
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 2(1) and (2) of the Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Act 2024 (“the Act”) in order to implement Article 8.6 of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, signed at Santiago on 8 March 2018, including the UK Accession Protocol, as it has effect in the United Kingdom from time to time (“the CPTPP”).

All the legislation being amended currently includes a restriction on where relevant conformity assessment bodies can be established. This restriction is typically to the United Kingdom but in some legislation it is to Great Britain and in some legislation it also includes member States. In order to implement the requirement of paragraph 1 of Article 8.6 that each party to the CPTPP shall accord to conformity assessment bodies located in the territory of another party treatment no less favourable than that it accords to conformity assessment bodies located in its own territory or in the territory of any other party, these Regulations amend the provisions containing these establishment requirements to also include conformity assessment bodies which are established in the territory of a party to the CPTPP.

These Regulations also make other minor changes to some of the legislation being amended in order to implement Article 8.6 and to make supplementary provision. This includes making additional amendments to the Ammonium Nitrate Materials (High Nitrogen Content) Safety Regulations 2003 in order to require that competent laboratories, unless based in the European Union, must receive their accreditation from the United Kingdom Accreditation Service, following other changes made by these Regulations to permit competent laboratories to additionally be based in the territory of a party to the CPTPP.

This also includes additional amendments to [Regulation \(EU\) No 305/2011](#) (as assimilated into United Kingdom law), to require that certain requirements imposed on technical assessment bodies (“TABs”) are only imposed on TABs which are established in the United Kingdom. These requirements only include those requirements imposed on TABs which do not constitute conformity assessment activities and are therefore not within scope of Article 8.6 of the CPTPP.

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