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STATUTORY INSTRUMENTS

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**2019 No. 1246**

**The Product Safety, Metrology and Mutual Recognition Agreement (Amendment) (EU Exit) Regulations 2019**

**PART 2**

Amendments relating to EU obligations

**Amendments to the Conformity Assessment (Mutual Recognition Agreements) Regulations 2019**

2.—(1) The Conformity Assessment (Mutual Recognition Agreements) Regulations 2019<sup>M1</sup> are amended as follows.

- (2) In regulation 4(1) for “4 to 9, 11” substitute “ 4 to 11 ”.
- (3) After regulation 5 insert—

**“Recognition of importers established in Switzerland**

6.—(1) For the purposes of the provisions set out in paragraph (2)—

- (a) a person established in Switzerland who places a product from a country outside of Switzerland or the European Union on the market of Switzerland or the European Union, is to be treated as an EU importer;
- (b) a product from Switzerland which is placed on the European Union market by an EU importer is to be treated as if it were a product from the European Union.

(2) The provisions referred to in paragraph (1) are—

- (a) regulation 27 of the Toys (Safety) Regulations 2011<sup>M2</sup>;
- (b) regulation 50 of the Explosives Regulations 2014<sup>M3</sup>;
- (c) regulation 20 of the Electromagnetic Compatibility Regulations 2016<sup>M4</sup>;
- (d) regulation 21 of the Simple Pressure Vessels (Safety) Regulations 2016<sup>M5</sup>;
- (e) regulation 28 of the Lifts Regulations 2016<sup>M6</sup>;
- (f) regulation 18 of the Electrical Equipment (Safety) Regulations 2016<sup>M7</sup>;
- (g) regulation 23 of the Pressure Equipment (Safety) Regulations 2016<sup>M8</sup>;
- (h) regulation 21 of the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016<sup>M9</sup>;
- (i) regulation 18 of the Non-automatic Weighing Instruments Regulations 2016<sup>M10</sup>;
- (j) regulation 19 of the Measuring Instruments Regulations 2016<sup>M11</sup>;
- (k) regulation 23 of the Radio Equipment Regulations 2017<sup>M12</sup>;

- (l) regulation 16 of the Making Available on the Market and Supervision of Transfers of Explosives Regulations (Northern Ireland) 2016 <sup>M13</sup>;
  - (m) regulation 21 of the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations (Northern Ireland) 2017 <sup>M14</sup>;
  - (n) Article 10(3) of 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<sup>M15</sup>;
  - (o) Article 9(3) of 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<sup>M16</sup>.
- (3) In this regulation—
- (a) “EU importer” means a person established in the European Union who places a product from a country outside of the European Union on the market of the European Union;
  - (b) “place on the market” means the first supply of a product for distribution, consumption or use on the market in the course of a commercial activity whether in return for payment or free of charge.”

#### Commencement Information

**I1** Reg. 2 in force at 10.9.2019, see reg. 1(2)

#### Marginal Citations

- M1** S.I. 2019/392.
- M2** S.I. 2011/1881, to which there are amendments not relevant to these Regulations.
- M3** S.I. 2014/1638, amended by S.I. 2016/315. There are other amending instruments but none is relevant.
- M4** S.I. 2016/1091, to which there are amendments not relevant to these Regulations.
- M5** S.I. 2016/1092, to which there are amendments not relevant to these Regulations.
- M6** S.I. 2016/1093, to which there are amendments not relevant to these Regulations.
- M7** S.I. 2016/1101, to which there are amendments not relevant to these Regulations.
- M8** S.I. 2016/1105, to which there are amendments not relevant to these Regulations.
- M9** S.I. 2016/1107.
- M10** S.I. 2016/1152.
- M11** S.I. 2016/1153.
- M12** S.I. 2017/1206, to which there are amendments not relevant to these Regulations.
- M13** S.R. 2016 No. 366.
- M14** S.R. 2017 No. 90.
- M15** OJ No L 81, 31.3.2016 p. 51.
- M16** OJ No L 81, 31.3.2016 p. 99.

### Amendment to the Pressure Equipment (Safety) Regulations 2016

**3.** In the Pressure Equipment (Safety) Regulations 2016, in regulation 23(3) for “pressure equipment” in the first place in which it appears, substitute “ the pressure equipment or assembly ”.

#### Commencement Information

**I2** Reg. 3 in force at 10.9.2019, see reg. 1(2)

**Changes to legislation:**

There are currently no known outstanding effects for the The Product Safety, Metrology and Mutual Recognition Agreement (Amendment) (EU Exit) Regulations 2019, PART 2.