SCHEDULE 2

Amendment of Schedule 2 to the 2019 Regulations

Amendments relating to Regulation (EC) No 1272/2008 ("the CLP Regulation")

4. For paragraph 14 (amendment of Article 2 of the CLP Regulation) substitute—

"**14.** In Article 2—

(a) for point 10 (definition of "producer of an article"), substitute—

"**10.** "producer of an article" means any natural or legal person—

(a) who makes or assembles an article within Great Britain;

(b) who makes or assembles an article within Northern Ireland which is a qualifying Northern Ireland good and which is placed directly on the market in Great Britain;";

(b) for point 15 (definition of "manufacturer") substitute—

"**15.** "manufacturer" means any natural or legal person—

(a) established in Great Britain, who manufactures a substance within Great Britain";

(b) established in Northern Ireland, who manufactures a substance which is a qualifying Northern Ireland good and which is placed directly on the market in Great Britain;";

(c) for point 16 (definition of "import") substitute—

"**16.** "import" means the physical introduction into Great Britain, except where the goods are qualifying Northern Ireland goods;";

(d) for point 17 (definition of "importer") substitute—

"**17.** "importer" means any natural or legal person established within Great Britain who is responsible for import;";

(e) in point 19 (definition of "downstream user"), for "within the Community" substitute "within Great Britain, or within Northern Ireland in the case of qualifying Northern Ireland goods which are placed directly on the market in Great Britain";

(f) in point 20 (definition of "distributor"), for "within the Community" substitute "within Great Britain, or within Northern Ireland in the case of qualifying Northern Ireland goods which are placed directly on the market in Great Britain";

(g) in point 23 (definition of "the Agency"), for the words from "European Chemicals Agency" to the end substitute "Health and Safety Executive";

(h) in point 24 (definition of "competent authority"), for "established by the Member States to carry out the obligations arising from this Regulation" substitute "appointed to carry out the obligations arising from this Regulation by the Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013";

(i) after point 37 (definition of "intermediate packaging") insert—

"**38.** "GB mandatory classification and labelling list" means the list of mandatory classification and labelling requirements of substances and groups of substances established and maintained in accordance with Article 38A;

39. "GB notification database" means the database established in accordance with Article 42;

40. "European Chemicals Agency" means the Agency established by Article 75 of Regulation (EC) No 1907/2006 as it has effect in EU law;

41. "EU CLP Regulation" means Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EEC, and amending Regulation (EC) No 1907/2006, as it has effect in EU law;

42. "Devolved Authority" means—

(a) the Scottish Ministers, or

(b) the Welsh Ministers;

43. "qualifying Northern Ireland goods" has the meaning given by regulations made under section 8C(6) of the European Union (Withdrawal) Act 2018."."