

**Changes to legislation:** There are currently no known outstanding effects for the European Union (Future Relationship) Act 2020, Cross Heading: Amendments of retained direct EU legislation. (See end of Document for details)

## SCHEDULES

### SCHEDULE 4

#### TECHNICAL BARRIERS TO TRADE: USE OF RELEVANT INTERNATIONAL STANDARDS

##### *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. ”

#### **Commencement Information**

**II** 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—
    - “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).”

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**Commencement Information**

**I2** 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. ”

**Commencement Information**

**I3** 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 the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).”

**Commencement Information**

**I4** Sch. 4 para. 22 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(ee)

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- 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**

**I5** [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. ”

**Commencement Information**

**I6** [Sch. 4 para. 24](#) in force at 31.12.2020 by [S.I. 2020/1662](#), [reg. 2\(ee\)](#)

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