

SCHEDULE 29

Amendment of the Radio Equipment Regulations 2017 and related amendments

PART 1

Amendments to the Radio Equipment Regulations 2017

Transitional provision in relation to EU Exit

44. After regulation 76 insert—

“Transitional provision in relation to EU Exit

76A.—(1) In this regulation—

“pre-exit period” means the period beginning with the commencement date and ending immediately before exit day;

“product” means radio equipment to which these Regulations apply.

(2) Subject to paragraph (3), where a product was made available on the market during the pre-exit period, despite the amendments made by Schedule 29 of 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 product.

(3) Paragraph (2) does not apply to—

- (a) any obligation of any enforcing authority to inform the European Commission or the Member States of any matter; or
- (b) any obligation to take action outside of the market in respect of that product.

(4) Where during the pre-exit period—

- (a) a product has not been placed on the market; and
- (b) a manufacturer has taken any action under regulation 41 as it had effect immediately before exit day in relation to that product,

that action has effect as if it had been done under regulation 41 as it has effect on and after exit day.”.

(1) S.I. 2019/696.