

SCHEDULE 11

Regulation 12

Amendment to the Electrical Equipment (Safety) Regulations 2016

1. The Electrical Equipment (Safety) Regulations 2016 are amended in accordance with paragraphs 2 to 6.

**Amendment to Part 1**

2.—(1) In regulation 2(1)—

- (a) in the definition of “authorised representative” for “EU” substitute “relevant market”;
- (b) 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”;
- (c) in the following definitions for “EU” substitute “relevant”—
  - (i) “making available on the market”;
  - (ii) “placing on the market”;
- (d) after the definition of “relevant economic operator” insert—
  - ““relevant market” means—
    - (a) the market in Northern Ireland; and
    - (b) the markets of the EEA states;
  - “relevant state” means—
    - (a) Northern Ireland; or
    - (b) any EEA state;”.

(2) Omit regulation 2(5).

(3) In regulation 3(2)(g) for “member States” substitute “relevant states”.

**Amendment to Part 2**

3.—(1) In regulation 6—

- (a) in paragraph (3)
  - (i) for “EU instrument” in the first place in which that occurs, substitute “NI Protocol obligation”;
  - (ii) before “EU instrument” in sub-paragraph (a) insert “relevant”;
- (b) after paragraph (3) insert—
  - “(4) In paragraph (3) “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.”.

(2) In regulations 9(3), 19(2) and 26(3) for “the UK” substitute “Northern Ireland”

(3) In regulations 12(2), 18(2), 23(2), 26(1)(a)(iii), and 32(1) for “member State” substitute “relevant state”.

(4) In regulation 29(2) for “member States” substitute “relevant states”.

(5) In regulations 32(2), 35(1) and in the heading of regulation 35 for “the United Kingdom” substitute “Northern Ireland”.

### **Amendment to Part 3**

4. In regulation 37—

- (a) in paragraph (2)(a) for “member State” substitute “relevant state”;
- (b) in paragraph (3)(b) for “member State” substitute “relevant state”.

### **Amendment to Part 4**

5.—(1) In regulation 45—

- (a) in paragraph (1)(b) after “equipment” “from Northern Ireland”;
- (b) in paragraph (1)(c) after “equipment” insert “from the market in Northern Ireland”;
- (c) in paragraph (2) and (3) for “the United Kingdom” substitute “Northern Ireland”;
- (d) in paragraph (3)—
  - (i) at the beginning insert “Subject to paragraph (3A)”;
  - (ii) for “the United Kingdom” substitute “Northern Ireland”;
  - (iii) for “member States” substitute “relevant states”;

(e) after paragraph (3) insert—

“(3A) Paragraph (3) 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.”;

(f) in paragraph (4)—

- (i) in sub-paragraph (a) for “the United Kingdom” substitute “Northern Ireland”;
- (ii) in sub-paragraph (b) for “United Kingdom market” substitute “market in Northern Ireland”;

(g) in paragraph (6) for “member States” substitute “relevant states”.

(2) In regulation 46—

(a) in paragraph (1)—

- (i) for “member State” substitute “relevant state”;
- (ii) in sub-paragraph (a) after “authority” insert “in Northern Ireland”;

(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 (b) for “equipment; and” substitute “equipment.”;
- (iv) omit sub-paragraph (c).

(c) in paragraph (3)—

- (i) for “member State” substitute “relevant state”;
- (ii) for “United Kingdom market” substitute “market in Northern Ireland”;

(d) in paragraphs (5) and (6) at the end insert “in respect of Northern Ireland”.

(3) In regulation 47—

- (a) in paragraphs (1)(b) and (c) after “equipment” insert “from the market in Northern Ireland”;
- (b) in paragraph (3) for “member States” substitute “relevant states”.

**Amendment to Part 5**

- 6.** In regulation 61(2) for “member States” substitute “relevant States”.