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GOODS REGULATION WEBINAR

INFO IS ACCURATE AS
OF 5 NOV 2020

-  Check
-  Change
-  Go

Aims

1. Help you identify the actions you need to take
2. Show you where to find support, including on [gov.uk/transition](https://www.gov.uk/transition)





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Goods Regulation Webinar

This session covers changes to the domestic regime for goods that currently use the CE marking

Speaker: Benedict Lucken

Department for Business, Energy and Industrial Strategy: Trade and Investment Negotiations Directorate (Manufactured Goods)

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-  Change
-  Go

Placing goods on the market from 1 January 2021



New Approach

Goods with a CE marking may be placed on the UK market until 1 January 2022 e.g. Toys, PPE, machinery.

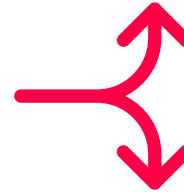
It is longer in some cases e.g. medical devices



Old Approach

Changes to existing standalone regulation models depend on specific goods.

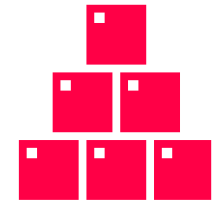
e.g. Chemicals, Vehicles, Aerospace



Non- Harmonised Goods

Mutual recognition will no longer apply to non-harmonised goods in GB.

e.g. Furniture



Other Goods

There are special rules for some goods including medical devices, construction products, civil explosives, and products requiring eco-design and energy labelling.

This presentation will focus on most new approach goods.
Sector specific guidance can be found on [gov.uk/transition](https://www.gov.uk/transition)

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Placing New Approach goods on the market

If you have already placed CE marked goods on the EU or UK markets before 1 January 2021, you do not need to take any action for those goods. Placing on the market refers to individual goods, not types of goods.

Placing CE marked goods on the GB market

- Businesses should take steps to prepare for the upcoming changes to the domestic regime at the earliest opportunity.
- CE marked goods that meet EU requirements can continue to be placed on the GB market in most cases until 1 January 2022.

Placing CE marked goods on the EU market

- If you are placing manufactured goods on the EU market you must take steps to ensure compliance with EU requirements by 1 January 2021.

Ensure New Approach goods are labelled correctly

CE

- If you self-certify or use an EU Notified Body, you can still use the CE marking until 1 January 2022 for goods placed on the GB market (more in some cases). In this case, you can use your EU Declaration of Conformity until 1 January 2022.
- The CE marking will still be required for products placed on the EU market.
- You can place the UKCA and CE marking on the same product if it is destined for both the GB and EU markets so long as the product meets the rules for both markets.

UK
CA

- From 1 January 2021 New Approach products assessed against GB rules by a GB 'Approved Body' will need the UKCA marking. In this case, you will need to use a UK Declaration of Conformity.
- If you currently self-certify for the CE mark, you can also do so for the UKCA mark.
- From 1 January 2021 the essential requirements and standards that can be used to demonstrate compliance to the UKCA marking will be the same as they are now for the CE marking.

Timeline for UKCA



From 1 January 2021

You can use the UKCA marking. In some cases, it will need to apply immediately. If so, you should get ready to use it before this date.

Until 1 January 2023

For most goods, you can affix the UKCA marking on a label affixed to the product or on an accompanying document.

From 1 January 2022

You will need to use UKCA for most goods* from 1st January 2022.

From 1 January 2023

The UKCA marking must, in most cases, be affixed directly to your product.

* The CE marking will continue to be recognised in GB until 30 June 2023 for medical devices. Make sure you consult the sector specific guidance.

Changes to conformity assessment bodies for New Approach goods

GB market



All UK-based 'Notified Bodies' will automatically become UK 'Approved Bodies' from 1 January 2021. You can find details of UK bodies on the EU NANDO database or the UKAS website.

If your product requires third-party conformity assessment this will need to be done by a UK-recognised body from 1 January 2022 (in most cases).

EU market



From 1 January 2021 mandatory conformity assessments by UK bodies will no longer be recognised in the EU (unless agreed in negotiations). Businesses should speak to their existing conformity assessment bodies to discuss options.

Take action to ensure products are market compliant

What does my business need to do now?

If you plan to put goods on both the UK and EU market, you should start preparing now:



Contact your notified bodies as soon as possible to understand your options for conformity assessments for the UK and EU markets.



Arrange for separate certificates for the UK and EU markets to be ready well in advance of 1 January 2022. There may be a requirement for a level of re assessment before the second certificate is issued so you should start planning as soon as possible.

Check your legal responsibilities for New Approach goods

Will my responsibilities change?

The responsibilities of ‘economic operators’ who deal with CE or UKCA marked goods will change from 1 January 2021. Economic operators include manufacturers, importers, distributors and authorised representatives.



Importers - A UK-based distributor of EU goods may become an ‘importer’ – and vice-versa. Compared to distributors, importers have a stronger duty to ensure products are compliant and often must ensure their address is on a product.



Authorised Representatives - must be based in GB or NI for the GB market. GB-based Authorised Representatives will no longer be recognised in EU. EU legislation coming into force on 16 July 2021 means you may need to appoint an EU representative if there is no other economic operator in place.

Check the rules for placing goods on the NI market



The Ireland/Northern Ireland Protocol comes into force from 1 January 2021. For as long as it applies, goods placed on the market in NI will need to meet relevant EU rules.

The CE marking will continue to be the relevant marking for most goods. If you self-certify for CE, you can continue to do this when placing goods on the NI market.

The CE marking will need to be accompanied by the UKNI marking if you use a UK Notified Body to assess against EU rules. You never apply the UKNI marking on its own.



If an EU Notified Body is used, you will only need to use the CE marking.

UKCA alone will not be valid for the NI market.

Placing Qualifying NI Goods on the GB market

The Government has guaranteed Unfettered Access* for Qualifying Northern Ireland Goods to the rest of the UK market.



This means that Qualifying Northern Ireland Goods marked with the CE marking or CE plus UKNI marking can be placed on the GB market.

For highly regulated goods (e.g. chemicals and medicines), which pose a particular risk to the consumer, some basic information will need to be provided to the GB regulator to place that good on the GB market.



We have already published guidance on Unfettered Access and are making more detailed guidance available soon.

** There will be only extremely limited exceptions to this, for example the movement of endangered species.*



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QUESTIONS

-  Check
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CHECK WHAT ACTIONS YOU NEED TO TAKE

-  Check
-  Change
-  Go

Time is running out

- The UK has now left the EU. Businesses need to be thinking about the actions they need to take to prepare for January 2021.
- From January 2021, this will be the beginning of a new relationship with the EU and a chance for the UK to set its own rules that benefit UK businesses.
- Although negotiations are ongoing, there are a number of actions businesses can take no matter the outcome.

Check what actions you need to take

If you want to find out what changes will apply to your business, use the checker tool for tailored advice:

- Visit [gov.uk/transition](https://www.gov.uk/transition);
- Answer a few questions to get a personalised list of actions for you and your business;
- Then sign up for emails to get updates when things change.

The UK transition

The UK has left the EU, and the transition period after Brexit comes to an end this year. Take action now to get ready for new rules from January 2021.



Take action and sign up for emails

Answer a few questions to get a personalised list of actions for you, your family, and your business. Then sign up for emails to get updates when things change.

Start now >

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Find out more about placing goods on the market

- For guidance on placing goods on the GB market visit www.gov.uk/guidance/placing-manufactured-goods-on-the-market-in-great-britain-from-1-january-2021
- For guidance on placing goods on the EU market visit www.gov.uk/guidance/placing-manufactured-goods-on-the-eu-market-from-1-january-2021
- For guidance on placing goods on the market in Northern Ireland or to goods moving between NI and GB: www.gov.uk/government/publications/moving-goods-under-the-northern-ireland-protocol
- For guidance on using the UKNI marking visit <https://www.gov.uk/guidance/using-the-ukni-marking-from-1-january-2021>
- For any queries regarding this guidance please email goodsregulation@beis.gov.uk

Find more information – QR Codes

Transition period



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Coronavirus support



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ACT NOW SO THAT YOUR BUSINESS IS
READY FOR **NEW RULES FROM 1 JAN 2021**

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