

SCHEDULE 1

Amendment of Titles 1 To 15

PART 8

Amendment of Title 8: Restrictions on the manufacturing, placing on the market and use of certain dangerous substances, mixtures and articles

Chapter 2 of Title 8

54.—(1) Article 68 is amended as follows.

(2) In paragraph 1—

(a) in the first sentence—

(i) omit “which needs to be addressed on a Community wide basis.”;

(ii) for “in accordance with the procedure referred to in Article 133(4) by adopting new restrictions or amending” substitute “by regulations made by the Secretary of State which provide for the adoption of new restrictions or the amendment of”;

(b) in the second sentence, for “Any such decision” substitute “In exercising the power to make regulations under this paragraph, the Secretary of State”.

(3) In paragraph 2, for the words from “and for which” to “Article 133(4).” substitute “the Secretary of State may propose restrictions. The function of proposing restrictions is subject to the consent requirement in Article 4A. The Secretary of State may, by regulations, amend Annex 17 to give effect to a proposed restriction.”.

(4) After paragraph 2 insert—

“3. Regulations under paragraph 2 of this Article are to be made by statutory instrument; and a statutory instrument containing regulations made under paragraph 2 of this Article is subject to annulment in pursuance of a resolution of either House of Parliament.

The function of making regulations under paragraph 2 of this Article is subject to the consent requirement in Article 4A.”.