

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the European Union (Future Relationship) Act 2020, SCHEDULE 4. (See end of Document for details)

SCHEDULES

SCHEDULE 4

Section 19

TECHNICAL BARRIERS TO TRADE: USE OF RELEVANT INTERNATIONAL STANDARDS

Amendments of subordinate legislation

- 1 In the Medical Devices Regulations 2002 (S.I. 2002/618), in regulation 3A (designated standard) (inserted by regulation 3(6) of the Medical Devices (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/791))—
- (a) in paragraph (1)(a)(i), after “body” insert “ or an international standardising body ”;
 - (b) after paragraph (3) insert—

“(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
 - (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

Commencement Information

II Sch. 4 para. 1 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 2 In the General Product Safety Regulations 2005 (S.I. 2005/1803), in regulation 6 (presumption of conformity)—
- (a) in paragraph (2), for the words from “voluntary” to “the product” substitute “standard (“S”) which—
 - (a) is a voluntary national standard of the United Kingdom or a standard adopted by an international standardising body, and
 - (b) meets the conditions in paragraph (2A),the product”;
 - (b) after paragraph (4) insert—

“(5) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”

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I2 Sch. 4 para. 2 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 3 In the Supply of Machinery (Safety) Regulations 2008 (S.I. 2008/1597), in regulation 2A (designated standard) (inserted by paragraph 3 of Schedule 12 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))—
- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
 - (b) after paragraph (3) insert—
 - “(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
 - (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

Commencement Information

I3 Sch. 4 para. 3 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 4 In the Ecodesign for Energy-Related Products Regulations 2010 (S.I. 2010/2617), in regulation 2A (designated standards) (inserted by paragraph 3 of Schedule 1 to the Ecodesign for Energy-Related Products and Energy Information (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/539))—
- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
 - (b) after paragraph (3) insert—
 - “(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
 - (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

Commencement Information

I4 Sch. 4 para. 4 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 5 In the Toys (Safety) Regulations 2011 (S.I. 2011/1881), in regulation 3A (designated standard) (inserted by paragraph 5 of Schedule 15 to the Product Safety

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and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))

- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
- (b) after paragraph (3) insert—
 - “(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
- (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

Commencement Information

I5 Sch. 4 para. 5 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

6 In the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012 (S.I. 2012/3032), in regulation 2A (interpretation: designated standard) (inserted by regulation 18(3) of the Waste (Miscellaneous Amendments) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/188))

- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
- (b) in paragraph (3)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”;
- (c) for paragraph (7) substitute—
 - “(7) In this regulation—
 - (a) “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time);
 - (b) a “recognised standardisation body” means any one of the following—
 - (i) the European Committee for Standardisation (CEN);
 - (ii) the European Committee for Electrotechnical Standardisation (Cenelec);
 - (iii) the European Telecommunications Standards Institute (ETSI);
 - (iv) the British Standards Institution (BSI).”

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I6 Sch. 4 para. 6 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 7 In the Explosives Regulations 2014 (S.I. 2014/1638), in regulation 2A (interpretation: designated standard) (inserted by paragraph 3 of Schedule 16 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))—
- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
 - (b) after paragraph (3) insert—
 - “(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
 - (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

Commencement Information

I7 Sch. 4 para. 7 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 8 In the Pyrotechnic Articles (Safety) Regulations 2015 (S.I. 2015/1553), in regulation 2A (interpretation: designated standard) (inserted by paragraph 3 of Schedule 19 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))—
- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
 - (b) after paragraph (3) insert—
 - “(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
 - (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

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I8 Sch. 4 para. 8 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 9 In the Electromagnetic Compatibility Regulations 2016 (S.I. 2016/1091), in regulation 2A (designated standard) (inserted by paragraph 3 of Schedule 20 to the

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Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696)—

- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
- (b) after paragraph (3) insert—

“(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;

- (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

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19 Sch. 4 para. 9 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

10 In the Simple Pressure Vessels (Safety) Regulations 2016 (S.I. 2016/1092), in regulation 2A (designated standard) (inserted by paragraph 3 of Schedule 21 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))—

- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
- (b) after paragraph (3) insert—

“(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;

- (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

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110 Sch. 4 para. 10 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

11 In the Lifts Regulations 2016 (S.I. 2016/1093), in regulation 2A (designated standard) (inserted by paragraph 3 of Schedule 22 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))—

- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
- (b) after paragraph (3) insert—

“(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical

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Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;

- (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

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I11 Sch. 4 para. 11 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 12 In the Electrical Equipment (Safety) Regulations 2016 (S.I. 2016/1101), in regulation 2A (designated standard) (inserted by paragraph 3 of Schedule 23 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))—
- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
 - (b) after paragraph (3) insert—

“(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
 - (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

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I12 Sch. 4 para. 12 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 13 In the Pressure Equipment (Safety) Regulations 2016 (S.I. 2016/1105), in regulation 2A (designated standard) (inserted by paragraph 3 of Schedule 24 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))—
- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
 - (b) after paragraph (3) insert—

“(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
 - (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

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I13 Sch. 4 para. 13 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 14 In the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016 (S.I. 2016/1107), in regulation 2A (designated standard) (inserted by paragraph 3 of Schedule 25 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))—
- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
 - (b) after paragraph (3) insert—

“(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
 - (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

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I14 Sch. 4 para. 14 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 15 In the Non-automatic Weighing Instruments Regulations 2016 (S.I. 2016/1152), in regulation 2A (designated standard) (inserted by paragraph 3 of Schedule 26 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))—
- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
 - (b) after paragraph (3) insert—

“(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
 - (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

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I15 Sch. 4 para. 15 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 16 In the Measuring Instruments Regulations 2016 (S.I. 2016/1153), in regulation 2A (designated standard) (inserted by paragraph 3 of Schedule 27 to the Product Safety

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and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))

- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
- (b) after paragraph (3) insert—
 - “(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
- (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

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I16 Sch. 4 para. 16 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

17 In the Recreational Craft Regulations 2017 (S.I. 2017/737), in regulation 2A (designated standard) (inserted by paragraph 3 of Schedule 28 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))

- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
- (b) after paragraph (3) insert—
 - “(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
- (c) in paragraph (5)—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

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I17 Sch. 4 para. 17 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

18 In the Radio Equipment Regulations 2017 (S.I. 2017/1206), in regulation 2A (designated standard) (inserted by paragraph 3 of Schedule 29 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))

- (a) in paragraph (1)(a), after “body” insert “ or an international standardising body ”;
- (b) after paragraph (3) insert—

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- “(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
- (c) in paragraph (5)—
- (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

Commencement Information

I18 Sch. 4 para. 18 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

Amendments of retained direct EU legislation

- 19 In Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products (recast), in Article 2(3) (designated standard) (substituted by paragraph 3(i) of Schedule 34 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))—
- (a) in subparagraph (1)(a), after “body” insert “ or an international standardising body ”;
 - (b) after subparagraph (3) insert—
- “(3A) In this paragraph “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
- (c) in subparagraph (5)—
- (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

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I19 Sch. 4 para. 19 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 20 In Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC, in Article 18B (designated standards) (inserted by paragraph 19 of Schedule 1 to the Construction Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/465))—
- (a) in paragraph 1(a), after “body” insert “ or adopted by an international standardising body ”;
 - (b) in paragraph 3, for “international standards” substitute “ , or any other, standards adopted by international standardising bodies ”;
 - (c) after paragraph 9 insert—

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“10 In this Article “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”

Commencement Information

I20 Sch. 4 para. 20 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

21 In the Commission Implementing [Regulation \(EU\) No 402/2013](#) of 30 April 2013 on the common safety method for risk evaluation and assessment and repealing Regulation (EC) No 352/2009, in Article 3A (designated standards) (inserted by regulation 16(5) of the Rail Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/837))—

- (a) in paragraph 1(a), after “body” insert “ or an international standardising body ”;
- (b) after paragraph 3 insert—

“3A In this Article “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;

- (c) in paragraph 5—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

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I21 Sch. 4 para. 21 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

22 In [Regulation \(EU\) 2016/424](#) of the European Parliament and of the Council of 9 March 2016 on cableway installations and repealing Directive [2000/9/EC](#), in Article 3A (designated standards) (inserted by regulation 15 of the Cableway Installations (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1347))—

- (a) in paragraph 1(a), after “Institution” insert “ or an international standardising body ”;
- (b) after paragraph 2 insert—

“2A Before publishing the reference number of a technical standard adopted by the British Standards Institution, the Secretary of State must have regard to whether the technical standard is consistent with any standards adopted by international standardising bodies which the Secretary of State considers to be relevant.”;

- (c) after paragraph 5 insert—

“6 In this Article “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing

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the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”

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I22 Sch. 4 para. 22 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 23 In [Regulation \(EU\) 2016/425](#) of the European Parliament and of the Council of 9 March 2016 on personal protective equipment and repealing Council Directive [89/686/EEC](#), in Article 7A (designated standard) (inserted by paragraph 3(7) of Schedule 35 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))—
- (a) in paragraph 1(a), after “body” insert “ or an international standardising body ”;
 - (b) after paragraph 3 insert—

“3A In this Article “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
 - (c) in paragraph 5—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

Commencement Information

I23 Sch. 4 para. 23 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

- 24 In [Regulation \(EU\) 2016/426](#) of the European Parliament and of the Council of 9 March 2016 on appliances burning gaseous fuels and repealing Directive [2009/142/EC](#), in Article 6A (designated standard) (inserted by paragraph 2(7) of Schedule 36 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696))—
- (a) in paragraph 1(a), after “body” insert “ or an international standardising body ”;
 - (b) after paragraph 3 insert—

“3A In this Article “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”;
 - (c) in paragraph 5—
 - (i) after “with” insert “ such ”;
 - (ii) at the end insert “ or by international standardising bodies as the Secretary of State considers to be relevant. ”

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I24 Sch. 4 para. 24 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

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Changes to legislation:

There are currently no known outstanding effects for the European Union (Future Relationship) Act 2020, SCHEDULE 4.