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STATUTORY INSTRUMENTS

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**2019 No. 1347**

**The Cableway Installations (Amendment)  
(EU Exit) Regulations 2019**

**PART 3**

Amendment of retained direct EU legislation

**Amendments to Regulation (EU) 2016/424**

**12.** Regulation (EU) 2016/424 of the European Parliament and of the Council of 9 March 2016 on cableway installations and repealing Directive 2000/9/EC is amended in accordance with regulations 13 to 59.

**Commencement Information**

- I1** Reg. 12 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1](#)

**Amendment to Article 2**

**13.** In Article 2(2)—

- (a) in point (a) for “Directive 2014/33/EU” substitute “ the Lifts Regulations 2016 ”<sup>M1</sup> ;
- (b) in point (b) for “by Member States” substitute “ by the Cableway Installations Regulations 2018 ”.

**Commencement Information**

- I2** Reg. 13 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1](#)

**Marginal Citations**

- M1** [S.I. 2016/1093](#).

**Amendment to Article 3**

**14.** In Article 3—

- (a) in paragraph (10), omit “Union”;
- (b) in paragraph (11), omit “Union”;
- (c) in paragraph (14), omit “established within the Union”;
- (d) in paragraph (15)—

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Cableway Installations (Amendment) (EU Exit) Regulations 2019, PART 3. (See end of Document for details)

- (i) for “established within the Union” substitute “ established within the United Kingdom ”, and
- (ii) for “Union market” substitute “ market ”;
- (e) omit paragraph (19);
- (f) omit paragraph (21);
- (g) omit paragraph (26);
- (h) omit paragraph (27);
- (i) at the end insert—
  - “(28) ‘the EU Regulation’ means Regulation (EU) 2016/424 of the European Parliament and of the Council of 9 March 2016 on cableway installations and repealing Directive [2000/9/EC](#)<sup>M2</sup> as that Regulation has effect in EU law as amended from time to time;
  - (29) ‘the Executive’ means—
    - (a) in Great Britain, the Health and Safety Executive <sup>M3</sup>,
    - (b) in Northern Ireland, the Health and Safety Executive for Northern Ireland <sup>M4</sup>;
  - (30) ‘designated standard’ has the meaning given by article 3A;
  - (31) ‘RAMS’ means Regulation (EC) No [765/2008](#) of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No [339/93](#)<sup>M2</sup>;
  - (32) ‘UK marking’ means marking in the form published in accordance with Article 30(1) of RAMS.”.

#### Commencement Information

- I3** Reg. 14 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Marginal Citations

- M2** [2018 c. 16](#); the Secretary of State, as a Minister of the Crown, is an “appropriate authority” for the purposes of paragraph 1 of Schedule 4, by virtue of paragraph 2(1) of that Schedule.
- M3** Established under section 10 of the Health and Safety at [Work Act 1974 \(c. 37\)](#), as substituted by [S.I. 2008/960](#).
- M4** Formerly known as the Health and Safety Agency for Northern Ireland which was established under Article 12 of the Health and Safety at [Work \(Northern Ireland\) Order 1978 \(S.I. 1978/1039 \(N.I. 9\)\)](#). Article 3(1) of the Health and Safety at [Work \(Amendment\) \(Northern Ireland\) Order 1998 \(S.I. 1998/2795 \(N.I. 18\)\)](#) changed its name to the Health and Safety Executive for Northern Ireland.

#### Designated standards

15. After Article 3 insert—

*“Article 3A*

*Designated Standards*

1. For the purposes of this Regulation, a designated standard is a technical standard—
  - (a) which is adopted by the British Standards Institution for repeated or continuous application; and
  - (b) which has been designated by the Secretary of State by publishing its reference number in a manner the Secretary of State considers appropriate.
  
2. In this Article, a “technical standard” means a document that prescribes technical requirements to be fulfilled by a cableway installation, infrastructure, subsystem or safety component and which lays down one or more of the following—
  - (a) the characteristics required including—
    - (i) levels of quality, performance, interoperability, environmental protection, health, safety or dimensions, and
    - (ii) requirements applicable as regards the name under which a product is sold, terminology, symbols, testing and test methods, packaging, marking or labelling and conformity assessment procedures;
  - (b) production methods and processes where these have an effect on the characteristics of a product.
  
3. When considering whether the manner of publication of the reference number of a technical standard under paragraph 1(b) is appropriate, the Secretary of State must have regard to whether that manner will draw sufficient attention to the standard to all persons who may have an interest in it.
  
4. The Secretary of State may remove the reference number of a technical standard from publication and where such a reference number is removed, the technical standard is no longer a designated standard.
  
5. Harmonised standards, within the meaning of Article 3(19) of the EU Regulation, have effect as designated standards until the Secretary of State designates standards under this Regulation.”.

**Commencement Information**

- I4** Reg. 15 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1](#)

**Substitution of Article 5**

- 16.** For Article 5 substitute—

*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: There are currently no known outstanding effects for the The Cableway Installations (Amendment) (EU Exit) Regulations 2019, PART 3. (See end of Document for details)*

## *“Article 5*

### *Presumption of conformity of cableway installations*

Cableway installations which are in conformity with designated standards, or parts thereof, are presumed to be in conformity with the essential requirements set out in Annex 2 covered by those standards or parts thereof.”.

#### **Commencement Information**

**I5** Reg. 16 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### **Omission of Article 7**

**17.** Omit Article 7.

#### **Commencement Information**

**I6** Reg. 17 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### **Amendment to Article 8**

**18.** In Article 8(1), omit “, determined by a Member State in accordance with national law,”.

#### **Commencement Information**

**I7** Reg. 18 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### **Amendment to Article 9**

**19.** In Article 9—

- (a) omit paragraph 1;
- (b) in paragraph 2—
  - (i) omit “, determined by a Member State in accordance with national law,”; and
  - (ii) for “EU declaration” substitute “ declaration ”;
- (c) in paragraph 3, for “Member State concerned” substitute “ Secretary of State ”;
- (d) omit paragraphs 4 and 5.

#### **Commencement Information**

**I8** Reg. 19 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### **Omission of Article 10**

**20.** Omit Article 10.

**Commencement Information**

**I9** Reg. 20 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Amendment to Article 11**

**21.** In Article 11—

- (a) for “the EU declaration of conformity”, in each place it occurs, substitute “ the declaration of conformity ”;
- (b) in paragraph 2—
  - (i) for “an EU declaration of conformity” substitute “ a declaration of conformity ”, and
  - (ii) for “CE marking” substitute “ UK marking ”;
- (c) in paragraph 6, for “a language easily understood by users and the market surveillance authorities” substitute “ English ”;
- (d) in paragraph 7, for the words from “a language” to “Member State concerned” substitute “ English ”;
- (e) in paragraph 8, for the words from “competent national authorities” to “available on the market” substitute “ Executive ”;
- (f) in paragraph 9—
  - (i) for “a competent national authority” substitute “ the Executive ”, and
  - (ii) for “a language which can be easily understood by that authority” substitute “ English ”.

**Commencement Information**

**I10** Reg. 21 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Amendment to Article 12**

**22.** In Article 12(2)—

- (a) in point (a)—
  - (i) for “EU declaration” substitute “ declaration ”, and
  - (ii) for “national market surveillance authorities” substitute “the Executive”;
- (b) in point (b), for “a competent national authority” substitute “ the Secretary of State ”;
- (c) in point (c), for “competent national authorities, at their” substitute “Secretary of State, at the Secretary of State's”.

**Commencement Information**

**I11** Reg. 22 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: There are currently no known outstanding effects for the The Cableway Installations (Amendment) (EU Exit) Regulations 2019, PART 3. (See end of Document for details)*

### Amendment to Article 13

**23.** In Article 13—

- (a) in paragraph 2—
  - (i) for “CE marking” substitute “ UK marking ”,
  - (ii) for “EU declaration” substitute “ declaration ”, and
  - (iii) for “market surveillance authorities” substitute “ Executive ”;
- (b) in paragraph 3, for “a language easily understood by users and market surveillance authorities” substitute “ English ”;
- (c) in paragraph 4, for the words from “in a language” to the end substitute “ in English ”;
- (d) in paragraph 7, for the words from “competent national authorities” to “available on the market” substitute “ Secretary of State ”;
- (e) in paragraph 8—
  - (i) for “EU declaration” substitute “ declaration ”,
  - (ii) for “market surveillance authorities” substitute “ Executive ”, and
  - (iii) for “those authorities” substitute “ the Executive ”;
- (f) in paragraph 9—
  - (i) for “a competent national authority, provide it” substitute “ the Secretary of State, provide the Secretary of State ”, and
  - (ii) for “a language which can be easily understood by that authority” substitute “ English ”.

#### Commencement Information

**I12** Reg. 23 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

### Amendment to Article 14

**24.** In Article 14—

- (a) in paragraph 2—
  - (i) for “CE marking” substitute “ UK marking ”,
  - (ii) for “EU declaration” substitute “ declaration ”,
  - (iii) for “in a language which can be easily understood by users as determined by the Member State concerned,” substitute “ in English ”, and
  - (iv) for “market surveillance authorities” substitute “ Executive ”;
- (b) in paragraph 4, for the words from “competent national authorities” to “on the market” substitute “ Secretary of State ”;
- (c) in paragraph 5—
  - (i) for “a competent national authority, provide it” substitute “ the Secretary of State, provide the Secretary of State ”, and
  - (ii) for “that authority, at its”, substitute “the Secretary of State, at the Secretary of State's”.

**Commencement Information**

**I13** Reg. 24 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Amendment to Article 16**

**25.** In Article 16, for “market surveillance authorities” substitute “Executive”.

**Commencement Information**

**I14** Reg. 25 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Amendment to Article 17**

**26.** In Article 17, for the words from “harmonised standards” to “*European Union*” substitute “designated standards”.

**Commencement Information**

**I15** Reg. 26 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Amendment to Article 18**

**27.** In Article 18—  
(a) in paragraph 2, in point (a), for “EU-type” substitute “Type”;  
(b) in paragraph 3, for the words from “an official language” to the end, substitute “English”.

**Commencement Information**

**I16** Reg. 27 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Amendment to Article 19**

**28.** In Article 19—  
(a) in the heading, for “EU declaration” substitute “Declaration”;  
(b) in each other place it occurs, for “EU declaration” substitute “declaration”;  
(c) in paragraph 2, for the words from “and shall be translated” to the end, substitute “and be in English”;  
(d) for paragraph 3 substitute—

“**3.** Where a subsystem or a safety component is subject to more than one enactment requiring a declaration of conformity, a single declaration of conformity must be drawn

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up in respect of all such enactments. That declaration must contain the identification of the enactments concerned.”.

#### Commencement Information

**I17** Reg. 28 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Substitution of Article 20

**29.** For Article 20 substitute—

*“Article 20*

*Requirements of the UK marking*

The UK marking is subject to the requirements set out in Article 30 of, and Annex 2 to, Regulation (EC) No 765/2008<sup>M5</sup>.”.

#### Commencement Information

**I18** Reg. 29 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Marginal Citations

**M5** Article 30 of, and annex 2 to Regulation (EC) No 765/2008 are amended by Schedule 33 to [S.I. 2029/696](#).

#### Amendment to Article 21

**30.** In Article 21—

- (a) for “CE marking” in the heading, and in each place it occurs, substitute “UK marking”;
- (b) omit paragraph 5.

#### Commencement Information

**I19** Reg. 30 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Substitution of Article 22

**31.** For Article 22 substitute—

*“Article 22*

*Approval*

**1.** The Secretary of State may approve bodies to carry out third-party conformity assessment tasks under this Regulation.

2. The Secretary of State must—
  - (a) assign an approved body identification number to each approved body;
  - (b) compile and maintain a register of approved bodies containing in relation to each body—
    - (i) the approved body identification number,
    - (ii) details of the activities for which the body is approved, and
    - (iii) any restrictions on the activities for which the body is approved.
  
3. The register referred to in paragraph 2 must be made publicly available.”.

**Commencement Information**

**I20** Reg. 31 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Omission of Articles 23 to 25**

**32.** Omit Articles 23 to 25.

**Commencement Information**

**I21** Reg. 32 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Amendment to Article 26**

- 33.** In Article 26—
- (a) in the heading, for “notified” substitute “ approved ”;
  - (b) in paragraph 1—
    - (i) for “notification” substitute “ approval ”, and
    - (ii) for “paragraphs 2 to 11” substitute “ paragraphs 3 to 10 ”;
  - (c) omit paragraph 2;
  - (d) in paragraph 7, in point (c), for the words from “harmonised standards” to the end, substitute “ designated standards and of the relevant provisions of this Regulation and of the Cableway Installations Regulations 2018 ”;
  - (e) in paragraph 9, omit the words from “unless liability” to the end;
  - (f) in paragraph 10—
    - (i) omit “or any provision of national law giving effect to it”, and
    - (ii) for “competent authorities of the Member State in which its activities are carried out” substitute “ Secretary of State or the Executive ”;
  - (g) omit paragraph 11.

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#### Commencement Information

**I22** Reg. 33 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Amendment to Article 27

**34.** In Article 27—

- (a) the existing text becomes paragraph 1;
- (b) after the newly numbered paragraph 1 insert—

“2. In paragraph 1, expressions used are to be given the same meaning as in the EU Regulation.”.

#### Commencement Information

**I23** Reg. 34 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Amendment to Article 28

**35.** In Article 28—

- (a) in the heading, for “notified” substitute “ approved ”;
- (b) in paragraph 1—
  - (i) for “a notified” substitute “ an approved ”, and
  - (ii) for “notifying authority” substitute “ Secretary of State ”;
- (c) in paragraph 2, for “Notified” substitute “ Approved ”;
- (d) in paragraph 4—
  - (i) for “Notified” substitute “ Approved ”, and
  - (ii) for “notifying authority” substitute “ Secretary of State ”.

#### Commencement Information

**I24** Reg. 35 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Amendment to Article 29

**36.** In Article 29—

- (a) in the heading and in paragraph 1, for “notification” substitute “ approval ”;
- (b) in paragraph 1, for the words from “notifying authority” to the end, substitute “ Secretary of State ”;
- (c) in paragraph 2, for “a national accreditation body”, substitute “ the United Kingdom Accreditation Service ”<sup>M6</sup>.

#### Commencement Information

**I25** Reg. 36 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Marginal Citations

**M6** A company limited by guarantee incorporated in England and Wales under number 3076190; UKAS was appointed as the national accreditation authority for the United Kingdom by regulation 3 of the [Accreditation Regulations 2009 \(S.I. 2009/3155\)](#); by virtue of article 4 of RAMS (see the definition of that term in Article 3(31) of Regulation (EU) 2016/424, as inserted by regulation 14 of these Regulations) that appointment is to be treated on and after exit day as having been made in pursuance of the Secretary of State's duty to appoint a national accreditation body under paragraph 1 of article 4 of RAMS.

#### Omission of Articles 30 and 31

**37.** Omit Articles 30 and 31.

#### Commencement Information

**I26** Reg. 37 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Amendment to Article 32

**38.** In Article 32—

- (a) in the heading, for “notifications” substitute “ approvals ”;
- (b) in paragraph 1—
  - (i) for “a notifying authority” substitute “ the Secretary of State ”,
  - (ii) for “a notified”, substitute “ an approved ”,
  - (iii) for “the notifying authority” substitute “ the Secretary of State ”,
  - (iv) for “notification” substitute “ approval ”, and
  - (v) omit the second sentence;
- (c) in paragraph 2—
  - (i) for “the notified” substitute “ the approved ”,
  - (ii) for “notifying Member State” substitute “ Secretary of State ”,
  - (iii) for “another notified” substitute “ another approved ”, and
  - (iv) for “responsible notifying and market surveillance authorities” substitute “ Secretary of State and the Executive ”.

#### Commencement Information

**I27** Reg. 38 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Cableway Installations (Amendment) (EU Exit) Regulations 2019, PART 3. (See end of Document for details)

## Omission of Article 33

### 39. Omit Article 33.

#### Commencement Information

**I28** Reg. 39 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

## Amendment to Article 34

### 40. In Article 34—

- (a) in the heading, for “notified bodies” substitute “ approved bodies ”;
- (b) in paragraph 1, for “Notified bodies” substitute “ Approved bodies ”;
- (c) in paragraph 3—
  - (i) for “a notified body” substitute “ an approved body ”, and
  - (ii) for “corresponding harmonised standards” substitute “ corresponding designated standards ”;
- (d) in paragraph 4, for “a notified body” substitute “ an approved body ”;
- (e) in paragraph 5, for “the notified body” substitute “ the approved body ”.

#### Commencement Information

**I29** Reg. 40 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

## Amendment to Article 35

### 41. In Article 35—

- (a) in the heading, for “notified” substitute “ approved ”;
- (b) for “Notified” substitute “ Approved ”.

#### Commencement Information

**I30** Reg. 41 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

## Amendment to Article 36

### 42. In Article 36—

- (a) in the heading, for “notified bodies” substitute “ approved bodies ”;
- (b) in paragraph 1—
  - (i) in the opening words—
    - (aa) for “Notified bodies” substitute “ Approved bodies ”, and
    - (bb) for “notifying authority” substitute “ Secretary of State ”,
  - (ii) in point (b), for “notification” substitute “ approval ”,

- (iii) in point (c), for “market surveillance authorities” substitute “ the Executive ”, and
- (iv) in point (d), for “notification” substitute “ approval ”;
- (c) in paragraph 2—
  - (i) for “Notified bodies” substitute “ Approved bodies ”, and
  - (ii) for “notified under” substitute “ approved under ”.

**Commencement Information**

**I31** Reg. 42 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Omission of Articles 37 and 38**

**43.** Omit Articles 37 and 38.

**Commencement Information**

**I32** Reg. 43 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Amendment to Article 39**

**44.**—(1) In the Chapter heading before Article 39, and in the heading to that Article, omit “Union” in each place it occurs.

(2) In Article 39, for “Articles 16 to 29” substitute “ Articles 16 to 21 ”.

**Commencement Information**

**I33** Reg. 44 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Amendment to Article 40**

**45.**—(1) In the heading to Article 40, omit “at national level”.

(2) In Article 40—

(a) in paragraph 1—

(i) in the first subparagraph—

(aa) in the first sentence, for “market surveillance authorities of one Member State have” substitute “ Executive has ”, and

(bb) in the second sentence, for “market surveillance authorities” substitute “ Executive ”,

(ii) in the second subparagraph—

(aa) for “market surveillance authorities find” substitute “ Executive finds ”,

(bb) for “they shall” substitute “ it shall ”, and

(cc) for “they may” substitute “ it may ”, and

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Cableway Installations (Amendment) (EU Exit) Regulations 2019, PART 3. (See end of Document for details)

- (iii) in the third subparagraph—
  - (aa) for “market surveillance authorities” substitute “ Executive ”, and
  - (bb) for “notified body” substitute “ approved body ”;
- (b) omit paragraph 2;
- (c) in paragraph 3, omit “throughout the Union”;
- (d) omit paragraphs 4 to 8.

#### Commencement Information

**I34** Reg. 45 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Omission of Article 41

**46.** Omit Article 41.

#### Commencement Information

**I35** Reg. 46 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Amendment to Article 42

- 47.** In Article 42—
- (a) in paragraph 1—
    - (i) for “a Member State” substitute “ the Executive ”, and
    - (ii) for “it shall require” substitute “ the Executive must require ”;
  - (b) in paragraph 2, omit “throughout the Union”;
  - (c) omit paragraphs 3 to 5.

#### Commencement Information

**I36** Reg. 47 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Amendment to Article 43

- 48.** In Article 43—
- (a) in paragraph 1—
    - (i) in the opening words, for “a Member State” substitute “ the Executive ”,
    - (ii) in points (a) and (b), for “CE marking” in both places, substitute “ UK marking ”,
    - (iii) in point (c), for “notified” substitute “ approved ”, and
    - (iv) in points (d), (e) and (f), for “EU declaration” substitute “ declaration ”;
  - (b) omit paragraph 2.

**Commencement Information**

**I37** Reg. 48 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Omission of Articles 44 to 46**

**49.** Omit Articles 44 to 46.

**Commencement Information**

**I38** Reg. 49 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Post-withdrawal continuity provision**

**50.** Before Article 47 insert—

*“Article 46A*

*Post-withdrawal continuity provision*

- 1.** Paragraph 2 applies where, at any time before any technical standard has been adopted and designated as a designated standard in accordance with Article 3A—
  - (a) a subsystem or safety component has been assessed by a notified body in accordance with any of the EU conformity assessment procedures;
  - (b) an EU declaration of conformity has been drawn up in accordance with the EU Regulation in respect of that subsystem or safety component; and
  - (c) a CE marking has been affixed to that subsystem or safety component in accordance with the EU Regulation.
  
- 2.** Where this paragraph applies—
  - (a) a subsystem or safety component is to be treated as having been assessed in accordance with the equivalent conformity assessment procedure in Chapter 3 of this Regulation; and
  - (b) the EU declaration of conformity and the CE marking are to be treated for the purposes of this Regulation and any other enactment relating to cableway installations as if they were respectively a declaration of conformity under this Regulation and a UK marking.
  
- 3.** In this Article—
  - (a) “CE marking” has the same meaning as in Article 3(27) of the EU Regulation;
  - (b) “EU conformity assessment procedures” means the procedures provided for under Article 18(2) of the EU Regulation;
  - (c) “EU declaration of conformity” has the same meaning as in the EU Regulation;

**Status:** Point in time view as at 31/12/2020.

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- (d) “notified body” means a body notified to the Commission under Article 22 of the EU Regulation.”.

#### Commencement Information

**I39** Reg. 50 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Omission of applicability provision

**51.** After Article 48, omit “This Regulation shall be binding in its entirety and directly applicable in all Member States”.

#### Commencement Information

**I40** Reg. 51 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Amendment to Annex 2

**52.** In Annex 2, in point 7.1.1, for the words from “a language” to the end, substitute “ English ”.

#### Commencement Information

**I41** Reg. 52 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Amendment to Annex 3

**53.** In Annex 3—

- (a) in the heading, for “EU-type”, substitute “ type ”;
- (b) in point 1—
  - (i) for “EU-type” substitute “ Type ”, and
  - (ii) for “a notified body” substitute “ an approved body ”;
- (c) in point 2, for “EU-Type” substitute “ Type ”;
- (d) in point 3—
  - (i) in the first paragraph—
    - (aa) for “EU-type” substitute “ type ”, and
    - (bb) for “single notified body” substitute “ single approved body ”, and
  - (ii) in the second paragraph—
    - (aa) in subparagraph (b), for “other notified body” substitute “ other approved body ”, and
    - (bb) in subparagraph (d), for “The notified body” substitute “ The approved body ”;
- (e) in point 4—
  - (i) in the first paragraph, for “The notified body” substitute “ The approved body ”, and

- (ii) in points 4.2, 4.3 and 4.4, for “relevant harmonised standards” in each place, substitute “relevant designated standards”;
- (f) in point 5—
  - (i) for “The notified body” substitute “The approved body”,
  - (ii) for “the notifying authorities” substitute “the Secretary of State”, and
  - (iii) for “the notified body” substitute “the approved body”;
- (g) in point 6—
  - (i) in the first paragraph—
    - (aa) for “the notified body” substitute “the approved body”, and
    - (bb) for “an EU-type examination” substitute “a type examination”,
  - (ii) in the second paragraph, for “The EU-type examination” substitute “The type examination”, and
  - (iii) in the fourth paragraph—
    - (aa) for “the notified body” substitute “the approved body”, and
    - (bb) for “an EU-type examination” substitute “a type examination”;
- (h) in point 7—
  - (i) in the first paragraph—
    - (aa) for “The notified body” substitute “The approved body”, and
    - (bb) for “the notified body” substitute “the approved body”,
  - (ii) in the second paragraph—
    - (aa) for “the notified body” substitute “the approved body”, and
    - (bb) for “the EU-type” substitute “the type”, and
  - (iii) in the third paragraph—
    - (aa) for “The notified body” substitute “The approved body”,
    - (bb) for “the EU-type examination” substitute “the type examination”,
    - (cc) for “the notified body” substitute “the approved body”,
    - (dd) for “the original EU-type” substitute “the original type”, and
    - (ee) for “an EU-type” substitute “a type”;
- (i) in point 8—
  - (i) in the first paragraph—
    - (aa) for “Each notified body” substitute “Each approved body”,
    - (bb) for “its notifying authority”, in both places, substitute “the Secretary of State”, and
    - (cc) for “the EU-type” substitute “the type”,
  - (ii) in the second paragraph—
    - (aa) for “Each notified body” substitute “Each approved body”,
    - (bb) for “the other notified bodies” substitute “the other approved bodies”, and
    - (cc) for “the EU-type examination” substitute “the type examination”, and
  - (iii) in the third paragraph—
    - (aa) omit “Commission, the Member States and the”,

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- (bb) for “other notified bodies” substitute “ other approved bodies ”,
  - (cc) omit the words from “On request” to “carried out by the notified body”,
  - (dd) for “The notified body” substitute “ The approved body ”, and
  - (ee) for “the EU-type examination”, in both places, substitute “ the type examination ”;
- (j) in point 9—
- (i) for “the EU-type” substitute “ the type ”, and
  - (ii) for “the national authorities” substitute “ the Secretary of State ”.

#### Commencement Information

**I42** Reg. 53 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Amendment to Annex 4

**54.** In Annex 4—

- (a) in point 1, for “the EU-type examination” substitute “ the type examination ”;
- (b) in point 3—
  - (i) in point 3.1, in the second paragraph—
    - (aa) in subparagraph (b) for “other notified body” substitute “ other approved body ”, and
    - (bb) in subparagraph (e) for “the EU-type examination” substitute “ the type examination ”,
  - (ii) in point 3.2, for “the EU-type examination” substitute “ the type examination ”,
  - (iii) in point 3.3—
    - (aa) in the first paragraph, for “The notified body” substitute “ The approved body ”, and
    - (bb) in the second paragraph, for “relevant harmonised standard” substitute “ relevant designated standard ”, and
  - (iv) in point 3.5—
    - (aa) in the first paragraph, for “the notified body” substitute “ the approved body ”, and
    - (bb) in the second paragraph, for “The notified body” substitute “ The approved body ”;
- (c) in point 4—
  - (i) in the heading, for “the notified body” substitute “ the approved body ”,
  - (ii) in point 4.2, for “the notified body” substitute “ the approved body ”,
  - (iii) in point 4.3, for “The notified body” substitute “ The approved body ”, and
  - (iv) in point 4.4—
    - (aa) for “the notified body”, in both places, substitute “ the approved body ”, and
    - (bb) for “The notified body” substitute “ The approved body ”;
- (d) in point 5—

- (i) in the heading, for “CE marking and EU declaration” substitute “ UK marking and declaration ”,
- (ii) in point 5.1—
  - (aa) for “CE marking” substitute “ UK marking ”,
  - (bb) for “the notified body” substitute “ the approved body ”, and
  - (cc) for “the EU-type examination” substitute “ the type examination ”, and
- (iii) in point 5.2—
  - (aa) for “EU declaration of conformity”, in each place, substitute “ declaration of conformity ”, and
  - (bb) for “national authorities” substitute “ Secretary of State ”;
- (e) in point 6—
  - (i) for “national authorities” substitute “ Secretary of State ”, and
  - (ii) for “notified body” substitute “ approved body ”;
- (f) in point 7—
  - (i) in the first paragraph—
    - (aa) for “Each notified body” substitute “ Each approved body ”, and
    - (bb) for “its notifying authority”, in both places, substitute “ the Secretary of State ”,
  - (ii) in the second paragraph—
    - (aa) for “Each notified body” substitute “ Each approved body ”, and
    - (bb) for “the other notified bodies” substitute “ the other approved bodies ”,
  - (iii) omit the third paragraph, and
  - (iv) in the fourth paragraph, for “The notified body” substitute “ The approved body ”.

#### **Commencement Information**

**I43** Reg. 54 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### **Amendment to Annex 5**

- 55.** In Annex 5—
- (a) in point 1, for “the EU-type” substitute “ the type ”;
  - (b) in point 2, for “the EU-type” substitute “ the type ”;
  - (c) in point 3—
    - (i) in point 3.1—
      - (aa) in the first paragraph, for “the notified body” substitute “ the approved body ”,
      - (bb) in the second paragraph, in subparagraph (b), for “other notified body” substitute “ other approved body ”, and
      - (cc) in the second paragraph, in subparagraph (d), for “EU-type examination” substitute “ type examination ”, and
    - (ii) in point 3.2—

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- (aa) for “The notified body” substitute “ The approved body ”, and
- (bb) for “EU-type examination” substitute “ type examination ”;
- (d) in point 4—
  - (i) in point 4.1, in the first paragraph—
    - (aa) for “relevant harmonised standard(s) and/or equivalent tests set out in other relevant technical specifications” substitute “ relevant designated standards ”, and
    - (bb) for “EU-type examination” substitute “ type examination ”,
  - (ii) in point 4.1, in the second paragraph, for “a harmonised standard, the notified” substitute “ a designated standard, the approved ”, and
  - (iii) in point 4.2—
    - (aa) in the first paragraph, for “The notified body” substitute “ The approved body ”, and
    - (bb) in the second paragraph, for “national authorities” substitute “ Secretary of State ”;
- (e) in point 5—
  - (i) in point 5.2—
    - (aa) for “relevant harmonised standard(s)” substitute “ relevant designated standards ”,
    - (bb) for “EU-type examination” substitute “ type examination ”,
    - (cc) for “harmonised standard” substitute “ designated standard ”, and
    - (dd) for “notified body” substitute “ approved body ”,
  - (ii) in point 5.3—
    - (aa) in the second paragraph, for “The notified body” substitute “ The approved body ”, and
    - (bb) in the third paragraph, for “national authorities” substitute “ Secretary of State ”, and
  - (iii) in point 5.4—
    - (aa) for “notified body”, in both places, substitute “ approved body ”, and
    - (bb) for “competent authority” substitute “ Secretary of State ”;
- (f) in point 6—
  - (i) in the heading, for “CE marking and EU declaration” substitute “ UK marking and declaration ”,
  - (ii) in point 6.1—
    - (aa) for “CE marking” substitute “ UK marking ”,
    - (bb) for “notified body” substitute “ approved body ”, and
    - (cc) for “the EU-type examination” substitute “ the type examination ”, and
  - (iii) in point 6.2—
    - (aa) for “EU declaration”, in both places, substitute “ declaration ”,
    - (bb) for “national authorities” substitute “ Secretary of State ”,
    - (cc) for “If the notified body” substitute “ If the approved body ”, and
    - (dd) for “notified body's” substitute “approved body's”;

- (g) in point 7—
  - (i) for “If the notified body” substitute “ If the approved body ”, and
  - (ii) for “notified body's” substitute “approved body's”.

#### Commencement Information

**I44** Reg. 55 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(I\)](#)), see [reg. 1](#)

#### Amendment to Annex 6

- 56.** In Annex 6—
- (a) in point 3—
    - (i) in point 3.1—
      - (aa) in the first paragraph, for “the notified body” substitute “ the approved body ”, and
      - (bb) in the second paragraph, in subparagraph (b), for “other notified body” substitute “ other approved body ”, and
    - (ii) in point 3.2—
      - (aa) for “The notified body”, in both places, substitute “ The approved body ”,
      - (bb) for “relevant harmonised standards and/or equivalent tests set out in other relevant technical specifications” substitute “ relevant designated standards ”,
      - (cc) for “a harmonised standard” substitute “ a designated standard ”,
      - (dd) for “the notified body”, in each place, substitute “ the approved body ”,
      - (ee) for “same notified body” substitute “ same approved body ”,
      - (ff) omit the words from “On request” to “certificate of conformity”, and
      - (gg) for “national authorities” substitute “ Secretary of State ”;
  - (b) in point 4—
    - (i) in the heading, for “CE marking and EU declaration” substitute “ UK marking and declaration ”,
    - (ii) in point 4.1—
      - (aa) for “CE marking” substitute “ UK marking ”, and
      - (bb) for “notified body” substitute “ approved body ”, and
    - (iii) in point 4.2—
      - (aa) for “EU declaration”, in both places in the first paragraph, substitute “ declaration ”,
      - (bb) for “national authorities” substitute “ Secretary of State ”, and
      - (cc) omit “A copy of the EU declaration of conformity shall be made available to the relevant authorities upon request.”.

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**Changes to legislation:** There are currently no known outstanding effects for the The Cableway Installations (Amendment) (EU Exit) Regulations 2019, PART 3. (See end of Document for details)

### Commencement Information

**I45** Reg. 56 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

### Amendment to Annex 7

**57.** In Annex 7—

- (a) in point 3.1, in the first paragraph, and in the second paragraph in subparagraph (f), for “notified body” substitute “ approved body ”;
- (b) in point 3.2, in the third paragraph, in subparagraph (b), for “harmonised standards” substitute “ designated standards ”;
- (c) in point 3.3—
  - (i) in the first paragraph—
    - (aa) for “The notified body” substitute “ The approved body ”, and
    - (bb) for “harmonised standard” substitute “ designated standard ”, and
  - (ii) in the fifth paragraph, for “The notified body” substitute “ The approved body ”;
- (d) in point 3.5—
  - (i) in the first paragraph, for “the notified body” substitute “ the approved body ”, and
  - (ii) in the second paragraph, for “The notified body” substitute “ The approved body ”;
- (e) in point 3.6.1, for “notified body” substitute “ approved body ”;
- (f) in point 3.6.2, in the second paragraph, in subparagraph (b), for “other notified body” substitute “ other approved body ”;
- (g) in point 3.6.3—
  - (i) in the first paragraph—
    - (aa) for “The notified body” substitute “ The approved body ”, and
    - (bb) for “an EU design examination” substitute “ a design examination ”, and
  - (ii) in the third paragraph—
    - (aa) for “the notified body” substitute “ the approved body ”, and
    - (bb) for “an EU design examination” substitute “ a design examination ”;
- (h) in point 3.6.4—
  - (i) in the first paragraph—
    - (aa) for “The notified body” substitute “ The approved body ”, and
    - (bb) for “the notified body” substitute “ the approved body ”, and
  - (ii) in the second paragraph—
    - (aa) for “the notified body”, in both places, substitute “ the approved body ”, and
    - (bb) for “EU design examination”, in each place, substitute “ design examination ”;
- (i) in point 3.6.5—
  - (i) in the first paragraph—
    - (aa) for “Each notified body” substitute “ Each approved body ”,

- (bb) for “its notifying authority”, in both places, substitute “ the Secretary of State ”, and
  - (cc) for “the EU design examination” substitute “ the design examination ”,
- (ii) in the second paragraph—
  - (aa) for “Each notified body” substitute “ Each approved body ”,
  - (bb) for “other notified bodies” substitute “ other approved bodies ”, and
  - (cc) for “the EU design examination” substitute “ the design examination ”,
- (iii) for the third paragraph substitute—

“The other approved bodies may, on request, obtain a copy of the design examination certificates and any additions thereto.”, and
- (iv) in the fourth paragraph—
  - (aa) for “The notified body” substitute “ The approved body ”, and
  - (bb) for “the EU design examination” substitute “ the design examination ”;
- (j) in point 3.6.6—
  - (i) for “the EU design examination” substitute “ the design examination ”, and
  - (ii) for “national authorities” substitute “ Secretary of State ”;
- (k) in point 4—
  - (i) in the heading, for “the notified body” substitute “ the approved body ”,
  - (ii) in point 4.2, for “the notified body” substitute “ the approved body ”,
  - (iii) in point 4.3, for “The notified body” substitute “ The approved body ”, and
  - (iv) in point 4.4, for “the notified body”, in both places, substitute “ the approved body ”;
- (l) in point 5—
  - (i) in the heading, for “CE marking and EU declaration” substitute “ UK marking and declaration ”,
  - (ii) in point 5.1—
    - (aa) for “CE marking” substitute “ UK marking ”, and
    - (bb) for “the notified body” substitute “ the approved body ”, and
  - (iii) in point 5.2—
    - (aa) for “written EU declaration” substitute “ written declaration ”,
    - (bb) for “national authorities” substitute “ Secretary of State ”,
    - (cc) for “The EU declaration” substitute “ The declaration ”,
    - (dd) for “the EU design examination” substitute “ the design examination ”, and
    - (ee) for “A copy of the EU declaration of conformity shall be made available to the relevant authorities upon request.” substitute “ A copy of the declaration of conformity must be made available to the Executive upon request. ”;
- (m) in point 6—
  - (i) in the opening words, for “national authorities” substitute “ Secretary of State ”, and
  - (ii) in paragraph (d), for “the notified body”, substitute “ the approved body ”;
- (n) in point 7—
  - (i) in the first paragraph—
    - (aa) for “Each notified body” substitute “ Each approved body ”, and

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- (bb) for “its notifying authority”, in both places, substitute “ the Secretary of State ”,
- (ii) in the second paragraph—
  - (aa) for “Each notified body” substitute “ Each approved body ”, and
  - (bb) for “other notified bodies” substitute “ other approved bodies ”,
- (iii) omit the third paragraph, and
- (iv) in the fourth paragraph, for “The notified body” substitute “ The approved body ”.

#### Commencement Information

**I46** Reg. 57 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Amendment to Annex 8

- 58.** In Annex 8, in point 2—
- (a) for paragraph (c) substitute—
    - “(c) a list of the designated standards referred to in Article 17 applied in full or in part, and where those designated standards have not been applied, descriptions of the solutions adopted to meet the essential requirements of this Regulation including a list of other relevant technical specifications applied. In the event of partly applied designated standards, the technical documentation must specify the parts which have been applied;”;
  - (b) in paragraph (f), for “EU declarations” substitute “ declarations ”.

#### Commencement Information

**I47** Reg. 58 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Amendment to Annex 9

- 59.** In Annex 9—
- (a) in the heading, for “EU declaration” substitute “ Declaration ”;
  - (b) omit point 5;
  - (c) in point 6, for “relevant harmonised standards” substitute “ relevant designated standards ”;
  - (d) in point 7, for “notified body” substitute “ approved body ”.

#### Commencement Information

**I48** Reg. 59 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the The Cableway Installations (Amendment) (EU Exit) Regulations 2019, PART 3.