

## SCHEDULE 2

### AMENDMENTS TO RETAINED DIRECT EU LEGISLATION

#### **Regulation (EU) No 354/2013**

**179.** In Article 2, in paragraph 2—

- (a) for “Agency” in both places it occurs substitute “competent authority”;
- (b) for the second subparagraph substitute—

“The opinion shall be delivered within 45 days following receipt of the request and payment of the appropriate fee. In this Regulation ‘appropriate fee’ means the fee payable for the activity concerned in—

- (a) regulations made under section 43 of the Health and Safety at Work etc. Act 1974<sup>(1)</sup> where the competent authority is appointed in accordance with regulation 5 of the Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013<sup>(2)</sup>; or
- (b) regulations made under Article 40 of the Health and Safety at Work (Northern Ireland) Order 1978<sup>(3)</sup> where the competent authority is appointed in accordance with regulation 5 of the Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2013<sup>(4)</sup>.”

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(1) 1974 c. 37.  
(2) S.I. 2013/1506  
(3) S.I. 1978/1039 (N.I. 9).  
(4) S.R. 2013 No. 206.