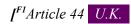
Regulation (EU) 2016/426 of the European Parliament and of the Council of 9 March 2016 on appliances burning gaseous fuels and repealing Directive 2009/142/EC (Text with EEA relevance)

# CHAPTER VII U.K.

## TRANSITIONAL AND FINAL PROVISIONS



### 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>F2</sup>5 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.]]

#### **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)

of the European Parliament and of the Council, Article 44. (See end of Document for details)

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.