

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 exit 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⁽¹⁾, any obligation to which a person was subject under these Regulations as they had effect immediately before exit day, continues to have effect as it did immediately before exit 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 exit 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 exit day.”.

⁽¹⁾ S.I. 2019/696.