

## SCHEDULE 2 **N.I.**

### Amendments to legislation in respect of Northern Ireland

7.—(1) The Electromagnetic Compatibility Regulations 2016<sup>M1</sup> are amended as follows.

(2) In regulation 2(1) after the definition of “technical specification” insert—

““UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020;”.

(3) In Part 3, after regulation 42 insert—

#### **“UK(NI) indication**

**42A.**—(1) Where the CE marking is affixed on the basis of an assessment or a certificate issued by a notified body established in the United Kingdom, a UK(NI) indication must be affixed in relation to the apparatus, in accordance with this regulation.

(2) The UK(NI) indication must be affixed—

- (a) visibly, legibly and indelibly; and
- (b) before apparatus is placed on the market in Northern Ireland.

(3) The UK(NI) indication must accompany the CE marking, wherever that is affixed in accordance with regulation 42.

(4) The UK(NI) indication must be affixed by—

- (a) the manufacturer; or
- (b) the manufacturer's authorised representative.

(5) When placing apparatus on the market in Northern Ireland, an importer must ensure that the manufacturer has complied with their obligations under this regulation.

#### **Register of UK notified bodies**

**42B.**—(1) The Secretary of State must ensure that—

- (a) each notified body established in the United Kingdom is assigned an identification number; and
- (b) there is a register of—
  - (i) notified bodies established in the United Kingdom;
  - (ii) their notified body identification number;
  - (iii) the activities for which they have been notified;
  - (iv) any restrictions on those activities.

(2) The Secretary of State must ensure that the register referred to in paragraph (1) is maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b).”.

(4) After regulation 59(1)(a) insert—

“(aa) the UK(NI) indication—

- (i) has not been affixed, in contravention of regulation 42A; or
- (ii) has been affixed other than in accordance with regulation 42A;”.

(5) In regulation 62—

**Changes to legislation:** There are currently no known outstanding effects for the *The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, Paragraph 7.* (See end of Document for details)

- (a) in paragraph (1) after “(2)” insert “ and (3) ”;
- (b) after paragraph (2) insert—

“ (3) A person guilty of an offence under regulation 61(2) insofar as the requirement relates to a UK(NI) indication is liable on summary conviction to a fine not exceeding level 5 on the standard scale.”.

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**Commencement Information**

- I1** Sch. 2 para. 7 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

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**Marginal Citations**

- M1** [S.I. 2016/1091](#), amended by [S.I. 2017/1206](#); amendments extending only to Great Britain are made prospectively with effect from IP completion day, by [S.I. 2019/696](#); the instrument was saved by virtue of section 2(2)(a) of the [European Union \(Withdrawal\) Act 2018 \(c.16\)](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020, Paragraph 7.