

SCHEDULE 2

AMENDMENTS TO RETAINED DIRECT EU LEGISLATION

Regulation (EU) No 528/2012

- 75.**—(1) Article 14 is amended as follows.
- (2) In paragraph 1—
- (a) omit “evaluating”;
 - (b) for “the Agency accepting” substitute “receiving”;
 - (c) for “13(3)” substitute “13”.
- (3) In paragraph 2—
- (a) omit “evaluating” in each place it occurs;
 - (b) in the second subparagraph—
 - (i) for “the Agency accepting” substitute “receiving”;
 - (ii) for “13(3)” substitute “13”;
 - (iii) for “Agency” substitute “Secretary of State and the Devolved Authorities”;
 - (c) in the third subparagraph—
 - (i) for “the Agency has accepted” substitute “it has received”;
 - (ii) for “fees payable under Article 80(2)” substitute “appropriate fees”.
- (4) In paragraph 3—
- (a) for “receipt of a recommendation from the evaluating competent authority” substitute “the completion of the evaluation conclusions”;
 - (b) for “Agency” substitute “competent authority”;
 - (c) for “Commission” substitute “Secretary of State and the Devolved Authorities”.
- (5) In paragraph 4—
- (a) for “Commission” substitute “Secretary of State”;
 - (b) for “Agency” substitute “competent authority”;
 - (c) for “adopt” substitute “issue”;
 - (d) in point (a), for “an implementing regulation” substitute “a decision”;
 - (e) in point (b), omit “an implementing” substitute “a”;
 - (f) omit the penultimate subparagraph.
- (6) After paragraph 4 insert—
- “**4A.** The competent authority shall update the UK List with details of the renewal of the approval of the active substance”
- (7) For paragraph 5, insert—
- “**5.** Where, for reasons beyond the control of the applicant, the approval of the active substance is likely to expire before a decision has been taken on its renewal, the Secretary of State shall issue a decision postponing the expiry date of approval for a period sufficient to enable the competent authority to examine the application.”
- (8) After paragraph 5, insert—

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*

“5A. A decision issued under paragraph 4 or 5 above is subject to the consent requirement.”

(9) In paragraph 6—

- (a) for “Commission” substitute “Secretary of State”;
- (b) for “Member States or, in the case of a Union authorisation, the Commission” substitute “competent authority”.