



# United Kingdom Internal Market Act 2020

## 2020 CHAPTER 27

### PART 1

#### UK MARKET ACCESS: GOODS

##### *Non-discrimination: goods*

#### **6 Relevant requirements for the purposes of the non-discrimination principle**

- (1) This section defines “relevant requirement” for the purposes of the non-discrimination principle for goods.
- (2) A relevant requirement, for the purposes of the principle as it has effect in relation to a part of the United Kingdom, is a statutory provision that—
  - (a) applies in that part of the United Kingdom to, or in relation to, goods sold in that part, and
  - (b) is within the scope of the non-discrimination principle.
- (3) A statutory provision is within the scope of the non-discrimination principle if it relates to any one or more of the following—
  - (a) the circumstances or manner in which goods are sold (such as where, when, by whom, to whom, or the price or other terms on which they may be sold);
  - (b) the transportation, storage, handling or display of goods;
  - (c) the inspection, assessment, registration, certification, approval or authorisation of the goods or any similar dealing with them;
  - (d) the conduct or regulation of businesses that engage in the sale of certain goods or types of goods.
- (4) A statutory provision is not a relevant requirement—
  - (a) to the extent that it is a relevant requirement for the purposes of the mutual recognition principle for goods (see section 3), or
  - (b) if section 9 (exclusion of certain existing provisions) so provides.

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*Status: This is the original version (as it was originally enacted).*

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- (5) The Secretary of State may by regulations amend subsection (3) so as to add, vary or remove a paragraph of that subsection.
- (6) Regulations under subsection (5) are subject to affirmative resolution procedure.
- (7) Before making regulations under subsection (5) the Secretary of State must seek the consent of the Scottish Ministers, the Welsh Ministers and the Department for the Economy in Northern Ireland.
- (8) If consent to the making of the regulations is not given by any of those authorities within the period of one month beginning with the day on which it is sought from that authority, the Secretary of State may make the regulations without that consent.
- (9) If regulations are made in reliance on subsection (8), the Secretary of State must publish a statement explaining why the Secretary of State decided to make the regulations without the consent of the authority or authorities concerned.
- (10) In this section “statutory provision” means provision contained in legislation.