

---

## STATUTORY INSTRUMENTS

---

# 2016 No. 1091

## The Electromagnetic Compatibility Regulations 2016

### PART 2

#### Obligations of economic operators

##### Authorised representatives

#### [<sup>F1</sup> Expiry of regulation 38A

**38B.**—(1) Subject to paragraph (2), regulation 38A ceases to have effect at the end of the period of [<sup>F2</sup>four years] beginning with IP completion day.

(2) Notwithstanding the expiry of regulation 38A—

- (a) any apparatus which was placed on the market pursuant to regulation 38A may continue to be made available on the market on or after the expiry of regulation 38A;
- (b) any obligation to which a person was subject under regulation 38A in respect of apparatus placed on the market pursuant to regulation 38A continues to have effect after the expiry of regulation 38A, in respect of that apparatus.]

#### Textual Amendments

**F1** Regs. 38A-38C inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), reg. 1, **Sch. 20 para. 24** (with Sch. 20 para. 33) (as amended by S.I. 2020/676, regs. 1(1), 2 and S.I. 2020/1460, reg. 1(4), **Sch. 3 para. 12(3)**); 2020 c. 1, **Sch. 5 para. 1(1)**

**F2** Words in reg. 38B(1) substituted (31.12.2022) by [The Product Safety and Metrology \(Amendment and Transitional Provisions\) Regulations 2022](#) (S.I. 2022/1393), regs. 1(1), 2, **Sch. 1 para. (j)**

**Changes to legislation:**

The Electromagnetic Compatibility Regulations 2016, Section 38B is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- reg. 38B substituted by [S.I. 2024/696 reg. 11\(4\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 74A(4)-(6) omitted by [S.I. 2024/696 reg. 11\(5\)](#)