

STATUTORY INSTRUMENTS

2019 No. 672

The Detergents (Amendment) (EU Exit) Regulations 2019

PART 3 U.K.

Amendment of retained direct EU legislation

U.K.

10.—(1) Article 7 is amended as follows.

(2) In the first sentence, for “Article 10(5) of Regulation (EEC) No 793/93”, substitute “ Article 13(4) of the REACH Regulation ”.

(3) In the fourth sentence—

(i) omit “or the Member State”;

(ii) for “Commission”, substitute “ Secretary of State ”.

(4) Omit the fifth sentence.

(5) At the end, insert the following paragraphs—

“For each case submitted, the Secretary of State must make a decision as to whether or not the relevant tests may be accepted. The Secretary of State must:

- make a decision within 90 days of receiving the manufacturer's submission;
- take appropriate expert advice and take that advice into account when coming to a decision;
- after taking a decision, promptly communicate it to the manufacturer concerned together with an explanation of the appeal process set out below.

If the Secretary of State decides that the relevant tests may not be accepted, the manufacturer may, within 14 days of having that decision communicated to it by the Secretary of State, appeal to the court against that decision.

On appeal, the court may—

- allow the appeal and rule that the tests may be accepted,
- allow the appeal but rule that the tests may only be accepted if conditions specified by the court are fulfilled, or
- dismiss the appeal.

(Article 18A makes further provision concerning appeals).”.

Commencement Information

- II** Reg. 10 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

Changes to legislation:

There are currently no known outstanding effects for the The Detergents (Amendment) (EU Exit) Regulations 2019, Section 10.