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STATUTORY INSTRUMENTS

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**2020 No. 1647**

**The Hazardous Substances and Packaging (Legislative Functions and Amendment) (EU Exit) Regulations 2020**

**PART 4**

Amendment of subordinate legislation: Northern Ireland

**The Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012**

**14.**—(1) The Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012 are amended as follows.

(2) In regulation 2—

- (a) in the definition of “CE marking” after “RAMS” insert “as amended from time to time before or after IP completion day”;
- (b) in the definition of “the Directive” for “Commission Delegated Directive (EU) 2019/178” substitute “Commission Delegated Directive 2019/1846”;
- (c) in the definition of “importer”—
  - (i) for “within the EU” substitute “in a relevant state”;
  - (ii) for “EU market” substitute “relevant market”;
- (d) in the following definitions for “EU” substitute “relevant”—
  - (i) “make available on the market”;
  - (ii) “place on the market”;
- (e) after the definition of “recall notice” insert—

““relevant market” means the market comprised of the market in Northern Ireland and the markets of the EEA states;

“relevant state” means Northern Ireland or any EEA state;”.

- (3) In regulation 3, in paragraphs (1) and (4), at the end insert “before or after IP completion day”.
- (4) In regulation 14, omit paragraph (4).
- (5) In regulations 20(b), 26(2)(b) and 30(2)(b), for “member States” substitute “relevant states”.
- (6) In regulation 22(1), for “the EU” substitute “a relevant state”.
- (7) In regulation 29, in paragraph (1)(b), for “Member State” substitute “relevant state”.
- (8) In regulation 42—
  - (a) omit paragraphs (1) and (2);
  - (b) in paragraph (5), omit “(or in Scotland, the Lord Advocate)”.
- (9) In regulation 43(2), omit the words from “(in England” to “(in Scotland)”.
- (10) In regulation 46(2), omit “other”.

(11) In Schedule 1, in paragraph 12, after “security of” insert “the United Kingdom or”.

### **The Packaging (Essential Requirements) Regulations 2015**

**15.**—(1) The Packaging (Essential Requirements) Regulations 2015 are amended as follows.

(2) In regulation 2(1)—

- (a) in the definition of “importer” for “the United Kingdom” substitute “Northern Ireland”;
- (b) in the definition of “responsible person”, in sub-paragraph (e), after “in” insert “Northern Ireland or”.

(3) In regulation 3(5), for the words from “provisions” to the end, substitute “provisions of the Hazardous Waste Regulations (Northern Ireland) 2005(1)”.

(4) In regulations 4(1) and 5(1), after “on the” insert “Northern Ireland or”.

(5) In regulation 7(1), omit sub-paragraph (a).

(6) In regulation 9—

- (a) in paragraph (1)(a)—
  - (i) omit paragraph (i);
  - (ii) in paragraph (ii), omit “Scotland or”;
- (b) in paragraph (1)(b), omit “Scotland or”;
- (c) in paragraph (2)—
  - (i) omit sub-paragraph (a);
  - (ii) in sub-paragraph (b), omit “Scotland or”.

(7) In regulation 10(2), omit the words from “(in England” to “(in Scotland)”.

(8) In regulation 12(2), omit “other”.

(9) In Schedule 2—

- (a) in paragraph 2(1)(b) and 2(2), after “established in” insert “Northern Ireland or”;
- (b) in paragraph 2(2), for “within” substitute “in Northern Ireland or”.

(10) In Schedule 3, in paragraph 2(1), for “within” substitute “in Northern Ireland or”.

(11) In Schedule 4—

- (a) in paragraph (1)—
  - (i) in sub-paragraph (c), omit “in England and Wales, and Northern Ireland,”;
  - (ii) omit sub-paragraph (d).