

SCHEDULE 26

Amendment of the Non-automatic Weighing Instruments Regulations 2016

Amendment to regulation 2

- 2.—(1) Regulation 2 (interpretation) is amended as follows.
- (2) In paragraph (1)—
- (a) omit the definition of “accreditation”;
 - (b) omit the definition of “accreditation certificate”;
 - (c) before the definition of “authorised representative” insert—
 - ““approved body” has the meaning given to it in regulation 47 (approved bodies);”;
 - (d) for the definition of “authorised representative” substitute—
 - ““authorised representative” means—
 - (a) a person who—
 - (i) immediately before exit day was established in the United Kingdom or an EEA state and was appointed by a manufacturer by written mandate to perform specified tasks for that manufacturer, in accordance with regulation 14, as it had effect immediately before exit day; and
 - (ii) on or after exit day continues to be so established and appointed by the manufacturer to perform those tasks; or
 - (b) a person who, on or after exit day, is established in the United Kingdom and is appointed in accordance with regulation 14;”;
- (e) omit the definition of “CE marking”;
- (f) omit the definition of “Commission”;
- (g) after the definition of “conformity assessment body” insert—
 - ““conformity assessment procedure” means a procedure referred to in regulation 36;”;
 - “declaration of conformity” means a declaration of conformity required to be drawn up in accordance with Chapter 2 of Part 3;”;
 - “designated standard” has the meaning given to it in regulation 2A;”;
- (h) in the definition of “the Directive” for “as from time to time amended;” substitute “(as it has effect immediately before exit day)” in the definition of “essential requirements” for “Annex I to the Directive” substitute Schedule 6;
- (i) omit the definition of “EU declaration of conformity”;
- (j) omit the definition of “EU-type examination certificate”
- (k) omit the definition of “harmonised standard”;
- (l) for the definition of “importer” substitute—
 - ““importer” means a person who—
 - (a) is established in the United Kingdom; and
 - (b) places a non-automatic weighing instrument from a country outside of the United Kingdom on the market;”;
- (m) in the definition of “M marking” for “CE” substitute “UK”;

- (n) in the definition of “make available on the market” for “European Economic Area” substitute “United Kingdom”;
 - (o) omit the definition of “national accreditation body”;
 - (p) omit the definition of “notified body requirements”;
 - (q) omit the definition of “notifying authority”;
 - (r) in the definition of “place on the market” for “European Economic Area” substitute “United Kingdom”;
 - (s) in the definition of “technical documentation” for “Annex II to the Directive” substitute Schedule 7;
 - (t) after the definition of “technical specification” insert—
 - ““Type-examination certificate” means a type-examination certificate issued by an approved body in accordance with Module B of Schedule 7;
 - “UK marking” means the marking in the form set out in Annex 2 of RAMS;
 - “UK national accreditation body” means the body appointed by the Secretary of State in accordance with Article 4 of RAMS;”;
 - (u) omit the definition of “Union harmonisation legislation”.
- (3) After paragraph (1) insert—
- “(1A) Schedules 6 to 8 reproduce the provisions of Annexes I to III to the Directive (respectively) with amendments to correct deficiencies in retained EU law.
 - (1B) A reference to any provision of Schedules 6 to 8 is a reference to the equivalent provision of the relevant Annex to the Directive as set out in the relevant Schedule.”.
- (4) Omit paragraph (2).