

SCHEDULE 2

AMENDMENTS TO RETAINED DIRECT EU LEGISLATION

Regulation (EU) No 528/2012

107.—(1) Article 60 is amended as follows.

(2) In paragraph 3, for “, 30(1), 33(3), 33(4), 34(6), 34(7), 36(4), 37(2), 37(3) or 44(5)”, in both places it occurs, substitute “or 30(1)”.

(3) After paragraph 3 insert—

“**4.** The protection period for data submitted for biocidal products containing only existing active substances which were authorised in the United Kingdom prior to exit day shall end 10 years from the first day of the month following the first decision concerning the authorisation of the product taken in accordance with Article 26(3), 30(1), 33(3), 33(4), 34(6), 34(7), 36(4), 37(2), 37(3) or 44(5) of this Regulation as it had effect immediately before exit day.

5. The protection period for data submitted for biocidal products containing a new active substance which were authorised in the United Kingdom prior to exit day shall end 15 years from the first day of the month following the first decision concerning the authorisation of the product taken in accordance with Article 26(3), 30(1), 33(3), 33(4), 34(6), 34(7), 36(4), 37(2), 37(3) or 44(5) of this Regulation as it had effect immediately before exit day.”