

SCHEDULE 3

Amendment to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019

- 7.—(1) Schedule 12 (supply of machinery) is amended as follows.
- (2) In paragraph 2(3)(g) for “the United Kingdom” substitute “ Great Britain ”;
- (3) In paragraph 5(b) after “enactments” insert “ (as they apply in Great Britain) ”.
- (4) In paragraph 6—
- (a) for paragraph (b) substitute—
- “(b) in paragraph (2)(f)—
- (i) for “CE” substitute “ UK ”;
- (ii) after “machinery” insert “ or where paragraph (2A) applies, or on a label affixed to, or document accompanying, the machinery ”;”;
- (b) after paragraph (b) insert—
- “(ba) after paragraph (2) insert—
- “(2A) For a period of 24 months beginning with IP completion day, the UK marking may be affixed to—
- (a) a label affixed to the machinery; or
- (b) a document accompanying the machinery.”;”.
- (5) In paragraph 9, in the inserted text, after the inserted regulation 12A, insert—

“Expiry of regulation 12A

12B.—(1) Subject to paragraph (2), regulation 12A ceases to have effect at the end of the period of 12 months beginning with IP completion day.

- (2) Notwithstanding the expiry of regulation 12A—
- (a) any machinery or partly completed machinery which was placed on the market or put into service pursuant to regulation 12A may continue to be made available on the market on or after the expiry of regulation 12A;
- (b) any obligation to which a person was subject under regulation 12A(2) in respect of machinery or partly completed machinery placed on the market or put into service pursuant to regulation 12A continues to have effect after the expiry of regulation 12A, in respect of that machinery or partly completed machinery.

Qualifying Northern Ireland Goods

12C.—(1) Where paragraph (2) applies the requirements of Part 3, other than those in regulations 12A, 12B and this regulation, are treated as being satisfied.

- (2) This paragraph applies where—
- (a) the responsible person has complied with the requirements of Part 3, as that Part applies in Northern Ireland; and
- (b) the machinery or partly completed machinery is qualifying Northern Ireland goods.
- (3) In this regulation “qualifying Northern Ireland goods has the meaning given to it in regulations made under section 8C(6) of the European Union (Withdrawal) Act 2018.”.
- (6) In paragraph 11, at the end, insert—

Changes to legislation: There are currently no known outstanding effects for the *The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, Paragraph 7. (See end of Document for details)*

- “(c) after paragraph (1) insert—
- “(1A) For the purposes of paragraph (1) machinery bears the UK marking if, in accordance with regulation 7(2A), the UK marking is affixed to —
- (a) a label affixed to the machinery; or
 - (b) a document accompanying the machinery.””
- (7) In paragraph 21, after sub-paragraph (a) insert—
- “(aa) in paragraph (1) after “affixed to it” insert “(or, where regulation 7(2A) applies, to a label affixed to it or a document accompanying it)” (four times);”.

Commencement Information

- II** Sch. 3 para. 7 in force at 31.12.2020 immediately before IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(4)**

Changes to legislation:

There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, Paragraph 7.