

SCHEDULE 1

Amendments to the 2011 Regulation

PART 6

Amendments to Chapter 5

Amendments to Article 29

30. For Article 29 (designation, monitoring and evaluation of TABs), substitute—

“Article 29

Designation, monitoring and evaluation of TABs

1. A ‘TAB’ is a technical assessment body which:
 - (a) is designated as such by the Secretary of State under paragraph 3; or
 - (b) immediately before exit day was designated as such a body by the Secretary of State under this Article for one or several product areas.
2. Paragraph 1 is subject to Article 30(3) (withdrawal of designation).
3. The Secretary of State may designate a body established in the United Kingdom as a technical assessment body for one or several of the product areas listed in Table 1 of Annex 4.
4. The Secretary of State must make publicly available by electronic means the list of TABs indicating the product areas for which they are designated.
5. The Secretary of State must make any updates to that list publicly available.
6. The Secretary of State must monitor the activities and competence of the TABs and evaluate them in relation to the respective requirements set out in Table 2 of Annex 4.”.

Amendments to Article 30

31.—(1) Article 30 (requirements for TABs) is amended as follows.

(2) In paragraph 1, for “European” substitute “UK”.

(3) For paragraph 2, substitute—

“2. A TAB must:

- (a) work together with other TABs to develop UK Assessment Documents in accordance with Annex 2;
- (b) share any observations concerning another TAB not fulfilling its tasks in accordance with Article 21 and Annex 2 with the Secretary of State;
- (c) share examples of best practice with other TABs to promote greater efficiency and provide a better service to industry;
- (d) make publicly available its organogram and the names of the members of its internal decision-making bodies.”.

(4) In paragraph 3—

- (a) for “Member State” substitute “Secretary of State”;

Status: This is the original version (as it was originally made).

(b) omit “and inform the Commission and the other Member States thereof”.

Substitution of Article 31

32. For Article 31 (coordination of TABs), substitute—

“Article 31

Coordination of TABs

1. The TABs must make such arrangements as they consider appropriate to ensure the coordination of TABs and, if necessary, cooperation and consultation with other stakeholders.

2. If the TABs decide to establish a separate body having legal personality and established in the United Kingdom to facilitate the coordination of TABs, a responsible TAB may delegate its functions under the specified provisions in relation to developing and adopting UK Assessment Documents to that body.

3. The “specified provisions” are—

(a) Article 19(1);

(b) Article 22(1);

(c) Article 23;

(d) Article 24;

(e) Article 27;

(f) sections 2, 4, 5, 7, 8 (excluding the duty to communicate the draft UK Assessment Document to the manufacturer) and 9 of Annex 2.”.

Amendments to Article 32

33. For Article 32 (Union financing), substitute—

“Article 32

Financing

1. The Secretary of State may provide financial assistance to a TAB for the implementation of the tasks referred to in Articles 30(2) and 31.

2. Financial assistance may be provided in such form and on such terms as the Secretary of State considers appropriate.”.

Omission of Articles 33 to 35

34. Omit Articles 33 (financing arrangements) to 35 (protection of the Union’s financial interests).