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S T A T U T O R Y I N S T R U M E N T S

2020 No. 1486

EXITING THE EUROPEAN UNION

CONSUMER PROTECTION

WEIGHTS AND MEASURES, NORTHERN IRELAND

**The Product Safety (Toys and Cosmetics) and Metrology
(Measuring and Non-automatic Weighing Instruments)
(Amendment) (EU Exit) Regulations 2020**

Made - - - - *8th December 2020*

Laid before Parliament *10th December 2020*

Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of powers conferred by section 8C(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018^(a).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Product Safety (Toys and Cosmetics) and Metrology (Measuring and Non-automatic Weighing Instruments) (Amendment) (EU Exit) Regulations 2020.

(2) This regulation and regulation 2 come into force immediately before Part 4 of the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020^(b) comes into force.

(3) Regulation 3 comes into force immediately before IP completion day.

(4) This regulation extends to England and Wales, Scotland and Northern Ireland.

(5) Regulation 2 extends to England and Wales and Scotland only.

(6) Regulation 3 extends to Northern Ireland only.

^(a) 2018 c.16; section 8C was inserted by section 21 of the European Union (Withdrawal Agreement) Act 2020 (c.1) and paragraph 21 of Schedule 7 was amended by section 41(4) of, and paragraph 53(2) of Schedule 5 to, that Act.

^(b) S.I. 2020/1460.

Amendment to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020

2. In Schedule 3 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, in paragraph 9(4), in the inserted regulation 39AB(3)(b)(iii), for “regulated measuring instrument” substitute “toy”.

Amendment to the Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020

3. In the Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020(a)—

- (a) in Schedule 6 (cosmetic products enforcement) after paragraph 1(6) insert—
 - “(6A) In regulation 20—
 - (a) in paragraph (1) omit “England and Wales or”;
 - (b) omit paragraph (5)(a);
 - (c) in the text following paragraph (5)(b) omit from “section 111” to “1980, or”.”;
- (b) in Schedule 13 (non-automatic weighing instruments) omit paragraph 2(1)(h);
- (c) in Schedule 14 (measuring instruments)—
 - (i) for paragraph 2(1)(e) substitute—
 - “(e) in the definition of “make available on the market” for “European Economic Area” substitute “relevant”.”;
 - (ii) after paragraph 2(1)(e) insert—
 - “(ea) in the definition of “place on the market” for “market, in the European Economic Area” substitute “relevant market”.”;
 - (iii) omit paragraph 2(1)(g).

8th December 2020

Paul Scully
Parliamentary Under Secretary of State
Department for Business, Enterprise and Industrial Strategy

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amends two sets of Regulations: the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020 (S.I. 2020/1460) (“the first instrument”) and the Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112) (“the second instrument”).

Schedule 3 to the first instrument extends to Great Britain (England and Wales and Scotland) and amends the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2020/696) (“the 2019 Regulations”). Schedule 15 of the 2019 Regulations extends to Great Britain only and amends prospectively (with effect from IP completion day) the Toys (Safety) Regulations 2011 (S.I. 2011/1881). Paragraph 9(4) of Schedule 3 to the first instrument prospectively amends Schedule 15 of the 2019 Regulations to, amongst other things, include provision for toys which are qualifying Northern Ireland goods to able to be made available on the market of Great Britain, by inserting a new regulation 39AB into the Toys (Safety) Regulations

(a) S.I. 2020/1112.

2011. There is an error in the new regulation 39AB(3)(B)(iii) in that it refers to “regulated measuring instrument” instead of “toy”. Regulation 2 of these Regulations corrects that error.

The second instrument extends to Northern Ireland only and amends prospectively (with effect from IP completion day) a number of pieces of legislation including the Cosmetic Products Enforcement Regulations 2013 (S.I. 2013/1478) (see Schedule 6), the Non-automatic Weighing Instruments Regulations 2016 (S.I. 2016/1152) (see Schedule 13) and the Measuring Instruments Regulations 2016 (S.I. 2016/1153) (see Schedule 14). These Regulations correct errors in those Schedules.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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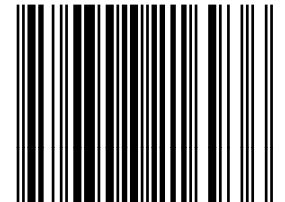
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