
STATUTORY INSTRUMENTS

2016 No. 1152

The Non-automatic Weighing Instruments Regulations 2016

PART 5

[^{F1}NOTIFICATION OF CONFORMITY ASSESSMENT BODIES][^{F1}APPROVAL OF CONFORMITY ASSESSMENT BODIES]

[^{F1}Approval of conformity assessment bodies **E+W+S**]

48.—(1) The Secretary of State may approve only those conformity assessment bodies that qualify for approval.

(2) A conformity assessment body qualifies for approval if the first and second conditions below are met.

(3) The first condition is that the conformity assessment body has applied to the Secretary of State to become an approved body and that application is accompanied by—

- (a) a description of—
 - (i) the conformity assessment activities that the conformity assessment body intends to carry out;
 - (ii) the conformity assessment procedure in respect of which the conformity assessment body claims to be competent;
 - (iii) the class of regulated non-automatic weighing instruments in respect of which the conformity assessment body claims to be competent; and
- (b) either—
 - (i) an accreditation certificate; or
 - (ii) the documentary evidence necessary for the Secretary of State to verify, recognise and regularly monitor the conformity assessment body's compliance with the approved body requirements.

(4) The second condition is that the Secretary of State is satisfied that the conformity assessment body meets the approved body requirements.

(5) For the purposes of paragraph (4), the Secretary of State may accept an accreditation certificate, provided in accordance with paragraph (3)(b)(i), as sufficient evidence that the conformity assessment body meets the approved body requirements.

(6) When deciding whether to approve a conformity assessment body that qualifies for approval, the Secretary of State may—

- (a) have regard to any other matter which appears to the Secretary of State to be relevant; and
- (b) set conditions that the conformity assessment body must meet.

(7) For the purposes of this regulation “accreditation certificate” means a certificate, issued by the UK national accreditation body, attesting that a conformity assessment body meets the approved body requirements.]

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent
Changes to legislation: There are currently no known outstanding effects for the The Non-automatic Weighing Instruments Regulations 2016, Section 48. (See end of Document for details)

Extent Information

E1 This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

Textual Amendments

F1 Pt. 5 substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 26 para. 32** (with Sch. 26 para. 5) (as amended by [S.I. 2020/676](#), regs. 1(1), **2**; [S.I. 2020/852](#), reg. 4(2), **Sch. 1 paras. 1(o)(v), (vi)**); 2020 c. 1, **Sch. 5 para. 1(1)**

The notifying authority **N.I.**

- 48.**—(1) The notifying authority for the purposes of these Regulations is the Secretary of State.
- (2) The functions of the notifying authority are—
- (a) to assess whether applicants for recognition as conformity assessment bodies meet the requirements for recognition as such;
 - (b) where an assessment that a body is qualified to act as a conformity assessment body is made, to notify the Commission of that fact; and
 - (c) to carry out such monitoring of bodies notified to the Commission to ensure continuing compliance with the requirements of these Regulations.
- (3) The notifying authority may delegate the performance of its functions to a body that meets the requirements of Articles 20(3) and 21 of the Directive but in the event of such a delegation the notifying authority remains fully responsible for the performance of those functions.
- (4) The notifying authority must supply such information as the Commission may request in relation to a body notified by it.

Extent Information

E2 This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

Status:

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- E+W+S - England, Wales and Scotland extent
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