

SCHEDULE 14

Regulation 15

Amendment to the Measuring Instruments Regulations 2016

1. The Measuring Instruments Regulations 2016 are amended in accordance with paragraphs 2 to 8.

Commencement Information

II Sch. 14 para. 1 in force at 31.12.2020, see reg. 1(b)

Amendment to Part 1

2.—(1) In regulation 2(1)—

(a) in the following definitions for “EEA” substitute “ relevant ”

- (i) “accreditation certificate”;
- (ii) “market surveillance authority”;
- (iii) “notified body”

(b) in the definition of “authorised representative” for “European Economic Area” substitute “ relevant market ”;

(c) in the definition of “importer”—

- (i) in sub-paragraph (a) for “European Economic Area” substitute “ relevant market ”;
- (ii) in sub-paragraph (b) for “third country on the European Economic Area” substitute “ market outside of the relevant market on the relevant ”;

(d) after the definition of “national accreditation body” insert—

““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;”;

[<sup>F1</sup>(e) in the definition of “make available on the market” for “European Economic Area” substitute “relevant”];

[<sup>F2</sup>(ea) in the definition of “place on the market” for “market, in the European Economic Area” substitute “relevant market”];

(f) after the definition of “relevant economic operator” insert—

““relevant market” means—

- (a) the market in Northern Ireland; and
- (b) the market of the EEA states;

“relevant state” means—

- (a) Northern Ireland; or
- (b) any EEA state;”;

<sup>F3</sup>(g) .....

(2) In regulation 2(2) for “EEA” substitute “ relevant ”.

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the *The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020, SCHEDULE 14.* (See end of Document for details)

#### Textual Amendments

- F1** Sch. 14 para. 2(1)(e) substituted (31.12.2020 immediately before IP completion day) by [The Product Safety \(Toys and Cosmetics\) and Metrology \(Measuring and Non-automatic Weighing Instruments\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1486\)](#), regs. 1(3), **3(c)(i)**
- F2** Sch. 14 para. 2(1)(ea) inserted (31.12.2020 immediately before IP completion day) by [The Product Safety \(Toys and Cosmetics\) and Metrology \(Measuring and Non-automatic Weighing Instruments\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1486\)](#), regs. 1(3), **3(c)(ii)**
- F3** Sch. 14 para. 2(1)(g) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Product Safety \(Toys and Cosmetics\) and Metrology \(Measuring and Non-automatic Weighing Instruments\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1486\)](#), regs. 1(3), **3(c)(iii)**

#### Commencement Information

- I2** Sch. 14 para. 2 in force at 31.12.2020, see reg. 1(b)

#### Amendment to Part 2

3.—(1) In regulations 11(4), 12(3), 16, 19(3), 20(2), and 28(4) for “the United Kingdom” substitute “Northern Ireland”.

(2) In regulation 13(3) for “EEA” substitute “relevant”.

(3) In regulation 16 for “European Economic Area” substitute “relevant market”.

#### Commencement Information

- I3** Sch. 14 para. 3 in force at 31.12.2020, see [reg. 1\(b\)](#)

#### Amendment to Part 3

4.—(1) In regulation 47(2) for “the United Kingdom” substitute “Northern Ireland”.

(2) In regulation 48—

(a) in paragraph (1) for “a requirement of European Union legislation” substitute “an NI Protocol obligation”;

(b) in paragraph (2) before “Union” insert “relevant”.

#### Commencement Information

- I4** Sch. 14 para. 4 in force at 31.12.2020, see [reg. 1\(b\)](#)

#### Amendment to Part 5

5.—(1) In regulation 53—

(a) for “EEA” substitute “relevant” (three times);

(b) in paragraph (2)(b) —

(i) after “objections” insert “, other than an immaterial objection,”;

(ii) for “used.” substitute “used;”;

(c) after paragraph (2)(b) insert—

- “(c) in sub-paragraph (b), an “immaterial objection” is an objection on the grounds that—
  - (i) the conformity assessment body is established in the United Kingdom; or
  - (ii) the accreditation certificate was issued by the United Kingdom Accreditation Service.”.
- (2) In regulation 55 for “EEA” substitute “ relevant ” (twice).
- (3) In regulation 60(5) for “EEA” substitute “ relevant ”.

#### Commencement Information

**I5** Sch. 14 para. 5 in force at 31.12.2020, see [reg. 1\(b\)](#)

#### Amendment to Part 7

- 6.—(1) In regulation 63—
  - (a) in paragraph (6)—
    - (i) at the beginning insert “ Subject to paragraph (6A), ”;
    - (ii) for “the United Kingdom” substitute “ Northern Ireland ”;
    - (iii) for “EEA” substitute “ relevant ”;
  - (b) after paragraph (6) insert—

“(6A) Paragraph (6) does not require the Secretary of State to inform the Commission or the other relevant states where the non-compliance extends only to any of England or Wales or Scotland.”;
  - (c) in paragraph (7) for “the European Economic Area” substitute “ Northern Ireland ”;
  - (d) in paragraph (8)—
    - (i) after “on the market” insert “ in Northern Ireland ”;
    - (ii) after “from the market” insert “ in Northern Ireland ”;
  - (e) in paragraph (9) for “EEA States” substitute “ relevant states ”.
- (2) In regulation 64—
  - (a) in paragraph (1)—
    - (i) for “EEA State” in the first place in which it occurs substitute “ relevant state ”;
    - (ii) for “EEA States” substitute “ relevant states ”;
    - (iii) in sub-paragraph (b) for “instrument; and” substitute “ instrument. ”;
    - (iv) omit sub-paragraph (c).
  - (b) in paragraph (2) for “EEA” substitute “ relevant ”.
- (3) In regulation 65—
  - (a) in paragraph (2)(b) after “market” insert “ in Northern Ireland ”;
  - (b) in paragraph (3) for “EEA” substitute “ relevant ”.
- (4) In regulation 69—
  - (a) in paragraph (3)(a) after “market” insert “ in Northern Ireland ”;
  - (b) omit paragraph (6).

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020, SCHEDULE 14. (See end of Document for details)

**Commencement Information**

**I6** Sch. 14 para. 6 in force at 31.12.2020, see **reg. 1(b)**

**Amendment to Part 9**

7. In regulation 81(2) for “EEA” substitute “ relevant ”.

**Commencement Information**

**I7** Sch. 14 para. 7 in force at 31.12.2020, see **reg. 1(b)**

**Amendment to Schedules**

8.—(1) In Schedule 2—

- (a) in paragraph 2 for “EEA” substitute “ relevant ” (twice);
- (b) in paragraph 4 for “EEA” substitute “ relevant ” (twice);
- (c) in paragraph 7 for “EEA” substitute “ relevant ” (twice);
- (d) in paragraph 10 for “EEA” substitute “ relevant ” (twice);
- (e) in paragraph 12 for “EEA” substitute “ relevant ” (twice);

(2) In Schedule 5—

- (a) in paragraph 1 for “an EEA” substitute “ a relevant ”;
- (b) in paragraph 6(c) for “Union harmonisation legislation” insert “ any NI Protocol obligation ”;
- (c) in paragraph 9 for “EEA” substitute “ relevant ”;
- (d) in paragraph 10 after “legislation” insert “ as it applies in Northern Ireland under a NI Protocol obligation ”.

**Commencement Information**

**I8** Sch. 14 para. 8 in force at 31.12.2020, see **reg. 1(b)**

**Status:**

Point in time view as at 31/12/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020, SCHEDULE 14.