (2A) or (2B) ”.

Commencement Information

I3 Sch. 2 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\(2\)](#)

Marginal Citations

M4 [S.I. 2008/1597](#), amended by [S.I. 2011/1043](#), [S.I. 2011/2157](#); amendments extending only to Great Britain are also made prospectively with effect from IP completion day, by [S.I. 2019/696](#); the instrument was saved by virtue of section 2(2)(a) of the [European Union \(Withdrawal\) Act 2018 \(c.16\)](#).

4.—(1) The Aerosol Dispensers Regulations 2009 ^{M5} are amended as follows.

Changes to legislation: There are currently no known outstanding effects for the *The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2.* (See end of Document for details)

(2) In regulation 2(1) after the definition of “relevant aerosol dispenser” insert—
 ““UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020.”.

(3) After regulation 3(7)(iii) insert—

“(7A) Where paragraph (7)(c) is satisfied by a test method specified in point 6.1.4.1(b) or 6.1.4.1(c) which has been approved in writing by the Secretary of State for the purposes of these Regulations, the person responsible for the marketing of the aerosol dispenser has marked the aerosol dispenser with a UK(NI) indication.”.

(4) In regulation 6—

(a) in paragraph (1) after “and (c)” insert “ and regulation 3(7A) ”;

(b) for paragraph (2) substitute—

“(2) Regulation 3(8)(b) and 3(7A), which are not made under that Act, are to be treated as if they were safety regulations made under section 11 of that Act.”;

(c) after paragraph (3) insert—

“(3A) Notwithstanding section 12(5) of the Consumer Protection Act 1987 ^{M6} any person guilty of an offence under that section of contravening the prohibition in regulation 5(a) by reason only of a failure to comply with regulation 3(7A) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.”.

Commencement Information

I4 Sch. 2 para. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Marginal Citations

M5 [S.I. 2009/2824](#), amended by [S.I. 2014/1130](#), [S.I. 2018/29](#); amendments extending only to Great Britain are also made prospectively with effect from IP completion day, by [S.I. 2019/696](#); the instrument was saved by virtue of section 2(2)(a) of the [European Union \(Withdrawal\) Act 2018 \(c.16\)](#).

M6 [1987 c.43](#).

5.—(1) The Toys (Safety) Regulations 2011 ^{M7} are amended as follows.

(2) In regulation 3, after the definition of “toy” insert—

““UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020;”.

(3) After regulation 15 insert—

“UK(NI) indication

15A.—(1) Where the CE marking is affixed on the basis of an assessment or a certificate issued by a UK notified body, a UK(NI) indication must be affixed in relation to the toy, in accordance with this regulation.

(2) The UK(NI) indication must be affixed—

(a) visibly, legibly and indelibly; and

(b) before a toy is placed on the market in Northern Ireland.

(3) The UK(NI) indication must be affixed wherever the CE marking is affixed, in accordance with regulation 18.

Changes to legislation: There are currently no known outstanding effects for the *The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2.* (See end of Document for details)

- (4) The UK(NI) indication must be affixed by—
- (a) the manufacturer; or
 - (b) the manufacturer's authorised representative who has been appointed by the manufacturer in accordance with regulation 25(1) to affix the UK(NI) indication on the manufacturer's behalf.

(5) When placing a toy on the market in Northern Ireland, an importer must ensure that the manufacturer has complied with their obligations under this regulation.

Register of UK notified bodies

15B.—(1) The Secretary of State must ensure that—

- (a) each UK notified body is assigned an identification number; and
- (b) there is a register of—
 - (i) UK notified bodies;
 - (ii) their notified body identification number;
 - (iii) the activities for which they have been notified;
 - (iv) any restrictions on those activities.

(2) The Secretary of State must ensure that the register referred to in paragraph (1) is maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b).”.

(4) After regulation 39(2) insert—

“(2A) Paragraph (2) does not apply to the UK(NI) indication.”.

(5) After regulation 52(1)(b) insert—

“(ba) a UK(NI) indication—

- (i) has not been affixed, in contravention of regulation 15A(1); or
- (ii) has been affixed but any provision of regulation 15A has not been complied with or has been contravened.”.

(6) After regulation 55 insert—

“Offence in respect of UK(NI) indication

55A.—(1) Regulation 15A is to be treated as if it were a safety regulation made under section 11 of the Consumer Protection Act 1987.

(2) Notwithstanding section 12(5) of the Consumer Protection Act 1987, any person guilty of an offence under that section of contravening regulation 15A is liable on summary conviction to a fine not exceeding level 5 on the standard scale.”.

Commencement Information

I5 Sch. 2 para. 5 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Changes to legislation: There are currently no known outstanding effects for the *The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2.* (See end of Document for details)

Marginal Citations

M7 S.I. 2011/1881, amended by S.I. 2015/1630; amendments extending only to Great Britain are also made prospectively with effect from IP completion day, by S.I. 2019/696; the instrument was saved by virtue of section 2(2)(a) of the [European Union \(Withdrawal\) Act 2018 \(c.16\)](#).

6.—(1) The Pyrotechnic Articles (Safety) Regulations 2015^{M8} are amended as follows.

(2) In regulation 2(1) after the definition of “theatrical pyrotechnic article” insert—

““UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020;”.

(3) In Part 3, after regulation 42 insert—

“UK(NI) indication

42A.—(1) Where the CE marking is affixed on the basis of an assessment or a certificate issued by a notified body established in the United Kingdom, a UK(NI) indication must be affixed in relation to the pyrotechnic article, in accordance with this regulation.

(2) The UK(NI) indication must be affixed—

(a) visibly, legibly and indelibly; and

(b) before a pyrotechnic article is placed on the market in Northern Ireland.

(3) The UK(NI) indication must accompany the CE marking wherever that is affixed, in accordance with regulation 42(1) or (2).

(4) The UK(NI) indication must be affixed by the manufacturer.

(5) When placing a pyrotechnic article on the market in Northern Ireland, an importer must ensure that the manufacturer has complied with their obligations under this regulation.

Register of UK notified bodies

42B.—(1) The Secretary of State must ensure that—

(a) each notified body established in the United Kingdom is assigned an identification number; and

(b) there is a register of—

(i) notified bodies established in the United Kingdom;

(ii) their notified body identification number;

(iii) the activities for which they have been notified;

(iv) any restrictions on those activities.

(2) The Secretary of State must ensure that the register referred to in paragraph (1) is maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b).”.

(4) After regulation 60(1)(a) insert—

“(aa) the UK(NI) indication—

(i) has not been affixed, in contravention of regulation 42A; or

(ii) has been affixed other than in accordance with regulation 42A;”.

(5) In regulation 63—

Changes to legislation: There are currently no known outstanding effects for the *The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2.* (See end of Document for details)

- (a) at the beginning of paragraph (2) insert “ Except as provided in paragraph (3), ”;
- (b) after paragraph (2) insert—

“(3) A person guilty of an offence under regulation 62(5) insofar as the requirement relates to a UK(NI) indication is liable on summary conviction to a fine not exceeding level 5 on the standard scale.”.

Commencement Information

I6 Sch. 2 para. 6 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(2)**

Marginal Citations

M8 **S.I. 2015/1553**; amendments extending only to Great Britain are made prospectively with effect from IP completion day, by **S.I. 2019/696**; the instrument was saved by virtue of section 2(2)(a) of the **European Union (Withdrawal) Act 2018 (c.16)**.

7.—(1) The Electromagnetic Compatibility Regulations 2016^{M9} are amended as follows.

(2) In regulation 2(1) after the definition of “technical specification” insert—

““UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020;”.

(3) In Part 3, after regulation 42 insert—

“UK(NI) indication

42A.—(1) Where the CE marking is affixed on the basis of an assessment or a certificate issued by a notified body established in the United Kingdom, a UK(NI) indication must be affixed in relation to the apparatus, in accordance with this regulation.

(2) The UK(NI) indication must be affixed—

- (a) visibly, legibly and indelibly; and
- (b) before apparatus is placed on the market in Northern Ireland.

(3) The UK(NI) indication must accompany the CE marking, wherever that is affixed in accordance with regulation 42.

(4) The UK(NI) indication must be affixed by—

- (a) the manufacturer; or
- (b) the manufacturer's authorised representative.

(5) When placing apparatus on the market in Northern Ireland, an importer must ensure that the manufacturer has complied with their obligations under this regulation.

Register of UK notified bodies

42B.—(1) The Secretary of State must ensure that—

- (a) each notified body established in the United Kingdom is assigned an identification number; and
- (b) there is a register of—
 - (i) notified bodies established in the United Kingdom;
 - (ii) their notified body identification number;

Changes to legislation: There are currently no known outstanding effects for the *The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2.* (See end of Document for details)

- (iii) the activities for which they have been notified;
- (iv) any restrictions on those activities.

(2) The Secretary of State must ensure that the register referred to in paragraph (1) is maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b)."

(4) After regulation 59(1)(a) insert—

“(aa) the UK(NI) indication—

- (i) has not been affixed, in contravention of regulation 42A; or
- (ii) has been affixed other than in accordance with regulation 42A;”.

(5) In regulation 62—

- (a) in paragraph (1) after “(2)” insert “ and (3) ”;
- (b) after paragraph (2) insert—

“(3) A person guilty of an offence under regulation 61(2) insofar as the requirement relates to a UK(NI) indication is liable on summary conviction to a fine not exceeding level 5 on the standard scale.”.

Commencement Information

I7 Sch. 2 para. 7 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(2)**

Marginal Citations

M9 **S.I. 2016/1091**, amended by **S.I. 2017/1206**; amendments extending only to Great Britain are made prospectively with effect from IP completion day, by **S.I. 2019/696**; the instrument was saved by virtue of section 2(2)(a) of the **European Union (Withdrawal) Act 2018 (c.16)**.

8.—(1) The Simple Pressure Vessels (Safety) Regulations 2016^{M10} are amended as follows.

(2) In regulation 2(4), after the definition of “technical specification” insert—

““UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020;”.

(3) In Part 3, after regulation 44 insert—

“UK(NI) indication

44A.—(1) Where the CE marking is affixed on the basis of an assessment or a certificate issued by a notified body established in the United Kingdom, a UK(NI) indication must be affixed in relation to the vessel, in accordance with this regulation.

(2) The UK(NI) indication must be affixed—

- (a) visibly, legibly and indelibly; and
- (b) before a vessel is placed on the market in Northern Ireland.

(3) The UK(NI) indication must accompany the CE marking, wherever that is affixed in accordance with regulation 6.

(4) The UK(NI) indication must be affixed by—

- (a) the manufacturer; or

Changes to legislation: There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2. (See end of Document for details)

(b) the manufacturer's authorised representative.

(5) When placing a vessel on the market in Northern Ireland, an importer must ensure that the manufacturer has complied with their obligations under this regulation.

Register of notified bodies established in the United Kingdom

44B.—(1) The Secretary of State must ensure that—

- (a) each notified body established in the United Kingdom is assigned an identification number; and
- (b) there is a register of—
 - (i) notified bodies established in the United Kingdom;
 - (ii) their notified body identification number;
 - (iii) the activities for which they have been notified;
 - (iv) any restrictions on those activities.

(2) The Secretary of State must ensure that the register referred to in paragraph (1) is maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b).”.

(4) After regulation 62(1)(a)(v) insert—

“(vi) the UK(NI) indication—

- (aa) has not been affixed, in contravention of regulation 44A; or
- (bb) has been affixed other than in accordance with regulation 44A;”.

(5) In regulation 65—

- (a) in paragraphs (1) and (2) for “of regulation 8 or regulation 26” substitute “ to which paragraph (1A) applies ”;
- (b) after paragraph (1) insert—

“(1A) This paragraph applies to an offence arising from a contravention or failure to comply with a requirement of—

 - (a) regulation 8;
 - (b) regulation 26; or
 - (c) a withdrawal or recall notice arising from a failure to affix the UK(NI) indication or a failure to affix the UK(NI) indication other than in accordance with regulation 44A.”.

Commencement Information

I8 Sch. 2 para. 8 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Marginal Citations

M10 [S.I. 2016/1092](#), amended by [S.I. 2017/1206](#), [S.I. 2018/966](#); amendments extending only to Northern Ireland are made prospectively with effect from IP completion day by [S.I. 2020/678](#) and amendments extending only to Great Britain are also made prospectively with effect from IP completion day, by [S.I. 2019/696](#); the instrument was saved by virtue of section 2(2)(a) of the [European Union \(Withdrawal\) Act 2018 \(c.16\)](#).

Changes to legislation: There are currently no known outstanding effects for the *The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2.* (See end of Document for details)

9.—(1) The Lifts Regulations 2016^{M11} are amended as follows.

(2) In regulation 2(1) after the definition of “technical specification” insert—
““UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020;”.

(3) In Part 3, after regulation 50 insert—

“UK(NI) indication

50A.—(1) Where the CE marking is affixed on the basis of an assessment or a certificate issued by a notified body established in the United Kingdom, a UK(NI) indication must be affixed in relation to the lift or safety component, in accordance with this regulation.

(2) The UK(NI) indication must be affixed—

- (a) visibly, legibly and indelibly; and
- (b) before a lift or safety component is placed on the market in Northern Ireland.

(3) The UK(NI) indication must accompany the CE marking, wherever that is affixed in accordance with regulation 50.

(4) The UK(NI) indication must be affixed by—

- (a) the manufacturer; or
- (b) the manufacturer's authorised representative.

(5) When placing a lift or safety component on the market in Northern Ireland, an importer must ensure that the manufacturer has complied with their obligations under this regulation.

Register of notified bodies established in the United Kingdom

50B.—(1) The Secretary of State must ensure that—

- (a) each notified body established in the United Kingdom is assigned an identification number; and
- (b) there is a register of—
 - (i) notified bodies established in the United Kingdom;
 - (ii) their notified body identification number;
 - (iii) the activities for which they have been notified;
 - (iv) any restrictions on those activities.

(2) The Secretary of State must ensure that the register referred to in paragraph (1) is maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b).”.

(4) After regulation 68(1)(a) insert—

“(aa) the UK(NI) indication—

- (i) has not been affixed, in contravention of regulation 50A; or
- (ii) has been affixed other than in accordance with regulation 50A;”.

(5) In regulation 71—

- (a) in paragraph (1) after “(2)” insert “ and (3) ”;
- (b) after paragraph (2) insert—

Changes to legislation: There are currently no known outstanding effects for the *The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2.* (See end of Document for details)

“(3) A person guilty of an offence under regulation 70(2) insofar as the requirement relates to a UK(NI) indication is liable on summary conviction to a fine not exceeding level 5 on the standard scale.”.

Commencement Information

I9 Sch. 2 para. 9 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Marginal Citations

M11 [S.I. 2016/1093](#), amended by [S.I. 2016/1186](#) and [S.I. 2018/389](#); amendments extending only to Great Britain are also made prospectively with effect from IP completion day, by [S.I. 2019/696](#); the instrument was saved by virtue of section 2(2)(a) of the [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#).

10.—(1) The Pressure Equipment (Safety) Regulations 2016^{M12} are amended as follows.

(2) In regulation 2(1) after the definition of “technical specification” insert—

““UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020;”.

(3) In Part 3, after regulation 49 insert—

“UK(NI) indication

49A.—(1) Where the CE marking is affixed on the basis of an assessment or a certificate issued by a notified body established in the United Kingdom, a UK(NI) indication must be affixed in relation to the pressure equipment or assembly, in accordance with this regulation.

(2) The UK(NI) indication must be affixed—

- (a) visibly, legibly and indelibly; and
- (b) before pressure equipment or an assembly is placed on the market in Northern Ireland.

(3) The UK(NI) indication must accompany the CE marking, wherever that is affixed in accordance with regulation 49.

(4) The UK(NI) indication must be affixed by—

- (a) the manufacturer; or
- (b) the manufacturer's authorised representative.

(5) When placing pressure equipment or an assembly on the market in Northern Ireland, an importer must ensure that the manufacturer has complied with their obligations under this regulation.

Register of notified bodies established in the United Kingdom

49B.—(1) The Secretary of State must ensure that—

- (a) each notified body established in the United Kingdom is assigned an identification number; and
- (b) there is a register of—
 - (i) notified bodies established in the United Kingdom;
 - (ii) their notified body identification number;

Changes to legislation: There are currently no known outstanding effects for the *The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2.* (See end of Document for details)

- (iii) the activities for which they have been notified;
- (iv) any restrictions on those activities.

(2) The Secretary of State must ensure that the register referred to in paragraph (1) is maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b).”.

(4) After regulation 74(1)(a) insert—

“(aa) the UK(NI) indication—

- (i) has not been affixed, in contravention of regulation 49A; or
- (ii) has been affixed other than in accordance with regulation 49A;”.

(5) In regulation 77—

(a) in paragraph (1) for the words beginning with “arising” and ending with “regulation 28” substitute “referred to in paragraphs (2) or (3) ”;

(b) after paragraph (2) insert—

“(3) A person guilty of an offence under regulation 76(2) insofar as the requirement relates to a UK(NI) indication is liable on summary conviction to a fine not exceeding level 5 on the standard scale.”.

Commencement Information

I10 Sch. 2 para. 10 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Marginal Citations

M12 [S.I. 2016/1105](#), amended by [S.I. 2017/1206](#); amendments extending only to Northern Ireland are made prospectively with effect from IP completion day by [S.I. 2020/678](#) and amendments extending only to Great Britain are also made prospectively with effect from IP completion day, by [S.I. 2019/696](#); the instrument was saved by virtue of section 2(2)(a) of the [European Union \(Withdrawal\) Act 2018 \(c.16\)](#).

11.—(1) The Non-Automatic Weighing Instruments Regulations 2016 ^{M13} are amended as follows.

(2) In regulation 2(1) after the definition of “technical specification” insert—

““UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020;”.

(3) In Part 3, after regulation 45 insert—

“UK(NI) indication

45A.—(1) Where the CE marking is affixed on the basis of an assessment or a certificate issued by a notified body established in the United Kingdom, a UK(NI) indication must be affixed in relation to the regulated non-automatic weighing instrument, in accordance with this regulation.

(2) The UK(NI) indication must be affixed—

- (a) visibly, legibly and indelibly; and
- (b) before the regulated non-automatic weighing instrument is placed on the market in Northern Ireland.

Changes to legislation: There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2. (See end of Document for details)

(3) The UK(NI) indication must accompany the CE marking, wherever that is affixed in accordance with regulation 45.

(4) The UK(NI) indication must be affixed by—

- (a) the manufacturer; or
- (b) the manufacturer's authorised representative.

(5) When placing a regulated non-automatic weighing instrument on the market in Northern Ireland, an importer must ensure that the manufacturer has complied with their obligations under this regulation.

Register of notified bodies established in the United Kingdom

45B.—(1) The Secretary of State must ensure that—

- (a) each notified body established in the United Kingdom is assigned an identification number; and
- (b) there is a register of—
 - (i) notified bodies established in the United Kingdom;
 - (ii) their notified body identification number;
 - (iii) the activities for which they have been notified;
 - (iv) any restrictions on those activities.

(2) The Secretary of State must ensure that the register referred to in paragraph (1) is maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b).”

(4) After regulation 63(1)(c) insert—

- “(ca) the UK(NI) indication—
 - (i) has not been affixed, in contravention of regulation 45A; or
 - (ii) has been affixed other than in accordance with regulation 45A;”.

(5) After regulation 71(5)(c) insert—

- “(ca) the UK(NI) indication;”.

Commencement Information

I11 Sch. 2 para. 11 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Marginal Citations

M13 [S.I. 2016/1152](#); amendments extending only to Great Britain are made prospectively with effect from IP completion day, by [S.I. 2019/696](#); the instrument was saved by virtue of section 2(2)(a) of the [European Union \(Withdrawal\) Act 2018 \(c.16\)](#).

12.—(1) The Measuring Instruments Regulations 2016^{M14} are amended as follows.

(2) In regulation 2(1) after the definition of “thermal energy meter” insert—

““UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020;”.

(3) In Part 4, after regulation 52 insert—

Changes to legislation: There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2. (See end of Document for details)

“UK(NI) indication

52A.—(1) Where the CE marking is affixed on the basis of an assessment or a certificate issued by a notified body established in the United Kingdom, a UK(NI) indication must be affixed in relation to the regulated measuring instrument, in accordance with this regulation.

(2) The UK(NI) indication must be affixed—

- (a) visibly, legibly and indelibly; and
- (b) before the regulated measuring instrument is placed on the market in Northern Ireland.

(3) The UK(NI) indication must accompany the CE marking, wherever that is affixed in accordance with regulation 52.

(4) The UK(NI) indication must be affixed by—

- (a) the manufacturer; or
- (b) the manufacturer's authorised representative.

(5) When placing a regulated measuring instrument on the market in Northern Ireland, an importer must ensure that the manufacturer has complied with their obligations under this regulation.

Register of notified bodies established in the United Kingdom

52B.—(1) The Secretary of State must ensure that—

- (a) each notified body established in the United Kingdom is assigned an identification number; and
- (b) there is a register of—
 - (i) notified bodies established in the United Kingdom;
 - (ii) their notified body identification number;
 - (iii) the activities for which they have been notified;
 - (iv) any restrictions on those activities.

(2) The Secretary of State must ensure that the register referred to in paragraph (1) is maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b).”

(4) After regulation 68(1)(c) insert—

- “(ca) the UK(NI) indication—
- (i) has not been affixed, in contravention of regulation 52A; or
 - (ii) has been affixed other than in accordance with regulation 52A;”.

(5) After regulation 75(5)(c) insert—

- “(ca) the UK(NI) indication;”.

Commencement Information

I12 Sch. 2 para. 12 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(2)**

Changes to legislation: There are currently no known outstanding effects for the *The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2.* (See end of Document for details)

Marginal Citations

M14 S.I. 2016/1153; amendments extending only to Great Britain are made prospectively with effect from IP completion day, by S.I. 2019/696; the instrument was saved by virtue of section 2(2)(a) of the [European Union \(Withdrawal\) Act 2018 \(c.16\)](#).

13.—(1) The Recreational Craft Regulations 2017^{M15} are amended as follows.

(2) In regulation 2(1) after the definition of “technical documentation” insert—

““technical specification” means a document that prescribes the technical requirements to be fulfilled by a product;

“UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK (NI) Indication) (EU Exit) Regulations 2020;”.

(3) In Part 3, after regulation 54 insert—

“UK(NI) indication

54A.—(1) Where the CE marking is affixed on the basis of an assessment or a certificate issued by a notified body established in the United Kingdom, a UK(NI) indication must be affixed in relation to the product, in accordance with this regulation.

(2) The UK(NI) indication must be affixed—

- (a) visibly, legibly and indelibly; and
- (b) before a product is placed on the market in Northern Ireland.

(3) The UK(NI) indication must accompany the CE marking, wherever that is affixed in accordance with regulation 54.

(4) The UK(NI) indication must be affixed by—

- (a) the manufacturer; or
- (b) the manufacturer's authorised representative.

(5) When placing a product on the market in Northern Ireland, an importer must ensure that the manufacturer has complied with their obligations under this regulation.

Register of notified bodies established in the United Kingdom

54B.—(1) The Secretary of State must ensure that—

- (a) each notified body established in the United Kingdom is assigned an identification number; and
- (b) there is a register of—
 - (i) notified bodies established in the United Kingdom;
 - (ii) their notified body identification number;
 - (iii) the activities for which they have been notified;
 - (iv) any restrictions on those activities.

(2) The Secretary of State must ensure that the register referred to in paragraph (1) is maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b).”.

(4) After regulation 71(1)(a) insert—

“(aa) the UK(NI) indication—

Changes to legislation: There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2. (See end of Document for details)

- (i) has not been affixed, in contravention of regulation 54A; or
 - (ii) has been affixed other than in accordance with regulation 54A;”.
- (5) At the beginning of regulation 74 insert “ Subject to regulation 74A, ”.
- (6) After regulation 74 insert—

“Penalty in relation to the UK(NI) indication

74A. A person guilty of an offence under regulation 73(2) insofar as the requirement relates to a UK(NI) indication is liable on summary conviction to a fine not exceeding level 5 on the standard scale.”

Commencement Information

I13 Sch. 2 para. 13 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Marginal Citations

M15 [S.I. 2017/737](#), amended by [S.I. 2018/389](#); amendments extending only to Great Britain are also made prospectively with effect from IP completion day, by [S.I. 2019/696](#); the instrument was saved by virtue of section 2(2)(a) of the [European Union \(Withdrawal\) Act 2018 \(c.16\)](#).

- 14.—**(1) The Radio Equipment Regulations 2017^{M16} are amended as follows.
- (2) In regulation 2(1) after the definition of “technical specification” insert—
- ““UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020;”.
- (3) In regulation 14—
- (a) in paragraph (2)(b) before “(3)” insert “ (2A) or ”;
 - (b) after paragraph (2) insert—
 - “(2A) The identification of the United Kingdom in respect of Northern Ireland must be indicated by the abbreviation “UK(NI)”.”.
- (4) After regulation 44 insert—

“UK(NI) indication

44A.—(1) Where the CE marking is affixed on the basis of an assessment or a certificate issued by a notified body established in the United Kingdom, a UK(NI) indication must be affixed in relation to the radio equipment, in accordance with this regulation.

- (2) The UK(NI) indication must be affixed—
 - (a) visibly, legibly and indelibly; and
 - (b) before the radio equipment is placed on the market in Northern Ireland.
- (3) The UK(NI) indication must accompany the CE marking, wherever that is affixed in accordance with regulation 44.
- (4) The UK(NI) indication must be affixed by—
 - (a) the manufacturer; or
 - (b) the manufacturer's authorised representative.

Changes to legislation: There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2. (See end of Document for details)

(5) When placing radio equipment on the market in Northern Ireland, an importer must ensure that the manufacturer has complied with their obligations under this regulation.

Register of notified bodies established in the United Kingdom

44B.—(1) The Secretary of State must ensure that—

- (a) each notified body established in the United Kingdom is assigned an identification number; and
- (b) there is a register of—
 - (i) notified bodies established in the United Kingdom;
 - (ii) their notified body identification number;
 - (iii) the activities for which they have been notified;
 - (iv) any restrictions on those activities.

(2) The Secretary of State must ensure that the register referred to in paragraph (1) is maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b).”.

(5) After regulation 63(1)(a) insert—

- “(aa) where a notified body established in the United Kingdom has been involved in a conformity assessment procedure pursuant to regulation 41—
 - (i) the UK(NI) indication has not been affixed; or
 - (ii) the UK(NI) indication has been affixed other than in accordance with regulation 44A;”.

(6) In regulation 66—

- (a) in paragraph (1) for “paragraph (2)” substitute “ paragraphs (2) and (3) ”;
- (b) after paragraph (2) insert—

“(3) A person guilty of an offence under regulation 65(2) insofar as the requirement relates to a UK(NI) indication is liable on summary conviction to a fine not exceeding level 5 on the standard scale.”.

Commencement Information

I14 Sch. 2 para. 14 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

Marginal Citations

M16 S.I. 2017/1206, amended by S.I. 2018/389; amendments extending only to Great Britain are also made prospectively with effect from IP completion day, by S.I. 2019/696; the instrument was saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018 (c.16).

15.—(1) The Personal Protective Equipment (Enforcement) Regulations ^{M17} are amended as follows.

(2) After Part 3 insert—

“PART 4

Provisions in respect of the UK(NI) indication

Interpretation

20. In this Part “UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020.

UK(NI) indication

21.—(1) Where the CE marking is affixed on the basis of an assessment or a certificate issued by a notified body established in the United Kingdom, a UK(NI) indication must be affixed in relation to the PPE, in accordance with this regulation.

(2) The UK(NI) indication must be affixed—

- (a) visibly, legibly and indelibly; and
- (b) before PPE is placed on the market in Northern Ireland.

(3) The UK(NI) indication must accompany the CE marking, wherever that is affixed in accordance with Article 17.

(4) The UK(NI) indication must be affixed by—

- (a) the manufacturer; or
- (b) the manufacturer's authorised representative.

(5) When placing PPE on the market in Northern Ireland, an importer must ensure that the manufacturer has complied with their obligations under this regulation.

United Kingdom notified bodies

22.—(1) The reference in Article 28(5) to “objections” does not include objections on the grounds that—

- (a) the conformity assessment body is established in the United Kingdom; or
- (b) the accreditation certificate was issued by the United Kingdom's national accreditation body.

(2) Where a notified body established in the United Kingdom is involved in a conformity assessment procedure pursuant to Article 19, the notified body identification number referred to in Article 17(3) is the notified body identification number assigned to the notified body pursuant to regulation 23.

Register of notified bodies established in the United Kingdom

23.—(1) The Secretary of State must ensure that—

- (a) each notified body established in the United Kingdom is assigned an identification number; and
- (b) there is a register of—
 - (i) notified bodies established in the United Kingdom;
 - (ii) their notified body identification number;
 - (iii) the activities for which they have been notified;
 - (iv) any restrictions on those activities.

Changes to legislation: There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2. (See end of Document for details)

(2) The Secretary of State must ensure that the register referred to in paragraph (1) is maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b).

Offence in relation to the UK(NI) indication

24.—(1) Where an enforcement authority finds that the UK(NI) indication—

- (a) has not been affixed, in contravention of regulation 21; or
- (b) has been affixed otherwise in accordance with regulation 21

it must require a manufacturer to put an end to the non-compliance within such reasonable period as the authority specifies.

(2) Until the specified period has elapsed, the enforcement authority must not commence proceedings under these Regulations, or take any other enforcement action under these Regulations, against the manufacturer in respect of the non-compliance referred to in paragraph (1).

(3) Where the non-compliance referred to in paragraph (1) persists beyond the specified period, the enforcement authority must take appropriate measures to—

- (a) restrict or prohibit the PPE being available on the market;
- (b) ensure that the PPE is withdrawn;
- (c) ensure that the PPE is recalled.

(4) It is an offence for any person to contravene or fail to comply with any requirement of a withdrawal or recall notice that relates to the UK(NI) indication served on that person under these Regulations.

(5) A person guilty of an offence under paragraph (4) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(6) This regulation does not apply where PPE presents a risk.”.

Commencement Information

I15 Sch. 2 para. 15 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Marginal Citations

M17 [S.I. 2018/390](#); amendments extending only to Great Britain are made prospectively with effect from IP completion day, by [S.I. 2019/696](#); the instrument was saved by virtue of section 2(2)(a) of the [European Union \(Withdrawal\) Act 2018 \(c.16\)](#).

16.—(1) The Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018^{M18} are amended as follows.

(2) After Part 3 insert—

“PART 4

Provisions in respect of the UK(NI) indication

Interpretation

21. In this Part “UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020.

UK(NI) indication

22.—(1) Where the CE marking is affixed on the basis of an assessment or a certificate issued by a notified body established in the United Kingdom, a UK(NI) indication must be affixed in relation to the appliance or fitting, in accordance with this regulation.

(2) The UK(NI) indication must be affixed—

- (a) visibly, legibly and indelibly; and
- (b) before the appliance or fitting is placed on the market in Northern Ireland.

(3) The UK(NI) indication must accompany the CE marking, wherever that is affixed in accordance with Article 17.

(4) The UK(NI) indication must be affixed by—

- (a) the manufacturer; or
- (b) the manufacturer's authorised representative.

(5) Before placing an appliance or fitting on the market in Northern Ireland, an importer must ensure that the manufacturer has complied with their obligations under this regulation.

United Kingdom notified bodies

23.—(1) The reference in Article 27(5) to “objections” does not include objections on the grounds that—

- (a) the conformity assessment body is established in the United Kingdom; or
- (b) the accreditation certificate was issued by the United Kingdom's national accreditation body.

(2) Where a notified body established in the United Kingdom is involved in a conformity assessment procedure pursuant to Article 14, the notified body identification number referred to in Article 17(3) is the notified body identification number assigned to the notified body pursuant to regulation 24.

Register of notified bodies established in the United Kingdom

24.—(1) The Secretary of State must ensure that—

- (a) each notified body established in the United Kingdom is assigned an identification number; and
- (b) there is a register of—
 - (i) notified bodies established in the United Kingdom;
 - (ii) their notified body identification number;
 - (iii) the activities for which they have been notified;
 - (iv) any restrictions on those activities.

Changes to legislation: There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2. (See end of Document for details)

(2) The Secretary of State must ensure that the register referred to in paragraph (1) is maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b).”.

Offence in relation to the UK(NI) indication

25.—(1) Where an enforcement authority finds that the UK(NI) indication—

- (a) has not been affixed, in contravention of regulation 22; or
- (b) has been affixed otherwise in accordance with regulation 22

it must require a manufacturer to put an end to the non-compliance within such reasonable period as the authority specifies.

(2) Until the specified period has elapsed, the enforcement authority must not commence proceedings under these Regulations, or take any other enforcement action under these Regulations, against the manufacturer in respect of the non-compliance referred to in paragraph (1).

(3) Where the non-compliance referred to in paragraph (1) persists beyond the specified period, the enforcement authority must take appropriate measures to—

- (a) restrict or prohibit the appliance or fitting being available on the market;
- (b) ensure that the appliance or fitting is withdrawn;
- (c) ensure that the appliance or fitting is recalled.

(4) It is an offence for any person to contravene or fail to comply with any requirement of a withdrawal or recall notice that relates to the UK(NI) indication served on that person under these Regulations.

(5) A person guilty of an offence under paragraph (4) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(6) This regulation does not apply where an appliance or fitting presents a risk.”.

Commencement Information

I16 Sch. 2 para. 16 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Marginal Citations

M18 [S.I. 2018/389](#); amendments extending only to Great Britain are made prospectively with effect from IP completion day, by [S.I. 2019/696](#); the instrument was saved by virtue of section 2(2)(a) of the [European Union \(Withdrawal\) Act 2018 \(c.16\)](#).

Changes to legislation:

There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, SCHEDULE 2.