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STATUTORY INSTRUMENTS

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**2020 No. 864**

**EXITING THE EUROPEAN UNION  
CONSUMER PROTECTION**

The Product Safety and Metrology etc. (EU  
Withdrawal and EEA EFTA Separation  
Agreements) (EU Exit) Regulations 2020

*Made* - - - - *13th August 2020*  
*Laid before Parliament* *17th August 2020*  
*Coming into force in accordance with regulation 1*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8B(1) and (2) of the European Union (Withdrawal) Act 2018<sup>(1)</sup>.

**Citation and commencement**

1. These Regulations may be cited as the Product Safety and Metrology etc. (EU Withdrawal and EEA EFTA Separation Agreements) (EU Exit) Regulations 2020 and come into force on IP completion day.

**Market surveillance**

2. For the purposes of Article 43 of the withdrawal agreement<sup>(2)</sup> and Article 41 of the EEA EFTA separation agreement<sup>(3)</sup>, the obligations of a market surveillance authority may be carried out by the Secretary of State.

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(1) 2018 c. 16 (“the 2018 Act”). Section 8B was inserted by section 18 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) (“the 2020 Act”).  
(2) See section 1A(6) of the 2018 Act. Section 1A was inserted by section 1 of the 2020 Act.  
(3) See section 7B(6) of the 2018 Act. Section 7B was inserted by section 6 of the 2020 Act.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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13th August 2020

*Paul Scully*  
Parliamentary Under Secretary of State  
Department for Business, Energy and Industrial  
Strategy

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers conferred by section 8B(1) and (2) of the European Union (Withdrawal) Act 2018 (c. 16), as amended by the European Union (Withdrawal Agreement) Act 2020 (c. 1), in order to support the implementation of the provisions in Part Three (separation provisions), Title I (goods placed on the market) of both the Withdrawal Agreement between the European Union and the United Kingdom, and the EEA EFTA Separation Agreement between the EFTA states (Iceland, the Principality of Liechtenstein and the Kingdom of Norway) and the United Kingdom.

Regulation 2 enables the Secretary of State to act as a market surveillance authority for the purposes of the exchange of information on market surveillance with the European Commission, the EFTA Surveillance authority and the market surveillance authorities in the relevant states as required by Articles 43 and 41 of the Withdrawal Agreement and EEA EFTA Separation Agreement respectively.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.