

## SCHEDULE 5

Regulation 25

### Consequential Amendments

#### **Weights and Measures (Northern Ireland) Order 1981**

1. Part 5 of Schedule 6 to the Weights and Measures (Northern Ireland) Order 1981<sup>(1)</sup> is repealed.
2. In paragraph 3 of Part 6 of Schedule 6 to the Weights and Measures (Northern Ireland) Order 1981—
  - (a) omit “as defined in paragraph 1 of Part V”;
  - (b) the existing provision becomes sub-paragraph (1);
  - (c) at the end insert—

“(2) Cosmetic product” has the same meaning as in Regulation [\(EC\) 1223/2009](#) of the European Parliament and of the Council on cosmetic products (recast), as amended from time to time.”

#### **Weights and Measures Act 1985**

3. Part 5 of Schedule 6 to the Weights and Measures Act 1985<sup>(2)</sup> is repealed.
4. In paragraph 16A of Schedule 6 to the Weights and Measures Act 1985—
  - (a) omit “as defined in paragraph 15 above”;
  - (b) the existing provision becomes sub-paragraph (1);
  - (c) at the end insert—

“(2) “Cosmetic product” has the same meaning as in Regulation [\(EC\) 1223/2009](#) of the European Parliament and of the Council on cosmetic products (recast), as amended from time to time.”

#### **Control of Pesticides Regulations 1986**

5. In regulation 3(2)(b)(iv) of the Control of Pesticides Regulations 1986<sup>(3)</sup> for “the Cosmetic Products (Safety) Regulations 1984” substitute “Regulation [\(EC\) No 1223/2009](#) of the European Parliament and of the Council on cosmetic products (recast), as amended from time to time.”

#### **Control of Pesticides Regulations (Northern Ireland) 1987**

6. In regulation 3(2)(b)(iv) of the Control of Pesticides Regulations (Northern Ireland) 1987<sup>(4)</sup> for “the Cosmetic Products (Safety) Regulations 1984” substitute “Regulation [\(EC\) No 1223/2009](#) of the European Parliament and of the Council on cosmetic products (recast), as amended from time to time.”

#### **Dangerous Substances in Harbour Areas Regulations 1987**

7. In regulation 3(3)(c) of the Dangerous Substances in Harbour Areas Regulations 1987<sup>(5)</sup> for “regulation 4(1) of the Cosmetic Products (Safety) Regulations 1984” substitute “Article 2(1)(a) of

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(1) S.I. 1981/231 (NI 10), amended by S.R. (NI) 1994 No 319; there are other amending instruments but none is relevant.

(2) 1985 c. 72; amended by S.I. 1994/1884; there are other amending instruments but none is relevant.

(3) S.I. 1986/1510, amended by S.I. 1997/188; there are other amending instruments but none is relevant.

(4) S.R. (NI) 1987 No 414; amended by S.R. NI 1997 No 469; there are other amending instruments but none is relevant.

(5) S.I. 1987/37, to which there are amendments not relevant to these Regulations.

Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast), as amended from time to time”.

#### **Dangerous Substances in Harbour Areas Regulations (Northern Ireland) 1991**

8. In regulation 3(3)(c) of the Dangerous Substances in Harbour Areas Regulations (Northern Ireland) 1991(6) for “regulation 4(1) of the Cosmetic Products (Safety) Regulations 1984” substitute “Article 2(1)(a) of Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast), as amended from time to time”.

#### **Patents (Licences of Right) (Exception of Pesticidal Use) Order 1989**

9. In article 2(2)(bb) of the Patents (Licences of Right) (Exception of Pesticidal Use) Order 1989(7) for “the Cosmetics Products (Safety) Regulations 1984” substitute “Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast), as amended from time to time”.

#### **Water Protection Zone (River Dee Catchment) Designation Order 1999**

10. In article 2(1) of the Water Protection Zone (River Dee Catchment) Designation Order 1999(8) for “Cosmetic Products (Safety) Regulations 1996” from sub-paragraph (g) of the definition of “controlled substance” and substitute “Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast), as amended from time to time”.

#### **Biocidal Products Regulations (Northern Ireland) 2001**

11. In Schedule 2 of the Biocidal Products Regulations (Northern Ireland) 2001(9)—
- (a) omit “the Cosmetic Products (Safety) Regulations 1996”;
  - (b) insert “Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast), as amended from time to time” in the appropriate place.

#### **Biocidal Products Regulations 2001**

12. In Schedule 2 of the Biocidal Products Regulations 2001(10)—
- (a) omit “the Cosmetic Products (Safety) Regulations 1996”;
  - (b) insert “Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast), as amended from time to time” in the appropriate place.

#### **Control of Substances Hazardous to Health Regulations 2002**

13. In the definition of “cosmetic product” in Schedule 2 of the Control of Substances Hazardous to Health Regulations 2002(11) for “regulation 2(1) of the Cosmetic Products (Safety) Regulations 1996” substitute “Article 2 of Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast) as amended from time to time”.

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(6) S.R. (NI) 1991 No 509, to which there are amendments not relevant to these Regulations.

(7) S.I. 1989/1202, as amended by SI 1990/2487.

(8) S.I. 1999/915, to which there are amendments not relevant to these Regulations.

(9) S.R. (NI) 2001 No 422.

(10) S.I. 2001/880, to which there are amendments not relevant to these Regulations.

(11) S.I. 2002/2677, to which there are amendments not relevant to these Regulations.

### **Control of Substances Hazardous to Health Regulations (Northern Ireland) 2003**

14. In the definition of “cosmetic product” in Schedule 2 of the Control of Substances Hazardous to Health Regulations (Northern Ireland) 2003<sup>(12)</sup> for “regulation 2(1) of the Cosmetic Products (Safety) Regulations 1996” substitute “Article 2 of Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast) as amended from time to time”.

### **Good Laboratory Practice (Codification Amendments Etc.) Regulations 2004**

15. Omit regulation 4 of the Good Laboratory Practice (Codification Amendments Etc.) Regulations 2004<sup>(13)</sup>.

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

16. At the end of Schedule 1 to the Enterprise Act 2002 (Part 9 Restrictions on Disclosure of Information) (Specification) Order 2004<sup>(14)</sup> insert “The Cosmetic Products Enforcement Regulations 2013”.

### **Weights and Measures (Packaged Goods) Regulations 2006**

17. The Weights and Measures (Packaged Goods) Regulations 2006<sup>(15)</sup> are amended as follows—

- (a) in the definition of “cosmetic product” in regulation 2, for “regulation 3 of the Cosmetic Products (Safety) Regulations 2004” substitute “Article 2 of Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast) as amended from time to time”;
- (b) in regulation 5(7) for “regulation 7(2)(a) of the Cosmetic Products (Safety) Regulations 2004 requires a package to be marked with information about the manufacturer or supplier established in a member State” substitute “Article 19 of Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast), as amended from time to time, requires a package to bear information about the responsible person, as defined in Article 4 of that Regulation”;
- (c) in regulation 6(6) for “regulation 7(2)(a) of the Cosmetic Products (Safety) Regulations 2004 requires an outer container to be marked with information about the manufacturer or supplier established in a member State” substitute “Article 19 of Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast) as amended from time to time, requires an outer container to bear information about the responsible person, as defined in Article 4 of that Regulation”.

### **Legislative and Regulatory Reform (Regulatory Functions) Order 2007**

18. The Legislative and Regulatory Reform (Regulatory Functions) Order 2007<sup>(16)</sup>, is amended as follows.

19. In Part 3 of Schedule 1, under the heading “Consumer and business protection”—

- (a) omit “Cosmetic Products (Safety) Regulations 2008”;
- (b) insert “the Cosmetic Products Enforcement Regulations 2013” at the appropriate place.

<sup>(12)</sup> S.R. (NI) 2003 No 34, to which there are amendments not relevant to these Regulations.

<sup>(13)</sup> S.I. 2004/994.

<sup>(14)</sup> S.I. 2004/693, to which there are amendments not relevant to these Regulations.

<sup>(15)</sup> S.I. 2006/659.

<sup>(16)</sup> S.I. 2007/3544, amended by S.I. 2009/2981; there are other amending instruments but none is relevant.

*Status: This is the original version (as it was originally made).*

**20.** In Part 8 of Schedule 1—

- (a) omit “Cosmetic Products (Safety) Regulations 2008”;
- (b) insert “the Cosmetic Products Enforcement Regulations 2013” in the appropriate place.

**21.** In Part 13 of Schedule 1—

- (a) omit “Cosmetic Products (Safety) Regulations 2008”;
- (b) insert “the Cosmetic Products Enforcement Regulations 2013” in the appropriate place.

### **Chemicals (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009**

**22.** In regulation 3(2)(f) of the Chemicals (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009<sup>(17)</sup> for “the Cosmetic Products (Safety) Regulations 2008” substitute “Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast), as amended from time to time”.

### **Explosives (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009**

**23.** In regulation 3(2)(f) of the Explosives (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009<sup>(18)</sup> for “the Cosmetic Products (Safety) Regulations 2008” substitute “Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast), as amended from time to time”.

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

**24.** The Co-ordination of Regulatory Enforcement (Regulatory Functions in Scotland and Northern Ireland) Order 2009<sup>(19)</sup> is amended as follows.

**25.** In Part 4 of Schedule 1 paragraph 1—

- (a) omit “Cosmetic Products (Safety) Regulations 2008”;
- (b) insert “Cosmetic Products Enforcement Regulations 2012” in the appropriate place;

**26.** In Part 2 of Schedule 2, paragraph 1—

- (a) omit “Cosmetic Products (Safety) Regulations 2008”
- (b) insert “Cosmetic Products Enforcement Regulations 2012” in the appropriate place.

### **Chemicals (Hazard Information and Packaging for Supply) Regulations 2009**

**27.** In regulation 3(2)(f) of the Chemicals (Hazard Information and Packaging for Supply) Regulations 2009<sup>(20)</sup> for “the Cosmetic Products (Safety) Regulations 2008” substitute “Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast), as amended from time to time”.

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<sup>(17)</sup> S.R. (NI) 2009 No 238, to which there are amendments not relevant to these Regulations.

<sup>(18)</sup> S.R. (NI) 2009 No 273.

<sup>(19)</sup> S.I. 2009/669.

<sup>(20)</sup> S.I. 2009/716 as amended by S.I. 2011/228.

### **Pharmacy Order 2010**

**28.** In Schedule 4, Part 2, of the Pharmacy Order 2010(21) omit paragraph 65.

### **Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011**

**29.** The Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011(22) are amended as follows—

- (a) in Regulation 2 in the definition of “cosmetic product” for “regulation 3 of the Cosmetic Products (Safety) Regulations 2008” substitute “Article 2 of Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast) as amended from time to time”;
- (b) in Regulation 5(7) for “Where regulation 12(1)(a) of the Cosmetic Products (Safety) Regulations 2008 requires a package to be marked with information about the manufacturer or supplier established in a member State” substitute “Where Article 19 of Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast)(23) requires a package to bear information about the responsible person, as defined in Article 4 of that Regulation”;
- (c) in Regulation 6(6) for “Where regulation 12(1)(a) of the Cosmetic Products (Safety) Regulations 2008 requires an outer container to be marked with information about the manufacturer or supplier established in a member State” substitute “Where Article 19 of Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (recast)(24) requires a container to bear information about the responsible person, as defined in Article 4 of that Regulation”.

### **Animal By-Products (Enforcement) (England) Regulations 2011**

**30.** In Schedule 2 of Animal By-Products (Enforcement) (England) Regulations 2011(25) omit paragraph 16.

### **Animal By-Products (Enforcement) (No. 2) (Wales) Regulations 2011**

**31.** In Schedule 2 of Animal By-Products (Enforcement) (No. 2) (Wales) Regulations 2011(26) omit paragraph 15.

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(21) S.I. 2010/231.

(22) S.R. (NI) 2011 No 331.

(23) OJ No L 342, 22.12.2009, p.59.

(24) OJ No L 342, 22.12.2009, p.59.

(25) S.I. 2011/881.

(26) S.I. 2011/2377 (W.250).