
DRAFT STATUTORY INSTRUMENTS

2019 No.

The Product Safety and Metrology
etc. (Amendment etc.) (EU Exit) Regulations 2019

PART 1

Introduction

Citation and Commencement

1. These Regulations may be cited as the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 and come into force on exit day.

Extent

2. Part 1 extends to the United Kingdom.

3. Amendments and revocations contained in Parts 2 to 6 have the same extent as the enactments or relevant parts of the enactment to which the amendment or revocation relates.

PART 2

Amendment of primary legislation

Amendment of the Hallmarking Act 1973

4. Schedule 1 contains amendment of the Hallmarking Act 1973(1).

Amendment of the Weights and Measures Act 1985

5. Schedule 2 contains amendment of the Weights and Measures Act 1985(2).

Amendment of the Consumer Protection Act 1987

6. Schedule 3 contains amendment of the Consumer Protection Act 1987(3).

(1) 1973 c. 43.
(2) 1985 c. 72.
(3) 1987 c. 43.

PART 3

Amendment of subordinate legislation

Amendment of the Measuring Container Bottles (EEC Requirements) Regulations 1977

7. Schedule 4 contains amendment of the Measuring Container Bottles (EEC Requirements) Regulations 1977(4).

Amendment of the Measuring Instruments (EEC Requirements) Regulations 1988

8. Schedule 5 contains amendment of the Measuring Instruments (EEC Requirements) Regulations 1988(5).

Amendment of the Weights and Measures (Intoxicating Liquor) Order 1988

9. Schedule 6 contains amendment of the Weights and Measures (Intoxicating Liquor) Order 1988(6).

Amendment of the Lifting Operations and Lifting Equipment Regulations 1998

10. Schedule 7 contains amendment of the Lifting Operations and Lifting Equipment Regulations 1998(7).

Amendment of the Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001

11. Schedule 8 contains amendment of the Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001(8).

Amendment of the General Product Safety Regulations 2005

12. Schedule 9 contains amendment of the General Product Safety Regulations 2005(9).

Amendment of the Offshore Installations (Safety Case) Regulations 2005

13. Schedule 10 contains amendment of the Offshore Installations (Safety Case) Regulations 2005(10).

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- (4) [S.I. 1977/932](#), amended by [S.I. 1985/306](#) and [S.I. 2015/1630](#). They were made under section 2(2) of the European Communities Act 1972 (c. 68) and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.
- (5) [S.I. 1988/186](#); they were revoked, subject to savings, by [S.I. 2015/356](#) and relevant amending instruments are [S.I. 2008/1267](#), [S.I. 2015/1630](#). They were made under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.
- (6) [S.I. 1988/2039](#), amended by [S.I. 2009/663](#). There are other amending instruments but none is relevant.
- (7) [S.I. 1998/2307](#).
- (8) [S.I. 2001/1701](#); relevant amending instruments are [S.I. 2005/3525](#), [S.I. 2008/1597](#), [S.I. 2011/1043](#), [S.I. 2015/98](#). They were made under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.
- (9) [S.I. 2005/1803](#); relevant amending instrument is [S.I. 2011/1043](#). They were made under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.
- (10) [S.I. 2005/3117](#), to which there are amendments not relevant to these Regulations.

Amendment of the Weights and Measures (Packaged Goods) Regulations 2006

14. Schedule 11 contains amendment of the Weights and Measures (Packaged Goods) Regulations 2006(11).

Amendment of the Supply of Machinery (Safety) Regulations 2008

15. Schedule 12 contains amendment of the Supply of Machinery (Safety) Regulations 2008(12).

Amendment of the Aerosol Dispensers Regulations 2009

16. Schedule 13 contains amendment of the Aerosol Dispensers Regulations 2009(13).

Amendment of the Accreditation Regulations 2009

17. Schedule 14 contains amendment of the Accreditation Regulations 2009(14).

Amendment of the Toys (Safety) Regulations 2011

18. Schedule 15 contains amendment of the Toys (Safety) Regulations 2011(15).

Amendment of the Explosives Regulations 2014

19. Schedule 16 contains amendment of the Explosives Regulations 2014(16) and associated provision relating to retained direct EU legislation.

Amendment of the Weights and Measures (Revocations) Regulations 2015

20. Schedule 17 contains amendment of the Weights and Measures (Revocations) Regulations 2015(17).

Amendment of the Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015

21. Schedule 18 contains amendment of the Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015(18).

(11) [S.I. 2006/659](#), to which there are amendments not relevant to these Regulations. They were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(12) [S.I. 2008/1597](#); relevant amending instruments are [S.I. 2011/1043](#), [S.I. 2011/2157](#). They were made under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(13) [S.I. 2009/2824](#), amended by [S.I. 2014/1130](#), [S.I. 2018/29](#). They were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(14) [S.I. 2009/3155](#); they were made under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(15) [S.I. 2011/1881](#), amended by [S.I. 2015/1630](#). They were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(16) [S.I. 2014/1638](#), amended by [S.I. 2016/315](#). There are other amending instruments but none is relevant. They were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(17) [S.I. 2015/356](#); they were made in part under section 2(2) of the European Communities Act 1972 and were saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(18) [S.I. 2015/398](#), to which there are amendments not relevant to these Regulations. They were made in part under section 2(2) of the European Communities Act 1972 and were saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

Amendment of the Pyrotechnic Articles (Safety) Regulations 2015

22. Schedule 19 contains amendment of the Pyrotechnic Articles (Safety) Regulations 2015(19).

Amendment of the Electromagnetic Compatibility Regulations 2016

23. Schedule 20 contains amendment of the Electromagnetic Compatibility Regulations 2016(20).

Amendment of the Simple Pressure Vessels (Safety) Regulations 2016

24. Schedule 21 contains amendment of the Simple Pressure Vessels (Safety) Regulations 2016(21).

Amendment of the Lifts Regulations 2016

25. Schedule 22 contains amendment of the Lifts Regulations 2016(22).

Amendment of the Electrical Equipment (Safety) Regulations 2016

26. Schedule 23 contains amendment of the Electrical Equipment (Safety) Regulations 2016(23).

Amendment of the Pressure Equipment (Safety) Regulations 2016

27. Schedule 24 contains amendment of the Pressure Equipment (Safety) Regulations 2016(24).

Amendment of the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016

28. Schedule 25 contains amendment of the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016(25).

Amendment of the Non-automatic Weighing Instruments Regulations 2016

29. Schedule 26 contains amendment of the Non-automatic Weighing Instruments Regulations 2016(26).

(19) [S.I. 2015/1553](#); they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(20) [S.I. 2016/1091](#), amended by [S.I. 2017/1206](#). They were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(21) [S.I. 2016/1092](#), amended by [S.I. 2017/1206](#), [S.I. 2018/966](#). They were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(22) [S.I. 2016/1093](#), amended by [S.I. 2016/1186](#), [S.I. 2018/389](#). They were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(23) [S.I. 2016/1101](#), to which there are amendments not relevant to these Regulations; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(24) [S.I. 2016/1105](#), relevant amending instrument is [S.I. 2017/1206](#). They were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(25) [S.I. 2016/1107](#); they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(26) [S.I. 2016/1152](#); they were made under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

Amendment of the Measuring Instruments Regulations 2016

30. Schedule 27 contains amendment of the Measuring Instruments Regulations 2016(27).

Amendment of the Recreational Craft Regulations 2017 and related amendment

31. Schedule 28 contains amendment of the Recreational Craft Regulations 2017(28) and of Commission Implementing Regulation (EU) 2017/1 of 3 January 2017 on procedures for watercraft identification under [Directive 2013/53/EU](#) of the European Parliament and of the Council on recreational and personal watercraft.

Amendment of the Radio Equipment Regulations 2017

32. Schedule 29 contains amendment of the Radio Equipment Regulations 2017(29).

PART 4

Amendment of subordinate legislation relating to Northern Ireland

Amendment of the Identification and Traceability of Explosives Regulations (Northern Ireland) 2013

33. Schedule 30 contains amendment of the Identification and Traceability of Explosives Regulations (Northern Ireland) 2013(30).

Amendment of the Making Available on the Market and Supervision of Transfers of Explosives Regulations (Northern Ireland) 2016

34. Schedule 31 contains amendment of the Making Available on the Market and Supervision of Transfers of Explosives Regulations (Northern Ireland) 2016(31).

Amendment of the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations (Northern Ireland) 2017

35. Schedule 32 contains amendment of the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations (Northern Ireland) 2017(32).

(27) [S.I. 2016/1153](#); they were made under section 2(2) of the European Communities Act 1972 and were saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(28) [S.I. 2017/737](#), to which there are amendments not relevant to these Regulations. They were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(29) [S.I. 2017/1206](#), to which there are amendments not relevant to these Regulations. They were made under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(30) [S.R. 2013 No. 48](#).

(31) [S.R. 2016 No. 366](#); they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(32) [S.R. 2017 No. 90](#); they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

PART 5

Amendment of retained direct EU legislation

Amendment of Regulation (EC) No 765/2008

36. Schedule 33 contains amendment of Regulation (EC) No 765/2008 of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93.

Amendment of Regulation (EC) No 1223/2009 and related amendments

37. Schedule 34 contains amendment of Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products, and amendment of the Cosmetic Products Enforcement Regulations 2013(33), and amendment of related direct EU tertiary legislation.

Amendment of Regulation (EU) 2016/425 and the Personal Protective Equipment (Enforcement) Regulations 2018

38. Schedule 35 contains amendment of Regulation (EU) 2016/425 of the European Parliament and of the Council of on personal protective equipment and repealing Council Directive 89/686/EEC, and amendment of the Personal Protective Equipment (Enforcement) Regulations 2018(34).

Amendment of Regulation (EU) 2016/426 and the Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018

39. Schedule 36 contains amendment of Regulation (EU) 2016/426 of the European Parliament and of the Council on appliances burning gaseous fuels and repealing Directive 2009/142/EC, and amendment of the Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018(35).

PART 6

Revocations

Revocation of retained direct EU and EEA legislation

40. Schedule 37 contains revocation of retained direct EU and EEA legislation.

Date

Name
Parliamentary Under Secretary of State
Department

(33) S.I. 2013/1478, amended by S.I. 2015/1630. They were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(34) S.I. 2018/390; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.

(35) S.I. 2018/389; they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(2)(a) of the European Union (Withdrawal) Act 2018.