
STATUTORY INSTRUMENTS

2020 No. 1496

**EXITING THE EUROPEAN UNION
EXCISE**

The Tobacco Products (Traceability System and Security Features) (Amendments) (EU Exit) Regulations 2020

Made - - - - 9th December 2020

Laid before the House of

Commons - - 10th December 2020

Coming into force in accordance with regulation 1

**THE TOBACCO PRODUCTS (TRACEABILITY
SYSTEM AND SECURITY FEATURES)
(AMENDMENTS) (EU EXIT) REGULATIONS 2020**

PART 1

Introductory provision

1. Citation, commencement and effect
2. Interpretation

PART 2

Application and amendment of direct EU legislation

3. Application and amendment of retained EU legislation relating to the traceability system
4. Transitional provision: products manufactured and marked before IP completion day
5. Transitional provision: meaning of tobacco products supplied in a member State
6. Saving of identifier codes and registry of codes
7. Amendment of retained EU legislation relating to security features

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART 3

Saving and amendment of subordinate legislation

8. Saving of the Tobacco Products (Traceability and Security Features) Regulations 2019: the Protocol on Ireland/Northern Ireland
9. Exception to regulation 8
10. Amendments to the Tobacco Products (Traceability and Security Features) Regulations 2019
11. Transitional provision: products marked before IP completion day
12. Saving of authentication elements notice

PART 4

Consequential Amendments

13. (1) The Standardised Packaging of Tobacco Products Regulations 2015 are...
Signature

SCHEDULE 1 — Amendment of Commission Implementing Regulation (EU) 2018/574

1. Amendment of Commission Implementing Regulation (EU) 2018/574
2. Chapter 1 (subject matter and definitions)
3. In Article 2 (definitions)— (a) in the first paragraph for...
4. Chapter 2 (technical specifications related to the Unique Identifier)
5. Omit Article 4 (competent ID issuers for generating and issuing...
6. In Article 5 (validity of unique identifiers and deactivation)—
7. In Article 6 (marking by means of unit level UIs)—...
8. In Article 7 (verification of unit level UIs)—
9. In Article 8 (structure of unit level UIs)—
10. In Article 9 (request and issuing of unit level UIs)—...
11. After Article 9 insert— Article 9A Request to pair associated...
12. In Article 10 (marking by means of aggregated level UIs)—...
13. In the heading to Article 11 (structure of aggregated level...
14. In Article 11— (a) in paragraph 1, omit “competent”,
15. In Article 12 (link between UI levels)—
16. In the heading to Article 13 (request and issuing of...
17. In Article 13— (a) in paragraph 1, omit “competent”,
18. Chapter 3 (identifier codes for economic operators, facilities and machines)
19. In Article 15 (issuing and registration of economic operator identifier...
20. In Article 16 (request for a facility identifier code)—
21. In Article 17 (issuing and registration of a facility identifier...
22. In Article 18 (request for a machine identifier code)—
23. In Article 19 (issuing and registration of a machine identifier...
24. In Article 20 (transfer of offline flat-files and registries)—
25. Chapter 4 (data carriers)

26. In Article 23(1) (human-readable code) for “repositories system” substitute “data...
27. Chapter 5 (repositories system)
28. In the heading to Article 24 (components of the repositories...
29. In Article 24— (a) in paragraph 1—
30. In the heading to Article 25 (general characteristics of the...
31. In Article 25— (a) in paragraph 1—
32. For the heading to Article 26 (primary repository) substitute “The...
33. In Article 26— (a) in paragraph 1—
34. For the heading to Article 27 (secondary repository) substitute “The...
35. In Article 27— (a) omit paragraph 1,
36. In the heading to Article 28 (coordination tasks of the...
37. In Article 28— (a) in paragraph 1—
38. In Article 29 (router)— (a) in paragraph 1 for “secondary”...
39. In the heading to Article 30 (costs of the repositories...
40. In Article 30— (a) in paragraph 1 for “repositories system”...
41. Omit Article 31 (deadline for the establishment of the repositories...
42. Chapter 6 (recording and transmitting)
43. In Article 33 (recording and transmission of transactional information)—
44. In Article 34(4) (time frame for transmission of required information),...
45. Chapter 7 (final provisions)
46. In Article 36 (security and interoperability of communications and data) —...
47. Omit— (a) Article 37 (transitional provisions), (b) Article 38 (entry...
48. In Annex 2— (a) after the heading—

SCHEDULE 2 — Amendment of the Commission Implementing Decision (EU) 2018/576

1. Amendment of the Commission Implementing Decision (EU) 2018/576
2. In Article 1, for “placed on the Union market” substitute...
3. In Article 2 for “Article 2 of Directive 2014/40/EU” substitute...
4. Omit Articles 3 to 7.
5. In Article 8— (a) in paragraph 1, for “Article 3(2)”...
6. Omit Articles 9 and 10.

SCHEDULE 3 — Amendment of the Tobacco Products (Traceability and Security Features) Regulations 2019

1. The 2019 Regulations are amended as follows.
2. Part 1 (preliminary)
3. In regulation 2— (a) in the definition of “authentication elements”...
4. In the heading to regulation 3, after “supplied in” insert...
5. In regulation 3— (a) in paragraph (1)—
6. Omit regulations 4 and 5.
7. Part 2 (prohibition from supply of non-compliant tobacco products)
8. Part 3 (traceability system)
9. Omit regulation 11.
10. In regulation 12(5), for “primary repository established by the applicant”...
11. Part 4 (security feature system)
12. For regulation 14, substitute— (1) HMRC may give written notice to a manufacturer or...
13. Part 5 (independence of service providers)
14. In regulation 16— (a) in paragraphs (1)(b) and (2)(b) for...
15. Part 6 (deactivation of identifier codes)

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16. Part 9 (administrative matters)

Explanatory Note