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Brexit: check how the new rules affect you

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Guidance

Using the UKCA marking

Find out if you need to use the UKCA marking and how to use it.

Published 31 December 2020

From:

Department for Business, Energy & Industrial Strategy (https://www.gov.uk/government/organisations/department-for-business-energy-and-industrial-strategy)

Applies to:

Wales, England, and Scotland

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The <u>UKCA</u> (UK Conformity Assessed) marking is a new UK product marking that is used for goods being placed on the market in Great Britain (England, Wales and Scotland). It covers most goods which previously required the <u>CE marking</u>.

The <u>UKCA</u> marking alone cannot be used for goods placed on the Northern Ireland market, which require the <u>CE marking</u> or UKNI marking. See the guidance on placing goods on the Northern Ireland market (https://www.gov.uk/guidance/placing-manufactured-goods-on-the-market-in-northern-ireland).

This guidance explains how to use the <u>UKCA</u> marking. For further information on placing these goods on the market, see the guidance on placing manufactured goods on the market in Great Britain (https://www.gov.uk/guidance/placing-manufactured-goods-on-the-market-in-great-britain).

Check whether you need to use the new **UKCA** marking

Selling goods in Great Britain

The <u>UKCA</u> marking applies to most goods previously subject to the <u>CE marking</u>. It also applies to aerosol products that previously required the 'reverse epsilon' marking.

The technical requirements ('essential requirements') you must meet – and the conformity assessment processes and standards that can be used to demonstrate conformity – are largely the same as they were for the <u>CE marking</u>.

The circumstances in which you can use self-declaration of conformity for <u>UKCA</u> marking are the same as for <u>CE marking</u>. Check the list of areas where self-declaration is permitted.

The <u>UKCA</u> marking came into effect on 1 January 2021. However, to allow businesses time to adjust to the new requirements, you will still be able to use the <u>CE marking</u> until 1 January 2022 in most cases.

In some cases, you need to apply the new <u>UKCA</u> marking to goods being sold in Great Britain immediately from 1 January 2021.

The <u>CE marking</u> is only valid in Great Britain for areas where <u>GB</u> and <u>EU</u> rules remain the same. If the <u>EU</u> changes its rules and you CE mark your product on the basis of those new rules you will not be able to use the <u>CE marking</u> to sell in Great Britain, even before 31 December 2021.

Check whether you will need to use the <u>UKCA</u> marking by reading the guidance on placing manufactured goods on the market in Great Britain (https://www.gov.uk/guidance/placing-manufactured-goods-on-the-market-in-great-britain).

There is separate guidance for medical devices (https://www.gov.uk/guidance/regulating-medical-devices-from-1-january-2021), rail interoperability (https://www.gov.uk/guidance/rail-transport-from-1-january-2021#interoperability-constituents), construction products (https://www.gov.uk/guidance/construction-products-regulation-from-1-january-2021) and civil explosives (https://www.hse.gov.uk/brexit/regulating-explosives.htm).

Selling goods in the <u>EU</u>

The <u>UKCA</u> marking is not recognised on the <u>FU</u> market. Products need a <u>CE marking</u> for sale in the <u>FU</u>. Find out how to use the <u>CE marking</u> (https://www.gov.uk/guidance/ce-marking).

When to use the **UKCA** marking

You only need to use the new <u>UKCA</u> marking before 1 January 2022 if all of the following apply. Your product:

- is for the market in Great Britain
- is covered by legislation which requires the <u>UKCA</u> marking
- requires mandatory third-party conformity assessment
- conformity assessment has been carried out by a UK conformity assessment body (https://www.gov.uk/guidance/conformity-assessment-bodies-change-of-status-from-1-january-2021)

This does not apply to existing stock, for example if your good was fully manufactured, CE marked and ready to place on the market before 1 January 2021. In these cases, your good can still be sold in Great Britain with a <u>CE marking</u> even if covered by a certificate of conformity issued by a UK body before 1 January 2021.

How to use the **UKCA** marking

Placing the **UKCA** marking

In most cases, you must apply the <u>UKCA</u> marking to the product itself or to the packaging. In some cases, it may be placed on the manuals or on other supporting literature. This will vary depending on the specific regulations that apply to the product.

The following general rules apply:

- <u>UKCA</u> markings must only be placed on a product by you as the manufacturer or your authorised representative (where allowed for in the relevant legislation)
- when attaching the <u>UKCA</u> marking, you take full responsibility for your product's conformity with the requirements of the relevant legislation
- you must only use the <u>UKCA</u> marking to show product conformity with the relevant UK legislation
- you must not place any marking or sign that may misconstrue the meaning or form of the <u>UKCA</u> marking to third parties
- you must not attach other markings on the product which affect the visibility, legibility or meaning of the <u>UKCA</u> marking
- the <u>UKCA</u> marking cannot be placed on products unless there is a specific requirement to do so in the legislation

Rules for using the **UKCA** image

You must make sure that:

- if you reduce or enlarge the size of your marking, the letters forming the <u>UKCA</u> marking must be in proportion to the version set out below
- the <u>UKCA</u> marking is at least 5mm in height unless a different minimum dimension is specified in the relevant legislation
- the <u>UKCA</u> marking is easily visible, legible (from 1 January 2023 it must be permanently attached)



- Download <u>UKCA</u> mark image files (fill)
 (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment
 _data/file/948773/ukca-mark-fill.zip) (ZIP, 818KB)
- Download <u>UKCA</u> mark image files (outline)
 (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment
 _data/file/948775/ukca-mark-outline.zip) (<u>ZIP</u>, 2.03MB)

Technical documentation

Record keeping

You, or your authorised representative (where allowed for in the relevant legislation), must keep documentation to demonstrate that your product conforms with the regulatory requirements. This must be kept for up to 10 years after the product is placed on the market.

This information can be requested at any time by market surveillance or enforcement authorities to check that your product conforms with the statutory requirements.

The information you must keep will vary depending on the specific legislation relevant to your product. You must keep general records of:

how the product is designed and manufactured

- how the product has been shown to conform to the relevant requirements
- the addresses of the manufacturer and any storage facilities

You should keep the information in the form of a technical file which can be supplied if requested by a market surveillance authority.

UK Declaration of Conformity

The UK Declaration of Conformity is a document which must be drawn up for most products lawfully bearing a <u>UKCA</u> marking.

In the document you as the manufacturer, or your authorised representative (where allowed for in the relevant legislation), should:

- declare that the product is in conformity with the relevant statutory requirements applicable to the specific product
- make sure the document has the name and address of the manufacturer (or your authorised representative) together with information about the product and the conformity assessment body (where relevant)

The UK Declaration of Conformity should be available to market surveillance authorities on request.

The information required on the Declaration of Conformity is largely the same as what was required on an <u>EU</u> Declaration of Conformity. This can vary depending on the application legislation but generally should include:

- your name and full business address or that of your authorised representative
- the product's serial number, model or type identification
- a statement, stating you take full responsibility for the product's compliance
- the details of the approved body which carried out the conformity assessment procedure (if applicable)
- the relevant legislation with which the product complies
- your name and signature
- the date the declaration was issued
- supplementary information (if applicable)

You will need to list:

- relevant UK legislation (rather than <u>FU</u> legislation)
 (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_dat a/file/913686/uk-eu-legislation.ods)
- UK designated standards (https://www.gov.uk/guidance/designated-standards) rather than standards cited in the Official Journal of the European Union

The UK standards are currently the same in substance and with the same reference as the standards used in the <u>EU</u>.

Future use of markings in the UK

From 1 January 2022, the <u>CE marking</u> will not be recognised in Great Britain for areas covered by this guidance and the <u>UKCA</u> marking. However, a product bearing the <u>CE marking</u> would still be valid for sale in the UK so long as it was also <u>UKCA</u> marked and complied with the relevant UK rules. Separate rules apply to medical devices.

More information

Product areas covered by the <u>UKCA</u> marking

- Toy safety
- 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
- Ecodesign
- Aerosols
- Low voltage electrical equipment
- Restriction of hazardous substances

Products covered by the <u>UKCA</u> marking but have some special rules:

- medical devices
- rail interoperability
- construction products
- civil explosives

Legislative areas where self-declaration of conformity for <u>UKCA</u> marking is permitted

Legislation	Scope of products which can be self-declared
Electromagnetic Compatibility Regulations 2016	All products
Toy (Safety) Regulations 2011	Products where all essential requirements are covered by designated standards and the manufacturer has applied these standards

Legislation	Scope of products which can be self-declared
The Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012	All products
Medical Devices Regulations 2002	Some Class I devices
Radio Equipment Regulations 2017	Products where all essential requirements are covered by designated standards and the manufacturer has applied these standards
The Pressure Equipment (Safety) Regulations 2016	Category I pressure equipment
Construction Products Regulations (Regulation (<u>EU</u>) 305/2011 as brought into UK law and amended)	Products within scope of System 4
Recreational Craft Regulations 2017	Certain categories of recreational craft as specified in the legislation
The Electrical Equipment (Safety) Regulations 2016	All products
The Supply of Machinery (Safety) Regulations 2008	Products where all essential requirements are covered by designated standards and the manufacturer has applied these standards
The Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016	Equipment-group II, equipment category 3
Personal Protective Equipment Regulations (Regulation (<u>EU</u>) 2016/425 as brought into UK law and amended)	Category I personal protective equipment

Transitional measures relating to the **UKCA** marking

For many product types (listed above), the following transitional measures apply.

Until 1 January 2023, for most goods (other than those subject to special rules) you have the option to affix the <u>UKCA</u> marking on a label affixed to the product or on an accompanying document. The economic operators (whether manufacturer, importer or distributor) should take reasonable steps to ensure the <u>UKCA</u> marking remains in place. Products that require the <u>UKCA</u> marking cannot be made available without it (other than where the <u>CE marking</u> is being used before 1 January 2022).

From 1 January 2023, the <u>UKCA</u> marking must, in most cases, be affixed directly to the product. You should start building this into your design process ready for this date.

Construction products, medical devices, interoperability of the rail system and transportable pressure equipment are covered by the <u>UKCA</u> marking, however the above transitional measures are not applicable.

Please check the product specific pages for updates.

Contact

If you have any queries or require further assistance regarding the <u>UKCA</u> mark, please contact goodsregulation@beis.gov.uk.

Published 31 December 2020

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Brexit

Check how the new Brexit rules affect you (https://www.gov.uk/transition)

Related content

- Placing manufactured goods on the market in Great Britain (https://www.gov.uk/guidance/placing-manufactured-goods-on-the-market-in-great-britain)
- Placing manufactured goods on the EU market (https://www.gov.uk/guidance/placing-manufactured-goods-on-the-eu-market)
- Designated standards (https://www.gov.uk/guidance/designated-standards)
- Regulating medical devices in the UK (https://www.gov.uk/guidance/regulating-medicaldevices-in-the-uk)
- CE marking (https://www.gov.uk/guidance/ce-marking)

Detailed guidance

Placing manufactured goods on the market in Great Britain
 (https://www.gov.uk/guidance/placing-manufactured-goods-on-the-market-in-great-britain)

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