

This Statutory Instrument has been made in consequence of a defect in SI 2009/551 and is being issued free of charge to all known recipients of that Statutory Instrument.

S T A T U T O R Y I N S T R U M E N T S

2009 No. 1034

TRADE DESCRIPTIONS

**The Textile Products (Indications of Fibre Content)
(Amendment) (No. 2) Regulations 2009**

<i>Made</i> - - - -	<i>21st April 2009</i>
<i>Laid before Parliament</i>	<i>23rd April 2009</i>
<i>Coming into force</i> - -	<i>25th May 2009</i>

The Secretary of State makes these Regulations under the powers conferred by section 2(2) as read with paragraph 1A of Schedule 2 to the European Communities Act 1972(a).

The Secretary of State is a Minister designated(b) for the purposes of that Act in relation to measures relating to consumer protection.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Secretary of State that it is expedient for certain references to provisions of Community instruments to be construed as references to those provisions as amended from time to time.

Citation commencement and revocation

1. These Regulations may be cited as the Textile Products (Indications of Fibre Content) (Amendment) (No. 2) Regulations 2009 and shall come into force on 25th May 2009.

2. The Textile Products (Indications of Fibre Content) (Amendment) Regulations 2009(c) are revoked.

Amendment of the Textile Products (Indications of Fibre Content) Regulations 1986

3.—(1) The Textile Products (Indications of Fibre Content) Regulations 1986(d) are amended as follows.

(2) In regulation 4(1)—

(a) omit the definition “Directive 96/74/EC”;

(a) 1972. c.68. Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c.51).

(b) S.I. 1993/2661.

(c) S.I. 2009/551.

(d) S.I.1986/26 amended by S.I. 1988/1350, 1994/450, 1998/1169, 2005/1401, 2006/3297, 2008/6 and 2009/551.

- (b) after the definition of “the Act of 1968” insert—
 - ““Directive 2008/121/EC” means Directive 2008/121/EC of the European Parliament and of the Council of 14 January 2009 on textile names (recast);”(a);
 - (c) for the definition of “Annex 1” substitute ““Annex I” means Annex I (Table of textile fibres) to Directive 2008/121/EC;”;
 - (d) omit the definition “Annex II”; and
 - (e) after the definition of “Annex I” insert —
 - ““Annex V” means “Annex V (Agreed allowances used to calculate the mass of fibres contained in a textile product) to Directive 2008/121/EC;”.
- (3) In regulation 4(4) for “Annex II” substitute “Annex V”.
- (4) In regulation 8 for “Column 1 of Schedule 2” substitute “the column headed “Name” in Annex I”.
- (5) In Schedule 1 paragraph 7(3) for “Annex II” substitute “Annex V.”

21st April 2009

Gareth Thomas
Minister for Trade and Consumer Affairs
Department for Business, Enterprise and Regulatory Reform

(a) OJ L19 23.1.2009, p.29.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke the Textile Products (Indications of Fibre Content) (Amendment) Regulations 2009 and amend the Textile Products (Indications of Fibre Content) Regulations 1986 (“the principal Regulations”). The principal Regulations implemented Directive 96/74/EC of the European Parliament and of the Council on textile names (OJ No. L32, 3.2.97, p.38). That Directive has been amended on several occasions and has now been repealed and replaced by Directive 2008/121/EC of the European Parliament and of the Council on textile names (recast) (OJ. No.L19, 23.1.2009, p.29). There are no significant changes in Directive 2008/121/EC.

Directive 2008/121/EC sets out the names to be used for different types of textile fibres and fibre descriptions in Annex I and the percentage allowances to apply to fibre when determining composition of mixtures by weight in Annex V.

Regulation 3 provides for amendments to be made to the principal Regulations to refer to Directive 2008/121/EC and Annex I and Annex V as necessary. The references to Annex I and Annex V to Directive 2008/121/EC are to those annexes as amended from time to time.

An impact assessment has not been prepared in respect of these Regulations as they will have no impact on the costs to business. A revised transposition note is available from the Consumer and Competition Policy Directorate, Department for Business, Enterprise & Regulatory Reform, 1 Victoria Street, London SW1H 0ET and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website. A copy of the transposition note has been placed in the libraries of both Houses of Parliament.

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STATUTORY INSTRUMENTS

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(Amendment) (No. 2) Regulations 2009

£4.00

