SCHEDULE 10 Regulation 11

Amendment to the Lifts Regulations 2016

1. The Lifts Regulations 2016 are amended in accordance with paragraphs 2 to 7.

Amendment to Part 1

2.—(1) In regulation 2(1)—

(a) in the following definitions for "member State" substitute "relevant state"—

(i) "accreditation certificate";

(ii) "competent national authority";

(b) in the definition of "authorised representative" for "EU" substitute "relevant market";

(c) in the definition of "importer"—

(i) in sub-paragraph (a) for "EU" substitute "relevant market";

(ii) in sub-paragraph (b) for "third country on the EU" substitute "market outside of the relevant market on the relevant";

(d) in the following definitions for "EU" substitute "relevant"—

(i) "make available on the market";

(ii) "place on the market" (twice);

(e) After the definition of "national accreditation body" insert—

""NI Protocol obligation" means any obligation created or arising by or under the Protocol on Ireland/ Northern Ireland in the EU withdrawal agreement, whether or not an obligation to which section 7A(2) of the European Union (Withdrawal) Act 2018 applies;";

(f) after the definition of "relevant economic operator" insert—

""relevant market" means—

(a) the market in Northern Ireland; and

(b) the market of the EEA states;

"relevant state" means—

(a) Northern Ireland; or

(b) any EEA state;".

(2) In regulation 2(3)(b) for "member State" substitute "relevant state";

(3) Omit regulation 2(5).

Amendment to Part 2

3.—(1) In regulation 5 in the heading and in the regulation for "EU law" substitute "NI Protocol obligation".

(2) In regulation 8(3)—

(a) for "EU instrument" in the first place in which it occurs substitute "NI Protocol obligation";

(b) in sub-paragraph (a) before "EU" insert "relevant";

(3) In regulation 10—

(a) for "member State" substitute "relevant state" (twice);

(b) for "the United Kingdom" substitute "Northern Ireland".

(4) In regulation 12(2) for "member State" substitute "relevant state".

(5) In regulation 17(3)—

(a) for "EU instrument" in the first place in which it occurs substitute "NI Protocol obligation";

(b) in sub-paragraph (b) before "EU" insert "relevant".

(6) In regulation 19—

(a) for "member State" substitute "relevant state" (twice);

(b) in paragraph (4) for "the United Kingdom" substitute "Northern Ireland".

(7) In regulations 22 and 28 for "member State" substitute "relevant state".

(8) In regulation 29—

(a) for "member State" substitute "relevant state";

(b) for "the United Kingdom" substitute "Northern Ireland".

(9) In regulation 37—

(a) for "member State" substitute "relevant state";

(b) for "the United Kingdom" substitute "Northern Ireland".

(10) In regulation 40 for "member States" substitute "relevant states".

(11) In regulation 43—

(a) for "member State" substitute "relevant state";

(b) for "the United Kingdom" substitute "Northern Ireland".

Amendment to Part 4

4.—(1) In regulation 51(1)—

(a) in sub-paragraph (a) for "member States" substitute "relevant states";

(b) in sub-paragraph (b)—

(i) after "objections" insert ", other than an immaterial objection,";

(ii) for "member States" substitute "relevant states";

(iii) at the end for "certificate." substitute "certificate;";

(c) after sub-paragraph (b) insert—

"(c) in sub-paragraph (b), an "immaterial objection" is an objection on the grounds that—

(i) the conformity assessment body is established in the United Kingdom; or

(ii) the accreditation certificate was issued by the United Kingdom Accreditation Service.".

(2) In regulation 52 for "member States" substitute "relevant states" (twice).

(3) In regulation 57(5) for "member States" substitute "relevant states".

Amendment to Part 5

5.—(1) In regulation 65—

(a) in paragraph (1)—

(i) in sub-paragraph (b)(ii) after "lifts" insert "from the market in Northern Ireland";

(ii) in sub-paragraph (b)(iii) after "lifts" insert "from the market in Northern Ireland";

(b) in paragraph (3) for "the United Kingdom" substitute "Northern Ireland".

(c) in paragraph (4)

(i) at the beginning insert "Subject to paragraph (4A),";

(ii) for "the United Kingdom" substitute "Northern Ireland";

(iii) for "member States" substitute "relevant states";

(d) after paragraph (4) insert—

"(4A) Paragraph (4) does not require the Secretary of State to inform the Commission or the other relevant states where the lack of conformity extends only to any of England or Wales or Scotland.";

(e) in paragraph (5)—

(i) in sub-paragraphs (a)(i) and (b)(i) for "the United Kingdom" substitute "Northern Ireland";

(ii) in sub-paragraph (b)(ii) for "United Kingdom market" substitute "market in Northern Ireland";

(f) in paragraph (7) for "member States" substitute "relevant states".

(2) In regulation 66—

(a) in paragraph (1) for "member State" substitute "relevant state";

(b) in paragraph (2)—

(i) for "member State" in the first place in which it occurs substitute "relevant state";

(ii) for "member States" substitute "relevant states";

(iii) in sub-paragraph (a) after "authority" insert "in Northern Ireland";

(iv) in sub-paragraph (b) for "lifts; and" substitute "lifts."

(v) omit sub-paragraph (c).

(c) in paragraph (3)—

(i) for "member State" substitute "relevant state";

(ii) after "are taken" insert "in Northern Ireland";

(d) in paragraph (4)—

(i) for "member State" substitute "relevant state";

(ii) for "the United Kingdom market" substitute "market in Northern Ireland";

(e) at the end of paragraph (6) insert "in respect of Northern Ireland";

(f) omit paragraph (7).

(3) In regulation 67—

(a) in paragraphs (1)(a)(ii) and (iii) after "lift" insert "from Northern Ireland";

(b) in paragraph (2)(b)(ii) and (iii) after "lifts" insert "from Northern Ireland";

(c) in paragraph (3) for "member States" substitute "relevant states".

Amendment to Part 6

6. In regulation 81(2) for "member States" substitute "relevant states".

Amendment to Schedules

7.—(1) In Schedule 1, in paragraph 3(4) for "member States" substitute "relevant states".

(2) In Schedule 10, in paragraph 2(8) and 3(13) for "the United Kingdom" substitute "Northern Ireland".