



UK
CA

The New UK Regulatory Regime For Goods (UKCA Marking)

BEIS & British Embassy in Spain
April 2022



Department for
Business, Energy
& Industrial Strategy

Contents



Aims of this session

- Overview of the UKCA marking and when it applies.
- Overview of the types of businesses affected.
- Using the UKCA marking in Great Britain and its equivalents in Northern Ireland.



What we'll cover

1. What is the UKCA marking
2. Placing Goods on the GB market
3. Economic Operators
4. Routes to Conformity Assessment
5. Placing Goods on the NI market
6. Further resources from BEIS

Transition to UKCA Marking



What marking applies?



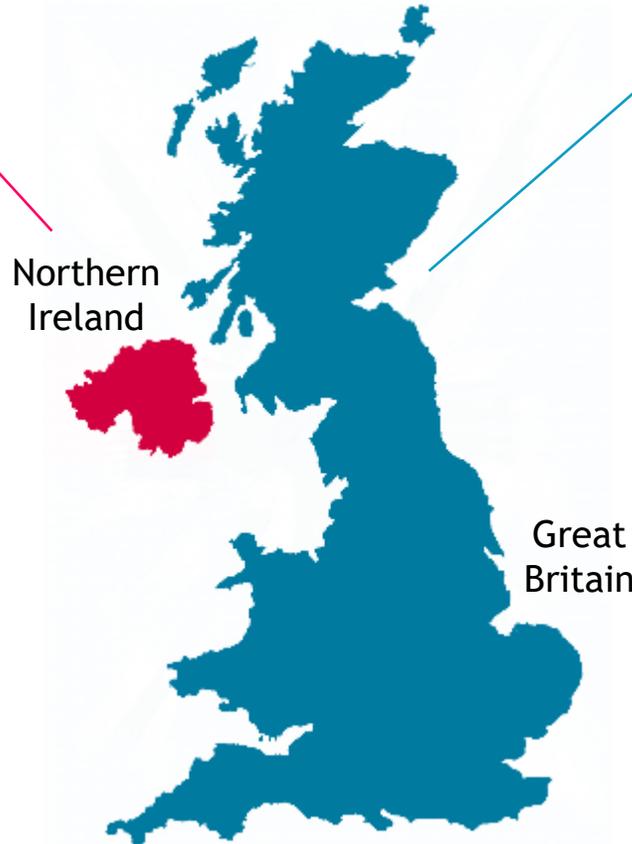
The United Kingdom of Great Britain and Northern Ireland



For the Northern Ireland market EU rules continue to apply under the Northern Ireland protocol. These rules are in place now.

The CE marking continues to be used for self assessed goods and those goods which are conformity assessed by an EU notified body.

The UKNI plus CE mark is used for goods which are conformity assessed by a UK approved body. The UKNI mark is always accompanied by the CE marking.



The UKCA mark will mandatory in Great Britain for goods placed on the market for the first time on and after 1 Jan 2023.

It applies to goods which used the CE and reverse epsilon markings.

It can be used now and until the 1 Jan 2023 the CE marking may be used.

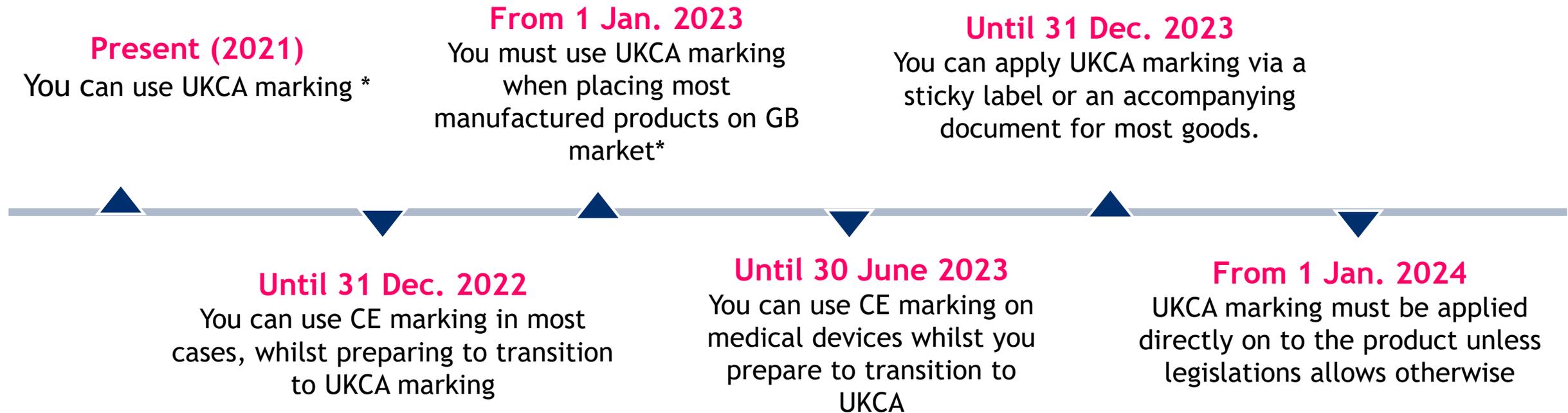
What is covered by the UKCA marking

- ✓ Toy safety
- ✓ Pyrotechnics
- ✓ Recreational craft and personal watercraft
- ✓ Simple pressure vessels
- ✓ Electromagnetic compatibility
- ✓ Non-automatic weighing instruments
- ✓ Measuring instruments
- ✓ Lifts
- ✓ ATEX
- ✓ Radio equipment
- ✓ Pressure equipment
- ✓ Personal protective equipment
- ✓ Gas appliances
- ✓ Machinery
- ✓ Equipment for use outdoors
- ✓ Eco-design
- ✓ Aerosols
- ✓ Low voltage electrical equipment
- ✓ Restriction of hazardous substances

Products covered by the UKCA marking but have some special rules

- Medical devices
- Rail interoperability
- Construction products
- Civil explosives

Timeline to Implement UKCA Marking



Placing goods on the market in GB



What is ‘placing goods on the market’?

An individual manufactured good is placed on the market when it is **first made available** for distribution, consumption or use on the GB market.



Manufacturers and importers are the only ‘economic operators’ to place goods on the market



Any other operation, such as supply from distributor to an end-user is defined as ‘**making available**’.



Putting into service takes place the first time a good is used by the end user in GB for its intended purpose.

Using UKCA to place goods on the market in Great Britain



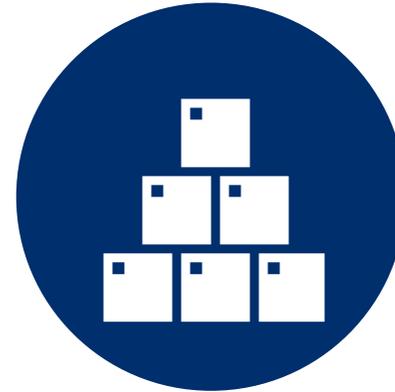
Check the appropriate route for conformity assessment

Use a UK conformity assessment body or self-assess and complete documentation



Draw up the appropriate technical documentation

You will need to have the right technical documentation to show your product is compliant



Apply the UKCA marking to your product

Ensure the UKCA marking is placed correctly to comply with product regulations



Place your product on the market

Check you understand the definition of placing products on the market

Components

- Manufacturers need to check whether components require individual marking before it is placed on the market in GB after 31 December 2022.
- If a GB importer brings components for assembly into a final good and marketed under their own name, the importer assumes the responsibilities of a manufacturer.
- For machinery, only completed machinery will need to be UKCA marked when placed on the market or put to service.

Example

When placing a product on the GB market **after** 31 Dec. 2022:



A radio fitted in a vehicle would require the UKCA marking will need to bear the UKCA marking if the vehicle (and therefore the radio) is placed on the GB market after 31 December 2022.

What is 'putting into service'?

The supply of machinery safety regulations also refer to the term 'putting into service', this is different from the placing on the market definition as set out below:



'Putting into service' takes place the first time a good is used in GB by the end user for its intended purpose. If legislation uses both terms, i.e. 'placing on the market' and 'putting into service', then the UKCA marking requirements must be met before the first of these two happens.

The timeline below outlines where this sits in a goods journey to the end user.



Defining Economic Operators & Responsibilities

including specific guidance for machinery



Check legal responsibilities for new approach goods



The responsibilities of 'economic operators' who deal with CE or UKCA marked goods changed on 1 January 2021. Economic operators include manufacturers, importers, distributors and authorised representatives.



UK-based distributors of EU goods may become 'importers' - and vice-versa. Compared to distributors, importers have additional duties to ensure products are compliant with product standards and 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 aren't recognised in the EU.

Defining economic operators



Manufacturer

Anyone who manufactures a product or has a product designed or manufactured and markets that product under its name or trademark.



Importer

A person who places goods from an external market onto the market that they are established and operate in.



Distributor

A person, other than the manufacturer, importer or the end user, who makes goods available on the market.



Authorised Representatives

A person who is business-appointed and mandated by the manufacturer to undertake specified tasks on behalf of the manufacturer.

Importer labelling

Reminder: You are an importer if you're the first person placing goods on the market in Great Britain from outside the UK.



Indicating your details, and postal address - usually a number, street, and postcode) on the good.



Until 31 December 2022, you may provide these details on the packaging or an accompanying document for certain goods coming from the EEA.



From 1 January 2023, importer details must be affixed directly on the product.

Machinery: Defining Economic Operators

The Supply of Machinery (Safety) regulations refer to manufacturers of the machinery or the manufacturers' authorised representative as 'responsible person'. This diverges from other product legislation.

The UK Government is reviewing the current machinery legislation and intends to update it following the OPSS product safety review and the changes to EU Supply of Machinery regulations are completed.

Robust market enforcement is in place to ensure products placed on the market are consistent to UK standards and goods imported which are inconsistent will be removed from the market.



Manufacturer

Individual or company who manufactures a good and markets that good under its name or trademark



Authorised Representatives/ Responsible Persons

A person appointed by the manufacturer in writing to carry out certain tasks under legislation.

Machinery: Responsibilities of Responsible Persons



The obligations of responsible persons (either the manufacturer or their authorised representative) under the supply of machinery legislation are that no responsible person shall place machinery on the GB market or put it into service unless it is safe. :



They must ensure that the essential health and safety requirements are satisfied in respect of it.



They must ensure that the technical file is compiled and made available on request.



They must provide information necessary to operate it safely.



They must ensure that the relevant conformity assessment procedure is carried out.



They must draw up a declaration of conformity and make sure that a copy of this accompanies the machinery.



They must affix the relevant conformity marking to the machinery.

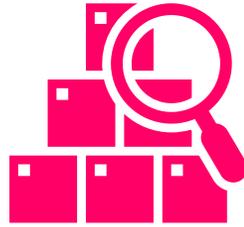


For partly completed machinery, the responsible person must also ensure that assembly instructions are prepared, and a declaration of incorporation is drawn up and that both accompany the partly completed machinery until it is incorporated.

Routes to Conformity Assessment



Routes to assessment: self-assessment



For the GB market:

You can self-declare for the UKCA mark in the same way you self declare for the CE mark.

For the NI market:

Self-declaration is unchanged, and you should continue to follow EU rules.

Routes to assessment: third party assessment



Check whether your product requires third party assessment or self-assessment. If you need third party conformity assessment, you should approach a UK approved conformity assessment body immediately.

Speak to a conformity assessment body to understand your options, especially if you sell products in multiple markets.



GB market: All UK-based 'Notified Bodies' have automatically become UK 'Approved Bodies' for the GB market as of 1 January 2021. You can find details of UK bodies on the UKMCAB database.

NI market: UK bodies approving for the NI market will remain 'Notified Bodies'. These 'Notified Bodies' can be based anywhere in the UK. EU bodies will continue to be recognised as competent to certify for the NI market.



EU market: As of 1 January 2021, mandatory conformity assessments by UK bodies are no longer recognised in the EU.

Documentation



You must keep documentation to demonstrate that your product conforms with the regulatory requirements. The information you must keep depends on the specific legislation which applies to your product and which 'economic operator' you are in the supply chain.



You must keep general records in the form of a technical file.



A UK Declaration of Conformity must be drawn up for most products lawfully bearing a UKCA marking.



DoC should include the name and address of the manufacturer (or authorised representative) alongside information about the product and the conformity assessment body (if relevant).

Placing goods on the NI market

You can use the CE mark or UKNI and CE mark



Placing goods on the NI market



1

The Northern Ireland Protocol is now in force. For as long as it applies, goods placed on the market in NI will need to meet relevant EU rules.

2

You can continue to use the CE marking if you either undertake self-assessment or use an EU notified body for third party conformity assessment.

3

You can also use a UK Approved body for third party conformity assessment. Your product will still be tested against EU rules and you will need to use both the UKNI and CE markings.

Key points

- You can never apply the UKNI marking on its own.
- Goods assessed by a UK approved body with the 'CE UKNI' marking are not valid for the EU market.
- If you use an EU Notified Body, you only need the CE marking.
- The UKCA marking will not be valid for the NI market.

Importer Responsibilities and NI



Placing goods on the NI market from GB or non-EU countries

- You are an importer if you bring goods into NI from GB or another non-EU country and place them on the NI market.
- Goods must be labelled with your details and the correct conformity assessment procedures have been carried out, among other responsibilities.



Placing goods on the GB market from outside the UK

- You are an importer if you are an NI business placing goods from outside the UK on the GB market. This includes goods that have been supplied to you from the EU that you want to sell in GB.
- Goods must be labelled with your details.

How BEIS can support and available resources



Webinars and GOV.UK guidance



Webinar programme on the New UK Regulatory Regime:

The Department for Business, Energy and Industrial Strategy is running a series of [Webinars](#) on the new UK regulatory regime for goods for businesses.

*These webinars are generally aimed at UK-based businesses, but also cover a number of topics that may be applicable to your business. Please visit the link to learn more and see which webinars and topics are upcoming”



Further guidance is available for businesses

- [Guidance](#) on using the UKCA marking
- [Guidance](#) on using the UKNI marking
- [Guidance on placing goods](#) on the market in Great Britain
- [Guidance on placing goods](#) on the market in Northern Ireland
- [A-Z of industry guidance](#) to understand requirements for product types.

Finding and understanding regulations

To understand the route to conformity assessment for your goods as well as other specific requirements will need to check industry guidance.



Guidance is available on GOV.UK in an A-Z of industry guidance from the Office for Product Safety and Standards.



GOV.UK has sets of regulations for each product type for the GB market and for NI market.



Product regulations note whether you can self-declare for your good, how to place the marking and any specific requirements



A woman with long brown hair and glasses is sitting at a workstation in a technical laboratory. She is focused on a laptop, with her hands on the keyboard. The workstation is part of a larger piece of equipment with a perforated metal back panel. Various cables and components are visible on the desk and hanging from the equipment. The background shows more of the laboratory environment with metal frames and equipment.

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More help can be found:

 www.gov.uk/ukca

 goodsregulation@beis.gov.uk



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Marking flowchart - Third Party conformity assessment now



Key

CAB - conformity assessment body

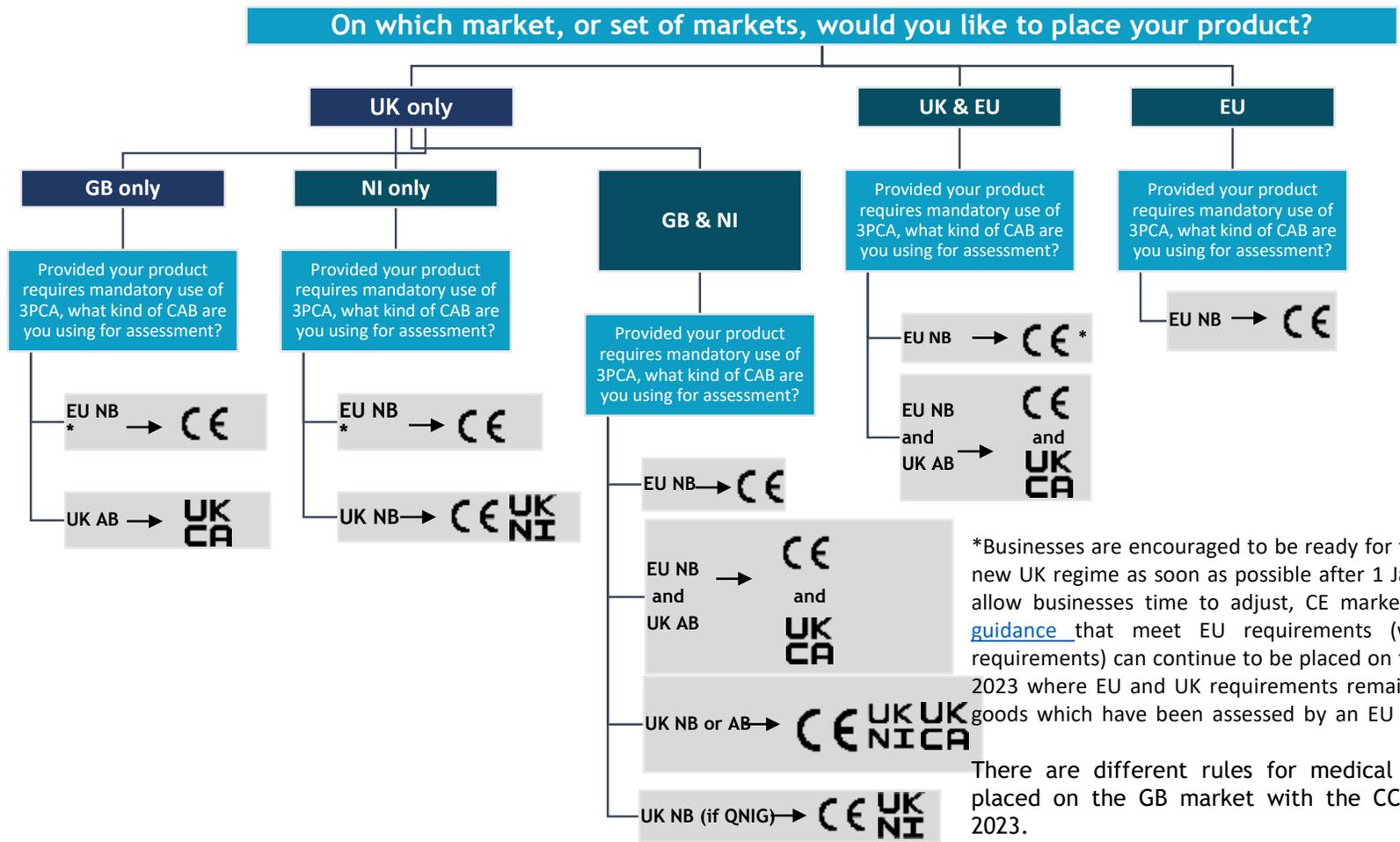
EU NB - EU Notified Body (notified as competent to apply the CE marking)

UK AB - UK Approved Body (approved as competent to apply the UKCA marking)

UK NB - UK Notified Body (notified as competent to apply the CE+UKNI marking)

QNIG - Qualifying Northern Ireland Good (see [this guidance](#) for further information on qualification)

3PCA - Third party conformity assessment



*Businesses are encouraged to be ready for full implementation of the new UK regime as soon as possible after 1 January 2021. However, to allow businesses time to adjust, CE marked goods in scope of [this guidance](#) that meet EU requirements (where these match UK requirements) can continue to be placed on the market until 1 January 2023 where EU and UK requirements remain the same. This includes goods which have been assessed by an EU recognised notified body.

There are different rules for medical devices which can be placed on the GB market with the CCE marking until 1 July 2023.

Marking flowchart - Third party conformity assessment from 1 January 2023



Key

CAB - conformity assessment body

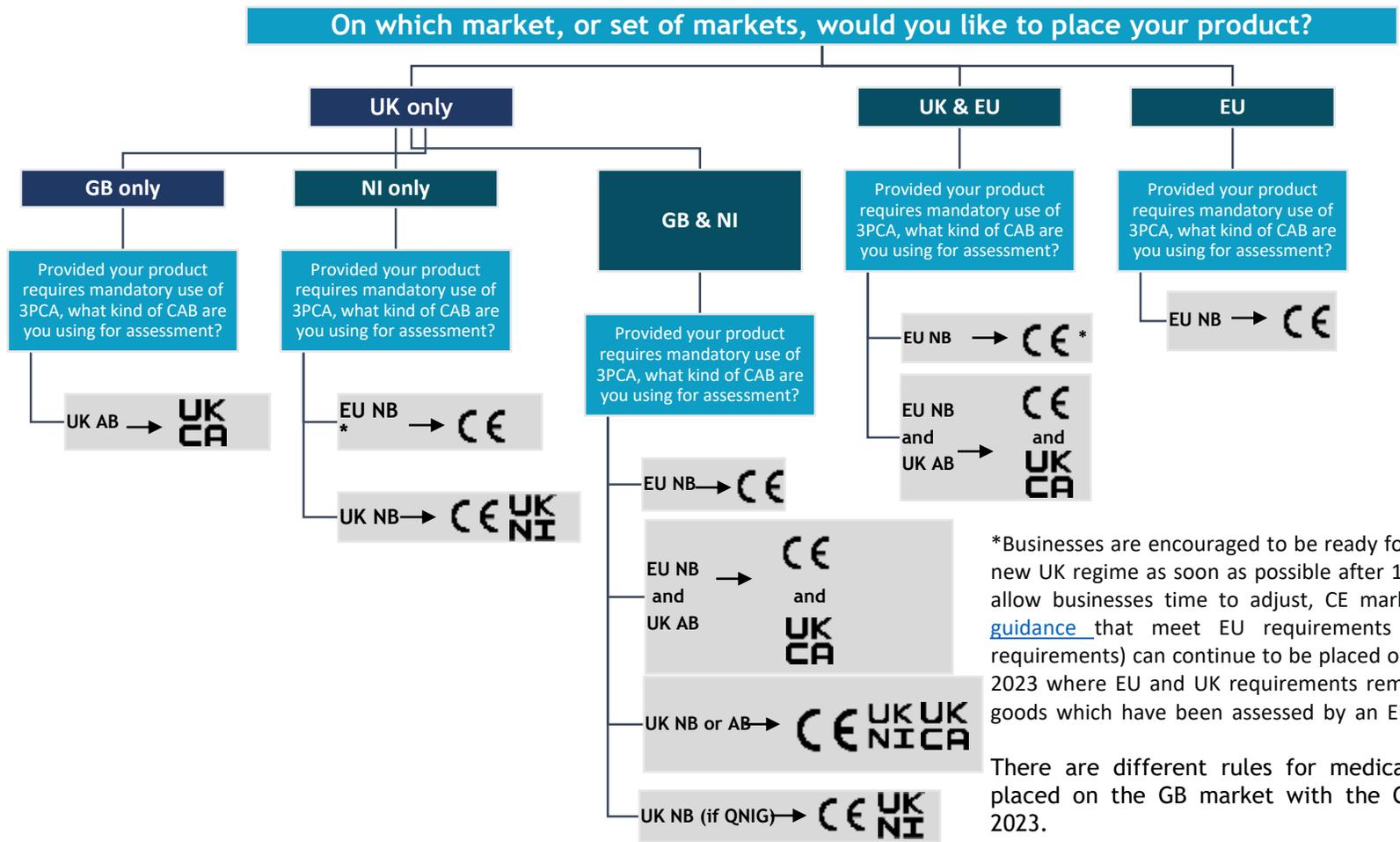
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