STATUTORY INSTRUMENTS

2016 No. 1152

The Non-automatic Weighing Instruments Regulations 2016

PART 8

MARKET SURVEILLANCE AND ENFORCEMENT

CHAPTER 1

MARKET SURVEILLANCE

[[F1]EU safeguard procedure

59.—(1) Where another **[**[F2]relevant**]** state has initiated the procedure under Article 37 of the Directive, the market surveillance authority must without delay, inform the Commission and the other **[**[F2]relevant**]** states of—

(a) any measures taken by competent authority in respect of the regulated non-automatic weighing instrument;

(b) any additional information which the market surveillance authority has at its disposal relating to the lack of conformity of the regulated non-automatic weighing **[**[F3]instrument.**]**

[F4](c) . . . . . .

(2) Where a measure taken by another **[**[F5]relevant**]** state in respect of a regulated non-automatic weighing instrument is considered justified under Article 37(7) of the Directive, the market surveillance authority must ensure that appropriate measures to withdraw the instrument are taken in respect of the regulated non-automatic weighing instrument without delay.

(3) If, pursuant to Article 38 of the Directive, the Commission considers a direction given pursuant to regulation 58(4) is unjustified, the market surveillance authority must forthwith withdraw it and notify other competent authorities and economic operators affected accordingly.**]**

Textual Amendments

F1 Reg. 59 omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 26 para. 34** (with Sch. 26 para. 5) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

F2 Word in reg. 59(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. 6(2)(a)(i)**

F3 Word in reg. 59(1)(b) 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. 6(2)(a)(ii)**

F4 Reg. 59(1)(c) omitted (N.I.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112), reg. 1(b), **Sch. 13 para. 6(2)(a)(iii)**

F5 Word in reg. 59(2) 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. 6(2)(b)**

Changes to legislation:
There are currently no known outstanding effects for the The Non-automatic Weighing Instruments Regulations 2016, Section 59.