

SCHEDULE 5

Amendments to retained EU law in respect of authorised representatives

1.—(1) In the definition of “authorised representative” in the following provisions, for “EU” substitute “ United Kingdom ”

- (a) in regulation 2(1) of the Electromagnetic Compatibility Regulations 2016;
- (b) in regulation 2(4) of the Simple Pressure Vessels (Safety) Regulations 2016;
- (c) in regulation 2(1) of the Lifts Regulations 2016;
- (d) in regulation 2(1) of the Electrical Equipment (Safety) Regulations 2016 ^{M1};
- (e) in regulation 2(1) of the Pressure Equipment (Safety) Regulations 2016;

(2) In the definition of “authorised representative” in regulation 2(2) of the Supply of Machinery (Safety) Regulations 2008 for “an EEA state” substitute “ the United Kingdom ”.

(3) In the definition of “authorised representative” in regulation 2 of the Explosives Regulations 2014 ^{M2} for “within an EEA state” substitute “ in the United Kingdom ”.

(4) In the definitions of “authorised representative” in the following provisions for “within the European Economic Area” substitute “ in the United Kingdom ”

- (a) in regulation 2(1) of the Non-automatic Weighing Instruments Regulations 2016;
- (b) in regulation 2(1) of the Measuring Instruments Regulations 2016;

(5) For Article 2(4) of Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 substitute—

“4. “authorised representative” means a person who—

- (a) is established in the United Kingdom; and
- (b) has received a written mandate from a manufacturer to act on that manufacturer's behalf in relation to specified task with regard to the manufacturer's obligation under any relevant enactment;”.

(6) In the definition of “authorised representative” in the following provisions for “Union” substitute “ United Kingdom ”

- (a) in Article 3(5) of Regulation (EU) 2016/425 of the European Parliament and of the Council on personal protective equipment and repealing Council Directive 89/686/EEC;
- (b) in Article 2(18) of Regulation (EU) 2016/426 of the European Parliament and of the Council on appliances burning gaseous fuels and repealing Directive 2009/142/EC.

Commencement Information

- II** Sch. 5 para. 1 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)

Marginal Citations

- M1** S.I. 2016/1101, to which there are amendments not relevant to these Regulations; 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).
- M2** S.I. 2014/1638 as amended by S.I. 2016/315; 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 1.