

STATUTORY INSTRUMENTS

2016 No. 1153

The Measuring Instruments Regulations 2016

PART 7

MARKET SURVEILLANCE AND ENFORCEMENT

CHAPTER 1

MARKET SURVEILLANCE

EU safeguard procedure

64.—^{F1}(1) Where another ^{F2}[relevant state] has initiated the procedure under Article 42 of the Directive, the Market surveillance authority must without delay, inform the Commission and the other ^{F3}[relevant states] of—

- (a) any measures taken by a competent authority in respect of the regulated measuring instrument;
- (b) any additional information which the market surveillance authority has at its disposal relating to the lack of conformity of the regulated measuring ^{F4}[instrument.]

^{F5}(c)

(2) Where a measure taken by another ^{F6}[relevant] state in respect of a regulated measuring instrument is considered justified under Article 42 of the Directive, the market surveillance authority must ensure that appropriate measures to withdraw the instrument are taken in respect of the regulated measuring instrument without delay.

(3) If, pursuant to Article 43 of the Directive, the Commission considers a direction given pursuant to regulation 63(4) is unjustified, the market surveillance authority must forthwith withdraw it and notify other enforcement authorities and economic operators affected accordingly.]

Textual Amendments

- F1** Reg. 64 omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 27 para. 40** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in reg. 64(1) substituted (N.I.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112), reg. 1(b), **Sch. 14 para. 6(2)(a)(i)**
- F3** Words in reg. 64(1) substituted (N.I.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112), reg. 1(b), **Sch. 14 para. 6(2)(a)(ii)**
- F4** Word in reg. 64(1)(b) substituted (N.I.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112), reg. 1(b), **Sch. 14 para. 6(2)(a)(iii)**

Changes to legislation: There are currently no known outstanding effects for the The Measuring Instruments Regulations 2016, Section 64. (See end of Document for details)

- F5** Reg. 64(1)(c) omitted (N.I.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112), reg. 1(b), **Sch. 14 para. 6(2)(a)(iv)**
- F6** Word in reg. 64(2) substituted (N.I.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112), reg. 1(b), **Sch. 14 para. 6(2)(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Measuring Instruments Regulations 2016, Section 64.