

SCHEDULE 33

Amendment of Regulation (EC) No 765/2008

Amendment to Chapter 3

15. In Article 16—

- (a) omit paragraph 1;
- (b) in paragraph 2—
 - (i) after “Market surveillance”, insert “authorities”;
 - (ii) for “shall” substitute “must”;
 - (iii) for “Community harmonisation legislation” substitute “any relevant enactment” in both places in which it occurs;
 - (iv) for “, the Commission and the other Member States”, substitute “and the Secretary of State”;
- (c) for paragraph 3 substitute—

“**3.** The Secretary of State must ensure that there is a national market surveillance infrastructure and programme so that effective measures may be taken in relation to any product subject to any relevant enactment.”;
- (d) in paragraph 4—
 - (i) for “shall” in the first place it occurs substitute “must”;
 - (ii) for “Community harmonisation legislation”, substitute “any relevant enactment”;
 - (iii) omit “shall” in the second place it occurs.