

SCHEDULE 2

AMENDMENTS TO RETAINED DIRECT EU LEGISLATION

Regulation (EU) No 649/2012

151.—(1) Article 7 is amended as follows.

(2) In the heading—

- (a) after “PIC notification,” omit “and”;
- (b) after “PIC procedure” insert “, chemicals subject to Regulation (EC) No 850/2004, and chemicals already subject to an export ban”.

(3) For paragraph 1 substitute—

“1. The Secretary of State must include the following chemicals in the UK PIC list:

- (a) the chemicals subject to the export notification procedure under Article 8;
- (b) the chemicals qualifying for the PIC notification procedure under Article 11;
- (c) the chemicals subject to the PIC procedure as listed in Annex III to the Convention;
- (d) the chemicals subject to Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants; and
- (e) the chemicals other than persistent organic pollutants as listed in Annexes A and B to the Stockholm Convention on Persistent Organic Pollutants that are already subject to an export ban.”

(4) For paragraph 2 substitute—

“2. The Secretary of State must assign chemicals listed in the UK PIC list to one or more of the following groups:

- (a) Part 1 of the UK PIC list, which lists chemicals that are subject to the export notification procedure laid down in Article 8, with detailed information being given on the identity of the substance, on the use category and/or subcategory subject to restriction, the type of restriction and, where appropriate, additional information, in particular on exemptions to requirements for export notification;
- (b) Part 2 of the UK PIC list, which lists chemicals that, in addition to being subject to the export notification procedure laid down in Article 8, qualify for the PIC notification procedure set out in Article 11, with detailed information being given on the identity of the substance and on the use category;
- (c) Part 3 of the UK PIC list, which lists chemicals that are subject to the PIC procedure with the use category being given and, where appropriate, additional information, in particular on any requirements for export notification;
- (d) Part 4 of the UK PIC list, which lists chemicals that are subject to Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants;
- (e) Part 5 of the UK PIC list, which lists chemicals other than persistent organic pollutants as listed in Annexes A and B to the Stockholm Convention on Persistent Organic Pollutants and are already subject to an export ban.”

(5) In paragraph 3—

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Chemicals (Health and Safety) and Genetically Modified Organisms (Contained Use) (Amendment etc.) (EU Exit) Regulations 2019 No. 720*

- (a) for the words from the beginning to “made” substitute “The Designated National Authority must make the UK PIC list”;
- (b) for the words “by means of the Database” substitute “via its website”.