

## SCHEDULE 26

### Amendment of the Non-automatic Weighing Instruments Regulations 2016

#### Transitional provision in relation to EU Exit

##### 5. After regulation 4 insert—

##### “Transitional provision in relation to EU Exit

**4A.**—(1) In this regulation—

“pre-exit period” means the period beginning with the commencement date and ending immediately before [F1IP completion day].

(2) Subject to paragraph (3), where a non-automatic weighing instrument was made available on the market during the pre-exit period, despite the amendments made by Schedule 26 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019<sup>M1</sup>, any obligation to which a person was subject under these Regulations as they had effect immediately before [F1IP completion day], continues to have effect as it did immediately before [F1IP completion day], in relation to that non-automatic weighing instrument.

(3) Paragraph (2) does not apply to—

- (a) any obligation of any competent authority to inform the European Commission or Member States of any matter; or
- (b) any obligation to take action outside of the United Kingdom in respect of that non-automatic weighing instrument.

(4) Where during the pre-exit period—

- (a) a non-automatic weighing instrument has not been placed on the market; and
- (b) a manufacturer has taken any action under regulation 36 as it had effect immediately before [F1IP completion day] in relation to that non-automatic weighing instrument,

that action has effect as if it had been done under regulation 36 as it had effect on and after [F1IP completion day].”.

**F1** Words in Sch. 26 para. 5 substituted (31.12.2020 immediately before IP completion day) by [The Product Safety and Metrology \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/852\)](#), regs. 2(2), 4(2), [Sch. 1 para. 1\(o\)\(iii\)](#)

#### Commencement Information

**I1** Sch. 26 para. 5 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Marginal Citations

**M1** [S.I. 2019/696](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 5.