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STATUTORY RULES OF NORTHERN IRELAND

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**2017 No. 90**

The Equipment and Protective Systems  
Intended for Use in Potentially Explosive  
Atmospheres Regulations (Northern Ireland) 2017

**PART 6**

MISCELLANEOUS

**Transitional provisions**

**71.**—(1) A certificate issued, or approval granted, by a notified body under Schedule 6 to the 1996 Regulations, or any enactment of another [<sup>F1</sup>relevant state] which implemented the 1994 Directive, is to be treated as a certificate issued or approval granted under the ATEX Directive.

(2) Regulation 2(6) has no effect until the entry into force of any amendment made to Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement by a Decision of the EEA Joint Committee, inserting a reference to the ATEX Directive into that Annex.

**Textual Amendments**

- F1** Words in [reg. 71\(1\)](#) substituted (10.8.2023) by [The Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations \(Northern Ireland\) 2017 \(Amendment\) \(Northern Ireland\) Regulations 2023 \(S.I. 2023/861\)](#), regs. 1(b), **8(1)**

**[<sup>F2</sup>Transitional provision in relation to notification of conformity assessment bodies**

**71A.**—(1) Where paragraph (2) has effect, a conformity assessment body will be treated as having been notified by the Secretary of State pursuant to regulation 42(1)(a).

(2) This paragraph applies where a conformity assessment body was notified by the Executive, in accordance with regulation 42(1)(a) as it had effect prior to the commencement of the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations (Northern Ireland) 2017 (Amendment) (Northern Ireland) Regulations 2023.]

**Textual Amendments**

- F2** [Reg. 71A](#) inserted (10.8.2023) by [The Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations \(Northern Ireland\) 2017 \(Amendment\) \(Northern Ireland\) Regulations 2023 \(S.I. 2023/861\)](#), regs. 1(b), **8(2)**

**Changes to legislation:** *There are currently no known outstanding effects for the The Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations (Northern Ireland) 2017, PART 6. (See end of Document for details)*

### **Consequential amendments, revocations and savings**

**72.**—(1) The statutory provisions referred to in column 1 of Schedule 7 shall be amended to the extent specified in column 3 of that Schedule. In relation to a product placed on the market before the commencement date, the amendments in Schedule 7 do not apply.

(2) The statutory provisions referred to in column 1 of Schedule 8 shall be revoked to the extent specified in column 3 of that Schedule.

(3) The 1996 Regulations, the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres (Amendment) Regulations (Northern Ireland) 1999 <sup>M1</sup> and the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres (Amendment) Regulations (Northern Ireland) 2008 <sup>M2</sup> continue to apply, as if they had not been revoked, to a product placed on the market or put into service before the commencement date.

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#### **Marginal Citations**

**M1** S.R. 1999 No. 125

**M2** S. R. 2008 No. 422

**Changes to legislation:**

There are currently no known outstanding effects for the The Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations (Northern Ireland) 2017, PART 6.