

## SCHEDULE 1

Amendments etc. of the principal Regulations and the 2007 Regulations

### PART 3

#### Transitional and saving provision

##### **Alert mechanism – saving provision**

**46.**—(1) This regulation applies where a designated competent authority has, before exit day, sent an alert under regulation 67 of the principal Regulations.

(2) Regulations 67 and 68 of the principal Regulations continue to apply on and after exit day as if not amended by Part 2, but subject to the modifications specified in sub-paragraph (3), in relation to—

- (a) the decision to send the alert; and
  - (b) any appeal made in relation to that decision.
- (3) The modifications to the principal Regulations are as follows—
- (a) regulations 67(1) to (6) are to be ignored;
  - (b) regulation 67(8) is to be read as if for “qualify the alert to show that it” there were substituted “notify the Commission that the alert”;
  - (c) regulation 67(9) is to be read as if for the words from “delete” to “it”, there were substituted “notify the Commission within three days of a decision revoking the alert”;
  - (d) regulation 68(5) is to be read as if for sub-paragraph (b) there were substituted—
    - “(b) allow the appeal and direct the designated competent authority to take such steps as the appeal body thinks fit to draw the findings of the appeal body to the attention of the European Commission.”.