
STATUTORY INSTRUMENTS

2022 No. 1393

The Product Safety and Metrology (Amendment and Transitional Provisions) Regulations 2022

Amendment of the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016

16.—(1) The Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016⁽¹⁾ are amended as follows.

(2) In regulation 72A (transitional provision in relation to EU Exit) after paragraph (4) insert—

“(5) Subject to paragraph (6), where before 11pm on 31st December 2024—

- (a) a product has not been placed on the market or put into service; and
- (b) a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 13 of the ATEX Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 39.

(6) Paragraph (5) does not apply—

- (a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and
- (b) in any event, after 31st December 2027.”.

⁽¹⁾ [S.I. 2016/1107](#); they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by [S.I. 2019/696](#) and [S.I. 2021/1273](#); there are other amending instruments but none is relevant.