

Schedules

Schedule 3

Regulation 6

Excepted connectable products

Products made available to be supplied in Northern Ireland

1.—(1) Products are excepted under this paragraph if they are products to which relevant legislation applies and are made available for supply in Northern Ireland.

(2) For the purposes of this paragraph, “relevant legislation” means legislation that is—

(a) listed in Annex 2 to the Windsor Framework; and

(b) subject to sub-paragraph (3), contains a free movement article.

(3) Where the free movement article allows, for reasons not relating to aspects covered by the relevant legislation, Member States to prohibit, restrict, or impede the making available of the product where the product complies with the relevant legislation, that legislation must also address aspects covered by Schedule 1.

(4) In this paragraph—

“free movement article” means an article that does not permit Member States to prohibit, restrict, or impede the making available of the product where the product complies with that legislation;

“Windsor Framework” has the same meaning as in Joint Declaration No. 1/2023 of the EU and the United Kingdom in the Withdrawal Agreement Joint Committee of 24 March 2023.

Charge points for electric vehicles

2.—(1) Products are excepted under this paragraph if they are charge points to which the 2021 Regulations⁽¹⁾ apply.

(2) This paragraph has effect as if the 2021 Regulations extended to England and Wales, Scotland and Northern Ireland.

(3) For the purposes of this paragraph, the references to “Great Britain” in regulation 3(2)(b) of the 2021 Regulations are to be read as if they were references to “the United Kingdom”.

(4) In this paragraph—

“the 2021 Regulations” mean the Electric Vehicles (Smart Charge Points) Regulations 2021⁽²⁾;

“charge point” has the meaning given in section 9(1) of the Automated and Electric Vehicles Act 2018⁽³⁾.

(1) [S.I. 2021/1467](#).

(2) [S.I. 2021/1467](#).

(3) [2018 c. 18](#).

Status: This is the original version (as it was originally made).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

Medical devices

3.—(1) Products are excepted under this paragraph if they are products to which the Medical Devices Regulations 2002⁽⁴⁾ apply.

(2) But a relevant connectable product on which software to which those Regulations apply is installed or operable is not an excepted product under this paragraph.

Smart meter products

4.—(1) Products are excepted under this paragraph if they are products—

(a) supplied or installed by or on behalf of a person acting in their capacity as a licence holder under—

(i) section 7AB of the Gas Act 1986⁽⁵⁾ (licensing of a person providing a smart meter communication service); or

(ii) section 6 of the Electricity Act 1989⁽⁶⁾ (licences authorising supply, etc.); and

(b) that have been successfully assured under an assurance scheme.

(2) In this paragraph, “assurance scheme” means the commercial product assurance scheme administered by the National Cyber Security Centre or any other successor scheme.

Computers

5.—(1) Products are excepted under this paragraph if they are computers which are—

(a) desktop computers;

(b) laptop computers;

(c) tablet computers which do not have the capability to connect to cellular networks.

(2) But products listed in sub-paragraph (1) which, according to the manufacturer’s intended purpose, are designed exclusively for children under 14 years old are not excepted products.

(4) [S.I. 2002/618](#).

(5) [1986 c. 44](#). Section 7AB was inserted by regulation 21 of the Electricity and Gas (Smart Meters Licensable Activity) Order 2012 ([S.I. 2012/2400](#)).

(6) [1989 c. 29](#). Relevant amendments to section 6 were made by regulation 6 of the Electricity and Gas (Smart Meters Licensable Activity) Order 2012 ([S.I. 2012/2400](#)).