

SCHEDULE 1

Amendments to the 2011 Regulation [^{F1}— Great Britain]

Textual Amendments

- F1** Words in [Sch. 1](#) heading inserted (31.12.2020 immediately before S.I. 2019/465 comes into force) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1359\)](#), reg. 1, [Sch. 1 para. 2](#)

PART 12

Transitional and saving provisions in relation to EU Exit

Transitional provision in respect of market surveillance

71.—(1) Subject to the modifications in sub-paragraph (3), where a construction product was made available on the market of [^{F1}Great Britain] during the pre-exit period, despite the amendments made by this Schedule, any obligation to which a market surveillance authority, or the United Kingdom as a member State, was subject under the specified provisions of the 2011 Regulation as they had effect immediately before [^{F2}IP completion day], continues to have effect as it did immediately before [^{F2}IP completion day], in relation to that product.

(2) The “specified provisions” are—

- (a) Article 56(1);
- (b) the first subparagraph of Article 56(4);
- (c) Article 58(1);
- (d) Article 59.

(3) The modifications are that—

- (a) in Article 56(1)—
 - (i) the requirement on a market surveillance authority—
 - (aa) to carry out an evaluation is also to apply where the authority takes action under Article 20 of Regulation [\(EC\) No 765/2008](#) of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation [\(EEC\) No 339/93](#) as it has effect in the United Kingdom [^{F3}in respect of Great Britain] on or after exit day;
 - (bb) to inform the notified body is only to apply where it is a UK notified body;
 - (ii) the reference to Article 21 of Regulation [\(EC\) No 765/2008](#) is to be read as a reference to that Regulation as it has effect in the United Kingdom [^{F3}in respect of Great Britain] on or after [^{F4}IP completion day] ;
- (b) any obligation on the United Kingdom as a member State is to be read as an obligation on a market surveillance authority;
- (c) in the first subparagraph of Article 56(4), the reference to “provisional” is to be read as if it were omitted.

Changes to legislation: There are currently no known outstanding effects for the The Construction Products (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 71. (See end of Document for details)

Textual Amendments

- F1** Words in Sch. 1 para. 71(1) substituted (31.12.2020 immediately before S.I. 2019/465 comes into force) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1359\)](#), reg. 1, [Sch. 1 para. 15\(a\)](#)
- F2** Words in Sch. 1 para. 71(1) substituted (31.12.2020 immediately before S.I. 2019/465 comes into force) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1359\)](#), reg. 1, [Sch. 1 para. 17\(h\)](#)
- F3** Words in Sch. 1 para. 71(3)(a) inserted (31.12.2020 immediately before S.I. 2019/465 comes into force) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1359\)](#), reg. 1, [Sch. 1 para. 15\(b\)](#)
- F4** Words in Sch. 1 para. 71(3) substituted (31.12.2020 immediately before S.I. 2019/465 comes into force) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1359\)](#), reg. 1, [Sch. 1 para. 17\(h\)](#)

Commencement Information

- I1** Sch. 1 para. 71 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see reg. 1

Changes to legislation:

There are currently no known outstanding effects for the The Construction Products (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 71.