

Regulation (EU) 2016/426 of the European Parliament and of the Council of 9 March 2016 on appliances burning gaseous fuels and repealing Directive 2009/142/EC (Text with EEA relevance)

CHAPTER VII **U.K.**

**TRANSITIONAL AND FINAL PROVISIONS**

*[<sup>F1</sup>Article 44* **U.K.**

**Transitional provision in relation to EU exit**

1 In this Article, “pre-exit period” means the period beginning with 21 April 2018 and ending immediately before IP completion day.

2 Subject to paragraph 3, where an appliance or fitting was made available on the market during the pre-exit period, despite the amendments made by Schedule 36 of the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019, any obligation to which a person was subject under Regulation 2016/426 (pre-exit), continues to have effect as it did immediately before IP completion day, in relation to that appliance or fitting.

3 Paragraph 2 does not apply to—

- a any obligation of the enforcement authority to inform the European Commission or the member States of any matter, or
- b any obligation to take action outside of the United Kingdom in respect of that appliance or fitting.

4 Where during the pre-exit period—

- a an appliance or fitting has not been placed on the market; and
- b a manufacturer has taken any action under Article 14 of Regulation 2016/426 (pre-exit) in relation to that appliance or fitting,

that action has effect as if it had been done under Article 14 of this Regulation.

[<sup>F25</sup> Subject to paragraph 6, where before 11pm on 31st December 2024—

- a an appliance or fitting has not been placed on the market; and
- b a manufacturer has taken any action under the conformity assessment procedure that applies to that appliance or fitting in accordance with Article 14 of Regulation 2016/426 (pre-exit)

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in Article 14 of this Regulation.

6 Paragraph 5 does not apply—

- a after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and
- b in any event, after 31st December 2027.]]

---

**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) 2016/426 of the European Parliament and of the Council, Article 44. (See end of Document for details)

---

### Textual Amendments

- F1** Art. 44 substituted (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), reg. 1, **Sch. 36 para. 2(41)** (as amended by S.I. 2020/676, regs. 1(1), 2 and S.I. 2020/852, regs. 2(2), 4(2), Sch. 1 para. 1(v)(vi)); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Art. 44(5)(6) inserted (E.W.S.) (31.12.2022) by [The Product Safety and Metrology \(Amendment and Transitional Provisions\) Regulations 2022](#) (S.I. 2022/1393), regs. 1(1), **22(2)**

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EU) 2016/426 of the European Parliament and of the Council, Article 44.