

## STATUTORY INSTRUMENTS

# 2016 No. 1152

## The Non-automatic Weighing Instruments Regulations 2016

### PART 5

#### [<sup>F1</sup>NOTIFICATION OF CONFORMITY ASSESSMENT BODIES][<sup>F1</sup>APPROVAL OF CONFORMITY ASSESSMENT BODIES]

##### [<sup>F1</sup>Presumption of conformity of approved bodies **E+W+S**]

**49.**—(1) Where a conformity assessment body demonstrates its conformity with the criteria laid down in a designated standard (or part of such standard), the Secretary of State is to presume that the conformity assessment body meets the approved body requirements covered by that standard (or that part of that standard).

(2) The presumption in paragraph (1) is rebuttable.]

##### 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)**

##### Notification **N.I.**

**49.**—(1) The Secretary of State may notify to the Commission and the other [<sup>F2</sup>relevant] states only those conformity assessment bodies that qualify for notification.

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

(3) The first condition is that the conformity assessment body makes an application to the Secretary of State for notification 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 module for which the conformity assessment body claims to be competent; and
- (iii) the regulated non-automatic weighing instrument in respect of which the conformity assessment body claims to be competent; and

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**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 49. (See end of Document for details)

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- (b) an accreditation certificate or the documentary evidence necessary for the Secretary of State to verify, recognise and regularly monitor the conformity assessment body's compliance with the notified body requirements.
- (4) The second condition is that the Secretary of State is satisfied that the conformity assessment body meets the requirements of Schedule 3 (“the notified 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), as sufficient evidence that the conformity assessment body meets the notified body requirements.
- (6) When deciding whether to notify a conformity assessment body that qualifies for notification to the Commission and the other [F3 relevant states], 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) The Secretary of State must inform the Commission of the United Kingdom's procedures for the assessment and notification of conformity assessment bodies, and any changes to those procedures.

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#### 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
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#### Textual Amendments

- F2** Word in reg. 49(1) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), reg. 1(b), [Sch. 13 para. 5\(2\)\(a\)](#)
- F3** Words in reg. 49(6) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), reg. 1(b), [Sch. 13 para. 5\(2\)\(b\)](#)

**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 49.