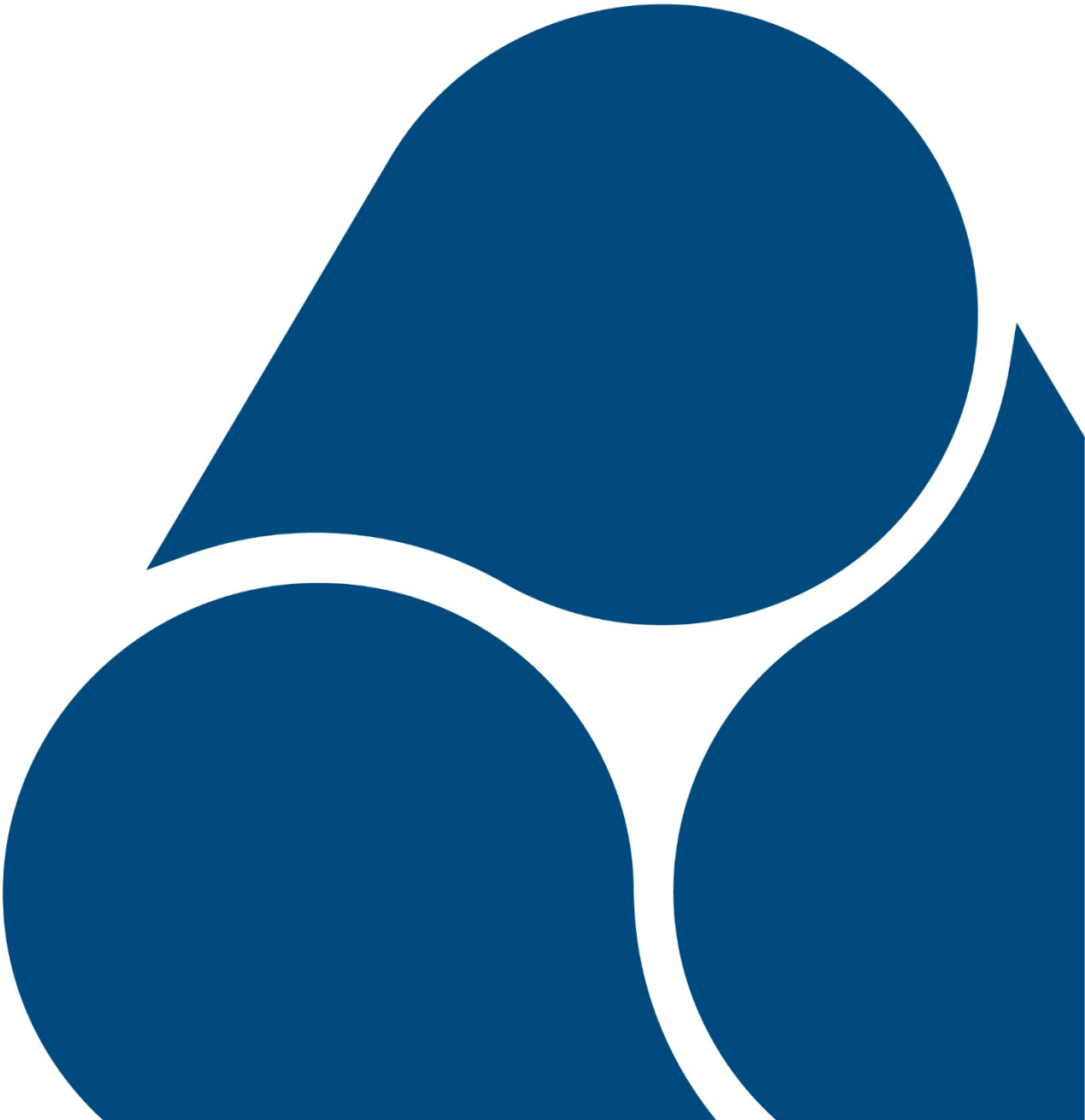
Office for Product Safety & Standards

UK Product Safety and Metrology What's changed from 1 January 2021 in relation to Great Britain?

December 2020



UK Product Safety and Metrology Guidance for the market of Great Britain (England, Scotland and Wales) – what's changed from 1 January 2021?

So, what's changing from 1 January 2021[1] in relation to product safety and metrology in Great Britain (England, Scotland and Wales)?

From 1 January 2021, the European Union (Withdrawal) Act 2018 comes into effect, retaining EU-derived legislation, including product safety and metrology legislation, in domestic UK law.

The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019[2], amend this retained legislation to address deficiencies that would arise from the UK's withdrawal from the EU (such as references to EU institutions) and will make specific provision for the GB market from 1 January 2021.

The Regulations will not otherwise introduce a new policy approach on product safety or legal metrology and the changes they will make are limited.

Here are the key things to note, with sections below on the specific product safety and metrology legislation amended by the Regulations. Click on the links below to find the legislation you are looking for.

Key facts

1. **Parliament has only altered those legal provisions in UK regulations and the EU law now incorporated into UK law that would not work effectively from 1 January 2021, when the Transition Period ends, without changes.** This ensures a functioning regulated UK market from 1 January 2021.
2. **The safety and other technical requirements have not changed.**
3. **Products lawfully placed on the European Economic Area (EEA) or UK markets before 1 January 2021 can continue to circulate in the UK (see paragraph A).**
4. **Lawfully CE marked products will continue to be accepted on the GB market until 31 December 2021 (see paragraph A).**
5. **Products being placed on the GB market for the first time from 1 January 2021 must meet the same technical requirements as before – but labelling or notification requirements may have changed (see paragraph B).**

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1 The Implementation or Transition Period officially ends at 11pm on 31 December 2020; therefore references to 1 January 2021 should be read as meaning 11pm on 31st December 2020.

2 As amended by the Product Safety and Metrology etc. (Amendment to Extent and Meaning of Market) (EU Exit) Regulations 2020, the Product Safety and Metrology (Amendment) (EU Exit) Regulations 2020, the Product Safety and Metrology etc. (EU Withdrawal and EEA EFTA Separation Agreements) (EU Exit) Regulations 2020, and the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020.

6. **There is a new UK Conformity Assessed marking ("UKCA") which should be used for products placed on the GB market as soon as possible and at the latest for any product placed on the market after 31 December 2021.**

7. **The UK continues to recognise goods that meet EU requirements, including assessment by EU recognised Notified Bodies and CE marking, for goods placed on the GB market until 31 December 2021** (see paragraph C), so manufacturers and importers can place goods on the GB market lawfully bearing the CE marking where they have been assessed by an EU recognised Notified Body (where required), for a further 12 months from the end of the transition period**.**

8. **The UK is publishing a list of references to designated standards.** These have the same function as harmonised standards and give presumption of conformity to legal requirements (see paragraph C). As at 1 January 2021, these designated standards will be the same as the harmonised standards.

9. From 1 January 2021, the role and responsibilities of the manufacturer will be unchanged. However, **some UK businesses which bring products into Great Britain from an EEA State (or Switzerland) and who were previously "distributors" from 1 January 2021 become "importers" acquiring new legal duties**, including complying with an enhanced set of requirements to check product compliance as well as to keep documentation and ensure their address appears on the product. There is a 24-month transitional period for these "new" importers during which they can put their details on documentation accompanying the product, rather than on the product itself. The same will apply to imports from Switzerland for certain products, for the same 24- month period. Cosmetic products that have the information of the EU responsible person on the container and packaging will be allowed on the UK market for 2 years starting from 1 January 2021, after which the container and packaging will need to bear the name and address of the UK responsible person[3].

10. The government has committed to providing unfettered access for **qualifying Northern Ireland goods** to the GB market after 1 January 2021. Products that can be placed on the market in Northern Ireland in accordance with the legislation, as it applies to Northern Ireland, can be sold in the rest of the UK without any additional approvals.

    This means that products that are qualifying Northern Ireland goods can be sold in the rest of the UK if any of the following apply:

    a. the CE marking is lawfully applied to the good on the basis of self-declaration
    b. any mandatory third-party conformity assessment was carried out by an EU-recognised notified body (including a body in a country with which the EU has a relevant mutual recognition agreement) and a CE marking is affixed
    c. the certificate of conformity previously held by a UK approved body has been transferred to an EU-recognised notified body and a CE marking has been affixed

[3] The EU will not have a transitional period and so cosmetic products manufactured in Great Britain but being exported to the EU (or supplied in Northern Ireland) will need immediately from 1 January 2021 to have the address of the relevant EU/ NI responsible person on the cosmetic products.

d. any mandatory third-party conformity assessment was carried out by a UK-based body, and the good is therefore marked with the CE marking and with the new UKNI marking

This will be the case even if there are changes between the EU rules that the Northern Ireland Protocol applies to NI and the GB rules.

You can find more information about the UKNI marking here:

https://www.gov.uk/guidance/using-the-ukni-marking-from-1-january-2021

NI businesses that are importing products from the EEA and placing them on the GB market must ensure that the relevant conformity assessment procedure has been carried out, that the technical documentation has been drawn up and that the vessel bears the CE marking. They will also have to comply with the importer labelling duties.

You can find out more about qualifying Northern Ireland goods here

https://www.gov.uk/guidance/moving-qualifying-goods-from-northern-ireland-to-the-rest-of-the-uk

11. From 1 January 2021, **UK Notified Bodies automatically become UK approved bodies**. This means they can carry out conformity assessment of products for the GB market, and if the assessment is successful products can be UKCA marked. The EU does not recognise conformity assessment by UK approved bodies for the purposes of CE marking and placing on the EEA market. However, conformity assessment by a UK body is recognised for the purposes of the NI market, in which case the product should be marked 'CE' and ' UKNI'.
12. **Mandated authorised representatives** for the GB market can be based in GB or Northern Ireland but after 1 January 2021 cannot be based outside the UK.

What do businesses need to do differently?

A) ***Note the main changes set out above, and the transitional arrangements set out below.*** The product safety landscape is not changing significantly, and amendments are only being made to reflect the UK has left the EU and the Transition Period has ended, and to create a framework for a GB market to replace that of the EU market. There will be a new conformity marking, as set out above – the UKCA marking, which can only be affixed if products have been assessed by Approved bodies and certain economic operators (importers and authorised representatives) must be based in the UK after the Transition Period. Products that meet EU requirements (including those that have been lawfully CE marked and / or tested by an EU recognised conformity assessment body) may continue to be placed on the GB market between 1 January and 31 December 2021. In addition, products tested by UK Notified Bodies before 31 December 2020, but not yet placed on the market, can also continue to be placed on the GB market until 31 December 2021.

The changes come into force on 1 January 2021, although as explained above there are specific provisions for "new" importers (importing products from EEA states or in some cases, Switzerland) that allow relevant information (name and address etc) to be placed on documents accompanying the product, rather than the product itself, until 31 December 2022. This allows goods already moving between the GB and EEA markets to complete their journey.

Cosmetic products where the container and packaging has the information of the EU responsible person (conforming to Article 19(1)(a) of the EU Cosmetics Regulation) will be allowed on the GB market for 2 years from 1 January 2021. But there will still need to be a UK-based responsible person for the cosmetic, and they will have to submit the relevant information to the UK database, even if they have already provided it to the EU, where they are placing products for the first time on the GB market after 1 January 2021. From 1 January 2023, the container and packaging will need to bear the name and address of the UK responsible person.

B) ***Check whether you need to amend the label on your products.*** The UKCA marking replaces the CE marking for products being placed on the GB market, but the choice remains until 31 December 2021 for compliance to be with EU law (as it is at the end of the transition period) and for products to be CE marked accordingly. In addition to the CE marking, the UK will temporarily recognise other conformity marks such as the reversed epsilon 'Ɜ' for aerosols and for measuring containers (again until 31 December 2021). The UK continues to recognise the voluntary use of the e-mark to denote compliance with the average system of quantity control for packaged goods. From 1 January 2021, products exported to the EU must have the relevant contact details of the relevant EU importer on the product, where these details are required. Products for the NI market must be CE marked and must have certain information on them, including, where applicable, the name and address of the person in Northern Ireland who places a product from GB on to the NI market.

C) ***Check that you know how to get UK approvals for new products. UK Approved Bodies (formerly Notified Bodies) can help.*** The UK recognises goods meeting EU requirements, including EU Notified Bodies' conformity assessments and self-declaration with the CE marking until 31 December 2021. UK '**Approved Body**' status applies to existing active UK Notified Bodies carrying out conformity assessments for products placed on the GB market. Existing harmonised standards become '**designated standards'** and can be used to demonstrate conformity with GB essential requirements (which are in substance the same as the EU's essential requirements).

D) ***If you are bringing in goods from the EU/ EEA or Switzerland, check whether you are now the importer for the purposes of the GB market, as you may have additional responsibilities including ensuring the product is safe and labelled correctly.*** Organisations may have to think about their roles as **importer**, and **distributor** and consider whether they have new duties. For example, before 1 January 2021, if a business in GB supplied a GB retailer with a product supplied to them from Germany, it did so as a **'distributor'** within the EU single market when the UK was subject to EU rules. After 1 January 2021, this same GB businesses now fulfils the role of an '**importer',** with the corresponding duties. In most cases the role of importer carries greater responsibilities **including complying with an enhanced set of requirements to check product compliance as well as to monitor compliance and retain technical documentation and ensure their address appears on the product**. In GB, there is a **24-month transitional period for these "new" importers** in relation to labelling in order to allow time for changes to be made to show the UK address (their name and address will be able to be put on accompanying documentation, rather than the product itself). Other importer responsibilities including ensuring that the product meets the rules and is appropriately marked, will apply immediately from 1 January 2021.

E) ***If you receive packaged goods from the EU from 1 January 2021, you may have responsibility for their quantity. Make sure you check the packages or have obtained sufficient evidence to take responsibility for the quantity and labelling of the packaged goods, including the name and address of the packer or importer (or the person who arranged packing of importing) in GB.***

The name and address of the UK packer or importer on packaged goods will not be mandatory until 1 January 2023 provided the packages or outer containers are imported from an EEA State to GB and they already have the specified contact information of the organisation or individual in an EEA State who packed or imported them there or arranged the packing or import of the package or outer container there.

F) ***If you manufacture, import or distribute cosmetics in GB, and are based in the UK, you may be a "responsible person" from 1 January 2021 which means you will have to notify the Secretary of State of certain information for any cosmetic products you place on the GB market (as well as meeting other obligations of a responsible person, such as ensuring the product is safe for human health). Start by preparing your data to upload to the new UK cosmetics database (****Submit Cosmetic Product Notifications)****.***

For cosmetics, a Responsible Person based in the UK must be identified in order to notify the Secretary of State of certain information in relation to the cosmetic product. There will no longer be a requirement in GB to notify the Commission (and the EU databases), (although there will be in Northern Ireland), but there will be a requirement in GB to notify the Secretary of State (and there will be a new equivalent GB database).

Check with your Trade Association, Primary Authority or Local Authority Trading Standards for more details of any specific changes that affect your business.

Individual Guides to What's Changed

The Product Safety and Metrology etc (Amendment etc) (EU Exit) Regulations 2019 (SI 2019/696), as amended by:

a) the Product Safety, Metrology and Mutual Recognition Agreement (Amendment) (EU Exit) Regulations 2019 (SI 2019/1246),
b) the Product Safety and Metrology etc. (Amendment to Extent and Meaning of Market) (EU Exit) Regulations 2020 (SI 2020/676),
c) the Product Safety and Metrology (Amendment) (EU Exit) Regulations 2020 (SI 2020/852) and
d) the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020 (SI 2020/1460)

amend product safety and metrology legislation as it applies in Great Britain. Each Schedule to the 2019 Regulations amends different legislation and these changes are explained below by Schedule. This does not include the Schedules about legislation sponsored by the Health and Safety Executive (Schedules 7, 10, 16, 18) (further detail can be found on (www.hse.gov.uk) though the general principles set out on pages 2-5 apply to all of the Schedules.

1. **Schedule 1:** Hallmarking Act 1973
2. **Schedule 2:** Weights and Measures Act 1985
3. **Schedule 3:** Consumer Protection Act 1987
4. **Schedule 4:** Amendment of the Measuring Container Bottles (EEC Requirements) Regulations 1977
5. **Schedule 5:** Measuring Instruments (EEC Requirements) Regulations 1988
6. **Schedule 6:** Weights and Measures (Intoxicating Liquor) Order 1988
7. **Schedule 8:** Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001
8. **Schedule 9:** General Product Safety Regulations 2005
9. **Schedule 11:** Weights and Measures (Packaged Goods) Regulations 2006
10. **Schedule 12:** Supply of Machinery (Safety) Regulations 2008
11. **Schedule 13:** Aerosol Dispensers Regulations 2009
12. **Schedule 14:** Accreditation Regulations 2009
13. **Schedule 15:** The Toys (Safety) Regulations 2011
14. **Schedule 17:** Weights and Measures (Revocations) Regulations 2015
15. **Schedule 19:** Pyrotechnic Articles (Safety) Regulations 2015
16. **Schedule 20:** Electromagnetic Compatibility Regulations 2016
17. **Schedule 21:** Simple Pressure Vessels (Safety) Regulations 2016
18. **Schedule 22:** Lifts Regulations 2016
19. **Schedule 23:** Electrical Equipment (Safety) Regulations 2016
20. **Schedule 24:** Pressure Equipment (Safety) Regulations 2016
21. **Schedule 25:** Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016
22. **Schedule 26:** Non-automatic Weighing Instruments Regulations 2016
23. **Schedule 27:** Measuring Instruments Regulations 2016
24. **Schedule 28:** Recreational Craft Regulations 2017
25. **Schedule 29:** Radio Equipment Regulations 2017

26. **Schedule 33:** Amendment of Regulation (EC) No 765/2008 on accreditation and market surveillance relating to the marketing of products
27. **Schedule 34:** Regulation (EU) 2009/1223 on the safety of cosmetic products and the Cosmetic Products Enforcement Regulations 2013
28. **Schedule 35:** Regulation (EU) 2016/425 on personal protective equipment and the Personal Protective Equipment (Enforcement) Regulations 2018
29. **Schedule 36:** Regulation (EU) 2016/426 on gas appliances and the Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018

What's Changed for products being supplied on the market of Great Britain?

1. Schedule 1: Hallmarking Act 1973

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The UK recognises as **"Approved hallmarks"** marks struck by an independent body in accordance with the law of an EU Member State which provide information equivalent to the information provided by other approved hallmarks.	From 1 January 2021, obligations to recognise equivalent EU hallmarks will end in GB. For the Northern Ireland market EU hallmarks will continue to be recognised, by virtue of section 7A of the European Union (Withdrawal) Act 2018 which gives the Withdrawal Agreement direct effect in UK law. Any product already on the market before January 2021 will be legal, also by virtue of the mechanism described above. Any new stock entering the GB market will require a UK hallmark or Common Control Mark. Any new stock exported to EU members will require a mark recognised by those countries.
The **sponsor's mark** is a mark struck on an article which indicates the manufacturer or sponsor of the article. References to sponsor's marks in the Hallmarking Act 1973 apply to sponsor's marks struck in an EEA State.	From 1 January 2021, references in the Hallmarking Act 1973 to a sponsor's mark struck in an EEA state only applies to EEA States, other than the UK, before 1 January 2021.

2. Schedule 2: Weights and Measures Act 1985

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
Local Weights and Measures Authorities (LWMA) are able to charge reasonable fees if, to fulfil an EU obligation, they or an inspector appointed for their area: (a) provided services or facilities; or (b) issued authorisations, certificates or other documents.	Since EU obligations no longer apply in the GB, LWMAs are no longer empowered to charge such fees.
Please Note: Further changes, to Part IV of the Weights & Measures Act 1985 have been made by the Food (Amendment) (EU Exit) Regulations 2019 SI 2019/529 to ensure it continues to operate effectively in relation to quantity labelling of foods after 1 January 2021.	

3. Schedule 3: Consumer Protection Act 1987

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
Legal provisions relating to the liability for **defective products** apply to any person who imports the product into an EU Member State from a place outside the EU. References to the EU include the UK.	Provisions relating to the liability for **defective products** applies to a person who imports the product into the UK from any country outside the UK.
In any civil proceedings relating to **a defect in a product**, showing that the defect is attributable to compliance with any requirement imposed by an EU obligation serves as a defence.	In any civil proceedings relating to a **defect in a product**, showing that the defect is attributable to compliance with any requirement imposed by an EU obligation only serves as a defence where that obligation has been retained after 1 January 2021.
The Act enables the Government **to modify** Part 1 of the Act (relating to product liability) to reflect changes to the Product Liability Directive.	The power enabling the Government to modify Part 1 of the Act (relating to product liability) to reflect changes to **the Product Liability Directive is repealed.**

4. Schedule 4: Amendment of the Measuring Container Bottles (EEC Requirements) Regulations 1977

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
Measuring container bottles must be marked with the **EEC conformity mark -** the reverse epsilon 'Э' - ensuring businesses in the EU market could use these bottles as accurate measures. References to the EU include the UK.	Measuring Container Bottles must still have a **conformity mark**. The UK is introducing the UKCA mark to replace the reverse epsilon 'Э'. Further information on the UKCA mark is be available on gov.uk here. The UK recognises the reverse epsilon 'Э' for measuring containers until 31 December 2021]. This means manufacturers must still use it until they change to the UKCA mark. The technical detail contained in the annex to the EU Directive is in GB national law from 1 January 2021.

5. Schedule 5: Measuring Instruments (EEC Requirements) Regulations 1988

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
One of the conditions for EEC pattern approval that can apply is to require a **place of installation notice** to be given to the competent authorities of Member States in which measuring instruments of the pattern in question were to be installed (e.g. the Secretary of State in the UK).	The legislation has been amended to make it clear that place of installation notices for installations in the UK should still be sent to the (UK) Secretary of State.

6. Schedule 6: Weights and Measures (Intoxicating Liquor) Order 1988

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
Wines and spirits intended for sale in the EU can be pre-packed only in **specified quantities** (subject to limited exceptions). This requirement does not apply to intoxicating liquors sold duty-free for consumption outside the EU.	The requirement to use specified quantities for pre-packed wines and spirits does not apply to pre-packed intoxicating liquors sold duty-free for consumption outside the UK.

7. Schedule 8: Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
Equipment for use outdoors has to be marked with the **CE Marking** before the responsible person can place it on the EU market (which included the UK), to demonstrate it meets all legal requirements, including that it has been subject to the relevant conformity assessment and meets requirements as to the permissible sound power level and marking of the guaranteed sound power level. It has to be accompanied by an EC declaration of conformity, setting out the relevant community harmonisation legislation with which the manufacturer or authorised representative declares the equipment is in conformity.	To place equipment on the GB market, manufacturers must meet the requirements of the UK legislation as it applies in GB. This means that manufacturers can self-declare, where allowed, or have a conformity assessment by a UK approved body and affix the **UKCA marking**, where required or, until 31 December 2021, follow the EU requirements including using an EU recognised notified body and affix the CE marking (where required). The choice to use the UKCA marking is at the manufacturer's discretion but the UKCA marking will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the equipment Where the manufacturer follows GB rules and affixes a UKCA marking, the manufacturer must draw up a **Declaration of Conformity** setting out the (UK) enactments with which the equipment is compliant. Where the manufacturer follows the **EU rules**, they must draw up an **EU declaration of conformity** and make sure that that and the technical documentation is **prepared in or translated into English**.
Certain duties in relation to placing equipment on the market apply to a responsible person, which was defined as the manufacturer, their authorised representative established in the EU, or, where neither the manufacturer nor the authorised representative are established in the EU, the person placing the equipment on the market or putting in into service in the EU. Requirements relating to conformity assessment procedures apply to the manufacturer or their authorised representative established in the EU.	A responsible person is the manufacturer, their authorised representative established in the UK, or the person placing the equipment on the GB market or putting it into service in GB. Requirements relating to conformity assessment procedures will apply to the manufacturer or their authorised representative established in the UK.
Conformity assessment of a product has to be carried out by an EU recognised notified body. (where notified bodies are required to be involved in the relevant conformity assessment procedure). The **notified body** is a conformity assessment body appointed by the Secretary of State, or a notified body appointed and notified to the Commission and other EU Member States by another EU Member State.	Any existing active UK Notified Bodies automatically become from 1 January 2021 UK Approved Bodies. They can carry out conformity assessments for products to be placed on the GB market for the product areas for which they are approved. They cannot carry out conformity assessments for products to be placed on the EU market. The (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities.

8. Schedule 9: General Product Safety Regulations 2005

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
Presumption of conformity to the general safety requirement is granted where a product conformed to a voluntary national standard of the UK which gives effect to a European Standard published in the Official Journal of the EU.	**Presumption of conformity to the general safety requirement** will be granted where a product conforms to a voluntary national standard of the UK which the (BEIS) Secretary of State: (a) considers appropriate; and (b) publishes its reference.
Where no presumption of conformity arises, one of the ways in which conformity of a product to the general safety requirement can be assessed is through taking into account **recommendations of the European Commission** setting guidelines on product safety assessment.	**Recommendations of the ((BEIS)) Secretary of State**, rather than the European Commission, will now be taken into account.
Where a producer or distributor supplies a product that poses risks to the consumer incompatible with the general safety requirement, there is a **requirement to notify the enforcement authority** in writing. This includes naming each Member State where the product has been supplied to consumers outside the UK.	The requirement to notify the enforcement authority in writing **no longer includes a requirement to name EU Member States** where the product is supplied to consumers outside the UK.
An enforcement authority receiving a notification of risk is required to notify the (BEIS) Secretary of State, who is required to notify the competent authorities of Member States where the product had been marketed. The (BEIS) Secretary of State is also required to notify the European Commission, through the **EU Rapid Exchange (RapEx) database** if the risk is serious.	There is a requirement for the **(BEIS) Secretary of State to establish and operate a database** with information on market surveillance and product safety. An enforcement authority receiving a notification of risk is required to notify the (BEIS) Secretary of State through that database. The (BEIS) Secretary of State is no longer required to make notifications to the Commission in respect of products on the GB market.

9. Schedule 11: Weights and Measures (Packaged Goods) Regulations 2006

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
Packages or outer containers arriving from the EEA that are marked with the e-mark do **not** have to be **marked with the name and address of a packer or importer in the UK (but had to be marked with the packer or importer in the EEA)**. References to the EU and the EEA include the UK.	Packages or outer containers arriving from the EEA must be marked with the name and address **of the packer or importer in the UK** unless the package is imported from an EEA State between 1 January 2021 and 31 December 2022 and is marked with the name and address of the packer or importer in that country. After 31 December 2022, the UK packer/importer's name and address must be marked on the packages.
Packers and importers of e-marked packages intended for export are required to give notice to their Local Weights and Measures Authority of their activities.	It is no longer a requirement to notify the Local Weights and Measure Authority when **e-marking packages** for export and therefore failing to do so is no longer an offence.

10. Schedule 12: Supply of Machinery (Safety) Regulations 2008

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
Machinery has to be marked by the manufacturer (as defined in regulation 2) or their authorised representative (the "responsible person") with the **CE Marking** to show it has been conformity assessed and meets the essential health and safety requirements to be placed in the market. A manufacturer's authorised representative must be established in an EEA state. Responsible persons have to draw up an **EC declaration of conformity**, setting out the relevant provisions of the Directive or other Directives with which the responsible person declares the machinery is in conformity (amongst other things)	To place machinery on the GB market, responsible persons must meet the requirements of the UK legislation, as it applies in Great Britain. A responsible person is the manufacturer (as defined in regulation 2) or their authorised representative, who must be based in the UK, from 1 January 2021. This means that manufacturers can self-declare, where allowed, or have a conformity assessment by a UK approved body and affix the **UKCA marking**, where required or, until 31 December 2021, follow the EU requirements including using an EU recognised notified body and affix the CE marking (where required) for a period of 12 months, until 31 December 2021. Therefore, the choice to use the UKCA marking is at the manufacturer's discretion (until 31 December 2021) but the UKCA marking will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the machinery. Where the manufacturer follows **GB** rules and affixes a UKCA marking, the manufacturer must draw up a **Declaration of Conformity** setting out the (UK) enactments with which the machinery is compliant. Where the manufacturer follows **EU rules**, they must draw up an **EU declaration of conformity** and make sure that that and the technical documentation is **prepared in or translated into English**.
An **Authorised Representative** can be established in any of the EEA states. References to the EU and the EEA include the UK.	**Authorised Representatives** from 1 January 2021 must be established in the UK.
Conformity assessment of a product has to be carried out by an EU recognised notified body (where applicable). The **notified body** is a conformity assessment body notified by the Secretary of State to the European Commission and to the other Member States, or a notified body under the laws of another EU Member State.	UK Notified Bodies automatically become **UK Approved Bodies** from 1 January 2021. They can carry out conformity assessments for which they have been approved for products to be placed on the GB market. They cannot carry out conformity assessments for products to be placed on the EU market. The (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities.

It is possible, when placing machinery on the market, to comply with published **harmonised standards** in order to benefit from a presumption of conformity with applicable essential health and safety requirements covered by that standard	'UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them.

11. Schedule 13: Aerosol Dispensers Regulations 2009

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The 'compliance mark" means only the symbol "Э' (reversed epsilon).	The **UKCA marking is** the new compliance mark. The **reversed epsilon ('Э')** will be recognised until 31 December 2021. The switch to the UKCA marking is therefore initially voluntary but will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the dispenser. This UKCA marking only applies to products to be placed on the GB market.
To be able to be marked with the compliance mark (reversed epsilon) it is possible for the aerosol dispenser to have been subject to certain alternative test methods that the Secretary of State has not specifically approved.	To be able to be marked with the UKCA marking, it will be possible to test aerosol dispensers using alternative test methods but these must be approved by the Secretary of State. Aerosol dispensers marked with the UKCA marking will only be able to be placed on the GB market. To be marked with the reversed epsilon aerosol dispensers will only be able to be subject to alternative test methods that are approved by a competent authority as defined in the Directive.

12. Schedule 14: Accreditation Regulations 2009

This guidance applies from 1 January 2021

United Kingdom Accreditation Service (UKAS) *will continue as the UK national accreditation body and the changes reflect alignment of the regulations to the exit of the UK from the EU.*

13. Schedule 15: Toys (Safety) Regulations 2011

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EU Market** Similarly, "making available" refers to supply on the **EU market**. References to the EU include the UK.	The term 'placing on the market' means the first making available of a product on the **Great Britain Market.** **"Making available"** refers to supply on the **GB market.**
Toys within scope cannot be placed on the market unless they bear the **CE Marking** to show they have been conformity assessed and meet the essential safety requirements. Manufacturers have to draw up an **EC declaration of conformity**, setting out the relevant Community harmonisation legislation with which the manufacturer declares the toy in conformity (amongst other things).	To place toys within scope on the GB market, manufacturers must meet the requirements of the UK legislation, as it applies in GB. This means that manufacturers can self-declare, where allowed, or have a conformity assessment by a UK approved body and make sure the toy bears the **UKCA marking**, or, follow, until 31 December 2021, the EU requirements including using an EU recognised notified body (where required) and make sure the toy bears the CE marking. The choice to use the UKCA marking will be at the manufacturer's discretion but the UKCA marking will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed a document accompanying the toy, instead of on the toy, a label affixed to it or its packaging . Where the manufacturer follows GB rules and affixes a UKCA marking, the manufacturer must draw up a **Declaration of Conformity** setting out the (UK) enactments with which the toy is compliant. Where the manufacturer follows the EU rules, they must draw up an EU declaration of conformity and make sure that that and the technical documentation is prepared in or translated into English.
An **Authorised Representative** can be established in any of the EU member states.	**Authorised Representatives** from 1 January 2021 must be established in the UK
Conformity assessment of a product has to be carried out by an EU recognised notified body (where applicable). The **notified body** is a conformity assessment body notified by the Secretary of State to the European Commission and to the other Member States, or a notified body under the laws of another EU Member State.	UK Notified Bodies automatically become **UK Approved Bodies** on 1 January 2021. They can carry out conformity assessments for products to be placed on the GB market. They cannot carry out conformity assessments for products to be placed on the EU market. The (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities.

Toys to be placed on the market can comply with **harmonised standards** in order to benefit from a presumption of conformity with the essential safety requirements.	'UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them.
An importer is a person established in the EU who places a toy from a third country on the EU market. They need to ensure that the following **identification information** is marked on the toy: (a) the importer's name, registered trade name or registered trade mark; and (b) the address at which the importer can be contacted. The information can instead be marked on the toy's packaging or on a document accompanying the toy where: (i) the size or nature of the toy precludes the information from being marked on the toy; or (ii) the importer would have to open the toy's packaging in order to mark the information on the toy.	An importer is someone based in the UK who places a toy from a third country on the GB market. A third country now includes an EEA state. This also includes where a person or business based in NI places a product on the GB market which has been supplied to them from an EEA state. There is an additional circumstance under which an importer does not need to mark **identification information** on the toy itself: if the importer imports the toy from an EEA state or Switzerland and places it on the GB market before 31 December 2022, the importer can set out the identification information (name, address etc) on the toy's packaging or in a document accompanying the toy.

14. Schedule 17: Weights and Measures (Revocations) Regulations 2015

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
EEC verification of weights is required in UK in order to conform with regulations and directives on alcoholometers and alcohol Hydrometers, medium bar weights and cylindrical weights, above-medium accuracy weights, instruments measuring the standard mass per storage volume of grain, cold-water meters, tyre pressure gauges for motor vehicles, and material measures of length (together, the "**Relevant Measuring Instruments Legislation**").	EEC initial verification carried out in accordance with the Relevant Measuring Instruments legislation is no longer required except to comply with applications made before 1January 2021.

15. Schedule 19: Pyrotechnic Articles (Safety) Regulations 2015

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EU Market**. Similarly, "making available" refers to supply on the **EU market**. References to the EU include the UK.	Term 'placing on the market' means the first making available of a product on the **Great Britain Market.** **"Making available"** refers to supply on the **GB market.**
Pyrotechnic articles have to be marked by the manufacturer with the **CE Marking** before being placed on the EU market, to demonstrate they meet all the legal requirements, including that they have been subject to the relevant conformity assessment and meet the essential safety requirement. Manufacturers have to draw up an **EU declaration of conformity**, setting out the relevant Union harmonisation legislation with which the manufacturer declares the product in conformity (amongst other things).	To place articles on the GB market, manufacturers must meet the legal requirements, including subjecting the articles to a conformity assessment. In the absence of a UK approved body, this assessment should be carried out by an EU recognised notified body to EU rules, which will continue to be recognised until 31 December 2021. Once the articles have been assessed as meeting the essential safety requirements, manufacturers should affix the **CE marking** and draw up an EU declaration of conformity and make sure that that and the technical documentation is prepared in or translated into English. From 1 January 2022, manufacturers must have the conformity assessment carried out by a UK approved body, and once the articles have been assessed as meeting the essential safety requirements, the UKCA marking should be affixed, and a declaration of conformity drawn up, setting out the (UK) enactments with which the articles are compliant
Conformity assessment of a product has to be carried out by an EU recognised **notified body.** There are no notified bodies for pyrotechnic articles in the UK, so conformity assessment has to be carried out by a notified body from another Member State.	In the continued absence of any UK conformity assessment bodies for pyrotechnic articles, conformity assessment must still be carried out by notified bodies recognised by the EU. However, after 1 January 2022 the conformity assessment must be carried out by a UK approved body. UK legislation now provides that bodies that are not based in the UK may be approved by the Secretary of State and bodies may be approved through more extensive use of sub-contractors, as long as the other approved body requirements are met.

Pyrotechnic articles to be placed on the market can comply with published **harmonised standards** in order to benefit from a presumption of conformity with the essential safety requirements.	UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them.
An importer is a person established in the EU who places a pyrotechnic article from a third country on the EU market. They need to ensure that the following **identification information** is marked on the article: (a) the importer's name, registered trade name or registered trade mark; and (b) the address at which the importer can be contacted. The information can instead be marked on the packaging or in a document accompanying the article where it is not possible to put it on the article itself.	An importer is someone based in the UK who places a pyrotechnic article from a third country on the GB market. A third country now includes an EEA state. This also includes where a person or business based in NI places a product on the GB market which has been supplied to them from an EEA state. There is an additional circumstance under which an importer does not need to mark identification information on the article itself: if the importer imports the article from an EEA state and places it on the GB market before 31 December 2022, the importer can set out the identification information (name, address etc) on the packaging or in a document accompanying the article.

16. Schedule 20: Electromagnetic Compatibility Regulations 2016

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EEA Market.** Similarly, "making available" refers to supply on the **EEA market** References to the EU and the EEA include the UK.	The term 'placing on the market' means the first making available of a product on the **Great Britain Market.** **"Making available"** refers to supply on the **GB market.**
Apparatus has to be marked by the manufacturer (or where mandated, their authorised representative) with the **CE Marking** before being placed on the market, to demonstrate it meets all the legal requirements, including that it has been subject to the relevant conformity assessment and meets the essential requirements. Manufacturers have to draw up an **EU declaration of conformity**, setting out the relevant Union harmonisation legislation with which the manufacturer declares the product in conformity (amongst other things).	To place apparatus on the GB market, manufacturers must meet the requirements of the UK legislation, as it applies in GB. This means that manufacturers can self-declare, where allowed, or have a conformity assessment by a UK approved body and affix the **UKCA marking**, where required or, until 31 December 2021, follow the EU requirements including using an EU recognised notified body and affix the CE marking (where required). The choice to use the UKCA marking is at the manufacturer's discretion but the UKCA marking will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the equipment. Where the manufacturer follows GB rules and affixes a UKCA marking, the manufacturer must draw up a **Declaration of Conformity** setting out the (UK) enactments with which the apparatus is compliant. Where the manufacturer follows the **EU rules**, they must draw up an **EU declaration of conformity** and make sure that that and the technical documentation is **prepared in or translated into English.**
An **Authorised Representative** can be established in any EEA state.	**Authorised Representatives** from 1 January 2021 must be established in the UK
Conformity assessment of a product has to be carried out by an EU recognised notified body (where required). The **notified body** is a conformity assessment body notified by the Secretary of State to the European Commission and to the other Member States, or a notified body under the laws of another EEA State.	UK Notified Bodies automatically become **UK Approved Bodies** on 1 January 2021. They can carry out conformity assessments for products to be placed on the GB market. They cannot carry out conformity assessments for products to be placed on the EU market. The (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities.

Apparatus to be placed on the market can comply with published **harmonised standards** in order to benefit from a presumption of conformity with the essential requirements.	'UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them.
An importer is a person established in the EEA who places apparatus from a third country on the EEA market. They need to ensure that the following identification information is marked on the apparatus: (a) the importer's name, registered trade name or registered trade mark; and (b) the address at which the importer can be contacted. The information can instead be marked on the packaging or in a document accompanying the apparatus where it is not possible to put it on the apparatus itself.	An importer is someone based in the UK who places apparatus from a third country on the GB market. A third country now includes an EEA state. This also includes where a person or business based in NI places a product on the GB market which has been supplied to them from an EEA state. There is an additional circumstance under which an importer does not need to mark identification information on the apparatus itself: if the importer imports the apparatus from an EEA state or Switzerland and places it on the GB market before 31 December 2022, the importer can set out the identification information (name, address etc) on the packaging of the apparatus or in a document accompanying the apparatus.

17. Schedule 21: Simple Pressure Vessels (Safety) Regulations 2016

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EEA Market.** Similarly, "making available" refers to supply on the **EEA market** References to the EU and the EEA include the UK.	The term 'placing on the market' means the first making available of a product on the **Great Britain Market.** **"Making available"** refers to supply on the **GB market.**
Vessels have to be marked by the manufacturer (or where mandated, their authorised representative) with the **CE Marking** before being placed on the EEA market, to demonstrate they meet all the legal requirements, including that they have been subject to the relevant conformity assessment and meet the essential safety requirements. Manufacturers have to draw up an **EU declaration of conformity**, setting out the relevant Union harmonisation legislation with which the manufacturer declares the product in conformity (amongst other things).	To place vessels on the GB market, manufacturers must meet the requirements of the UK legislation, as it applies in GB. This means that manufacturers can self-declare, where allowed, or have a conformity assessment by a UK approved body and affix the **UKCA marking**, where required or, until 31 December 2021, follow the EU requirements including using an EU recognised notified body and affix the CE marking (where required). The choice to use the UKCA marking is at the manufacturer's discretion but the UKCA marking will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the vessel. Where the manufacturer follows GB rules and affixes a UKCA marking, the manufacturer must draw up a **Declaration of Conformity** setting out the (UK) enactments with which the vessel is compliant. Where the manufacturer follows the **EU rules**, they must draw up an **EU declaration of conformity** and make sure that that and the technical documentation is **prepared in or translated into English**.
An **Authorised Representative** can be established in any EEA state.	**Authorised Representatives** from 1 January 2021 must be established in the UK.
Conformity assessment of a product has to be carried out by an EU recognised notified body (where applicable). The **notified body** is a conformity assessment body notified by the Secretary of State to the European Commission and to the other Member States, or a notified body under the laws of another EEA State.	UK Notified Bodies automatically become **UK Approved Bodies** on 1 January 2021. They can carry out conformity assessments for products to be placed on the GB market. They cannot carry out conformity assessments for products to be placed on the EU market. The (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities.

Vessels to be placed on the market can comply with published **harmonised standards** in order to benefit from a presumption of conformity with the essential safety requirements.	'UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them.
An importer is a person established in the EEA who places a vessel from a third country on the EEA market. They need to ensure that the following **identification information** is marked on the vessel: (a) the importer's name, registered trade name or registered trade mark; and (b) the address at which the importer can be contacted. The information can instead be marked on a document accompanying the vessel where it is not possible to put it on the vessel itself.	An importer is someone based in the UK who places a vessel from a third country on the GB market. A third country includes an EEA state. This also includes where a person or business based in NI places a product on the GB market which has been supplied to them from an EEA state. There is an additional circumstance under which an importer does not need to mark **identification information** on the vessel itself: if the importer imports the vessel from an EEA state or Switzerland and places it on the GB market before 31 December 2022, the importer can set out the identification information (name, address etc) in a document accompanying the vessel.

18. Schedule 22: Lifts Regulations 2016

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EEA Market.** Similarly, "making available" refers to supply on the **EEA market.** References to the EU and the EEA include the UK.	The term 'placing on the market' means the first making available of a product on the **Great Britain Market.** **"Making available"** refers to supply on the **GB market.**
Lifts have to be marked with the **CE Marking** by the installer (and safety components for lifts by the manufacturer) before being placed on the EEA market, to demonstrate they meet all the legal requirements, including that they have been subject to the relevant conformity assessment and meet the essential health and safety requirements. Installers and manufacturers have to draw up an **EU declaration of conformity**, setting out the relevant Union harmonisation legislation with which they declare the product in conformity (amongst other things).	To place lifts and/or safety components on the GB market, manufacturers must meet the requirements of the UK legislation, as it applies in GB. This means that manufacturers or installers must have a conformity assessment by a UK approved body where required and affix the **UKCA marking**, or, until 31 December 2021, follow the EU requirements including using an EU recognised notified body (where required) and affix the CE marking. The choice to use the UKCA marking is at the manufacturer's / installer's discretion but the UKCA marking will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the lift carrier or safety component. Where the installer or manufacturer follows GB rules and affixes a UKCA marking, the installer or manufacturer must draw up a Declaration of Conformity setting out the (UK) enactments with which the lift or component is compliant. Where the installer or manufacturer follows the EU rules, they must draw up an EU declaration of conformity and make sure that that and the technical documentation is prepared in or translated into English.
An Authorised Representative can be established in any of the EEA states.	**Authorised Representatives** from 1 January 2021 must be established in the UK.
Conformity assessment of a product has to be carried out by an EU recognised notified body. The **notified body** is a conformity assessment body notified by the Secretary of State to the European Commission and to the other Member States, or a notified body under the laws of another EEA State.	UK Notified Bodies automatically become **UK Approved Bodies** on 1 January 2021. They can carry out conformity assessments for lifts and safety components for lifts to be placed on the GB market. They cannot carry out conformity assessments for these products to be placed on the EU market. The (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities.

Lifts, or safety components of lifts, to be placed on the market can comply with published **harmonised standards** in order to benefit from a presumption of conformity with the essential health and safety requirements.	UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them.
An importer is a person established in the EEA who places a safety component from a third country on the EEA market. They need to ensure that the following identification information is marked on the safety component: (a) the importer's name, registered trade name or registered trade mark; and (b) the address at which the importer can be contacted. The information can instead be marked on the packaging or in a document accompanying the safety component where it is not possible to put it on the component itself.	An importer is someone based in the UK who places a safety component from a third country on the GB market. A third country includes an EEA state. This also includes where a person or business based in NI places a product on the GB market which has been supplied to them from an EEA state. There is an additional circumstance under which an importer does not need to mark identification information on the safety component itself: if the importer imports the component from an EEA state or Switzerland and places it on the GB market before 31 December 2022, the importer can set out the identification information (name, address etc) on the packaging or in a document accompanying the component.

19. Schedule 23: Electrical Equipment (Safety) Regulations 2016

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EEA Market.** Similarly, "making available" refers to supply on the **EEA market.** References to the EU and the EEA include the UK.	Term 'placing on the market' means the first making available of a product on the **Great Britain Market.** **"Making available"** refers to supply on the **GB market.**
Electrical equipment has to be marked by the manufacturer (or where mandated, their authorised representative) with the **CE Marking** before being placed on the EEA market to demonstrate it meets all the legal requirements, including that it has been subject to the relevant conformity assessment and meets the principal elements of the safety objectives. Manufacturers have to draw up an **EU declaration of conformity**, setting out the relevant Union harmonisation legislation with which the manufacturer declares the product in conformity (amongst other things).	The **UKCA marking** provides an alternative to the CE Marking for equipment placed on the GB market. The choice to use the UKCA marking is at the manufacturer's discretion but the UKCA will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the equipment. Where the manufacturer follows GB rules and affixes a UKCA marking, the manufacturer must draw up a **Declaration of Conformity** setting out the (UK) enactments with which the equipment is compliant. Where the manufacturer follows the **EU rules**, they must draw up an **EU declaration of conformity** and make sure that that and the technical documentation is **prepared in or translated into English**.
An **Authorised Representative** can be established in any EEA state.	**Authorised Representatives** from 1 January 2021 must be established in the UK.
Equipment to be placed on the market can comply with published **harmonised standards** in order to benefit from a presumption of conformity with the principal elements of the safety objectives.	UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them.

An importer is a person established in the EEA who places equipment from a third country on the EEA market. They need to ensure that the following identification information is marked on the equipment: (a) the importer's name, registered trade name or registered trade mark; and (b) the address at which the importer can be contacted. The information can instead be marked on a document accompanying the equipment where it is not possible to put it on the equipment itself.	An importer is someone based in the UK who places equipment from a third country on the GB market. A third country includes an EEA state. This also includes where a person or business based in NI places a product on the GB market which has been supplied to them from an EEA state. There is an additional circumstance under which an importer does not need to mark identification information on the equipment itself: if the importer imports the equipment from an EEA state or Switzerland and places it on the Gb market before 31 December 2022, the importer can set out the identification information (name, address etc) in a document accompanying the equipment.

20. Schedule 24: Pressure Equipment (Safety) Regulations 2016

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EEA Market.** Similarly, "making available" refers to supply on the **EEA market.** References to the EU and the EEA include the UK.	The term 'placing on the market' means the first making available of a product on the **Great Britain Market.** **"Making available"** refers to supply on the **GB market.**
Pressure equipment and assemblies have to be marked by the manufacturer (or where mandated, their authorised representative) with the **CE Marking** before being placed on the EEA market, to demonstrate they meet all the legal requirements, including that they have been subject to the relevant conformity assessment and meet the essential safety requirements. Manufacturers have to draw up an **EU declaration of conformity**, setting out the relevant Union harmonisation legislation with which the manufacturer declares the product in conformity (amongst other things)	To place equipment and assemblies on the GB market, manufacturers must meet the requirements of the UK legislation, as it applies in GB. This means that manufacturers can self-declare, where allowed, or have a conformity assessment by a UK approved body and affix the **UKCA marking**, where required or, until 31 December 2021, follow the EU requirements including using an EU recognised notified body (where required) and affix the CE marking. The choice to use the UKCA marking is at the manufacturer's discretion but the UKCA marking will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the equipment or assembly. Where the manufacturer follows GB rules and affixes a UKCA marking, the manufacturer must draw up a **Declaration of Conformity** setting out the (UK) enactments with which the equipment or assembly is compliant. Where the manufacturer follows the **EU rules**, they must draw up an **EU declaration of conformity** and make sure that that and the technical documentation is **prepared in or translated into English**.
An **Authorised Representative** can be established in any EEA state**.**	**Authorised Representatives** from 1 January 2021 must be established in the UK.

Conformity assessment of a product, a system or a process has to be carried out by an EU recognised notified body, recognised third party organisation or user inspectorate (where applicable). These bodies are conformity assessment bodies notified by the Secretary of State to the European Commission and to the other Member States, or a notified body under the laws of another EEA State.	UK Notified Bodies automatically become **UK Approved Bodies** on 1 January 2021. They can carry out conformity assessments for products to be placed on the UK market. They cannot carry out conformity assessments for products to be placed on the EU market. The Department of Business, Energy and Industrial Strategy (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities. UK recognised third party organisations and user inspectorates will be able to carry activities for which they have been approved.
Equipment to be placed on the market can comply with published **harmonised standards** in order to benefit from a presumption of conformity with the essential safety requirements.	UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them.
An importer is a person established in the EEA who places pressure equipment or an assembly from a third country on the EEA market. They need to ensure that the following identification information is marked on the equipment or assembly: (a) the importer's name, registered trade name or registered trade mark; and (b) the address at which the importer can be contacted. The information can instead be marked on the packaging or in a document accompanying the equipment or assembly where it is not possible to put it on the pressure equipment itself.	An importer is someone based in the UK who places pressure equipment or assembly from a third country on the GB market. A third country includes an EEA state. This also includes where a person or business based in NI places a product on the GB market which has been supplied to them from an EEA state. There is an additional circumstance under which an importer does not need to mark identification information on the equipment or assembly itself: if the importer imports the equipment from an EEA state or Switzerland and places it on the GB market before 31 December 2022, the importer can set out the identification information (name, address etc) on the packaging of the pressure equipment or assembly or in a document accompanying the equipment.

21. Schedule 25: Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EEA Market.** Similarly, "making available" refers to supply on the **EEA market.** References to the EU and the EEA include the UK.	The term 'placing on the market' `means the first making available of a product on the **Great Britain Market**. **"Making available"** refers to supply on the **GB market**.
A product (other than a component for which an attestation is required) has to be marked by the manufacturer (or where mandated, their authorised representative) with the **CE Marking** before being placed on the market, to demonstrate it meets all the legal requirements, including that it has been subject to the relevant conformity assessment and meets the essential health and safety requirements. Manufacturers have to draw up an **EU declaration of conformity**, setting out the relevant Union harmonisation legislation with which the manufacturer declares the product in conformity (amongst other things).	To place products on the GB market, manufacturers must meet the requirements of the UK legislation, as it applies in GB. This means that manufacturers can self-declare, where allowed, or have a conformity assessment by a UK approved body and affix the **UKCA marking**, where required or, until 31 December 2021, follow the EU requirements including using an EU recognised notified body and affix the CE marking (where required). The choice to use the UKCA marking is at the manufacturer's discretion but the UKCA marking will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the equipment. Where the manufacturer follows GB rules and affixes a UKCA marking, the manufacturer must draw up a **Declaration of Conformity** setting out the (UK) enactments with which the product is compliant. Where the manufacturer follows the **EU rules**, they must draw up an **EU declaration of conformity** and make sure that that and the technical documentation **is prepared in or translated into English.** The UKCA marking is to be affixed only by the manufacturer or their authorised representative.
An **Authorised Representative** can be established in any EEA state.	**Authorised Representatives** from 1 January 2021 must be established in the UK.

Conformity assessment of a product has to be carried out by an EU recognised notified body (where applicable). The **notified body** is a conformity assessment body notified by the Secretary of State to the European Commission and to the other Member States, or a notified body under the laws of another EEA State.	UK Notified Bodies automatically become **UK Approved Bodies** on 1 January 2021. They can carry out conformity assessments for products to be placed on the GB market. They cannot carry out conformity assessments for products to be placed on the EU market. The (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities.
Equipment to be placed on the market can comply with published **harmonised standards** in order to benefit from a presumption of conformity with the essential health and safety requirements.	UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them.
An importer is a person established in the EEA who places a product from a third country on the EEA market. They need to ensure that the following identification information is marked on the product: (a) the importer's name, registered trade name or registered trade mark; and (b) the address at which the importer can be contacted. The information can instead be marked on the packaging or in a document accompanying the product where it is not possible to put it on the product itself.	An importer is someone based in the UK who places a product from a third country on the GB market. A third country includes an EEA state. This also includes where a person or business based in NI places a product on the GB market which has been supplied to them from an EEA state. There is an additional circumstance under which an importer does not need to mark identification information on the product itself: if the importer imports the product from an EEA state or Switzerland and places it on the GB market before 31 December 2022, the importer can set out the identification information (name, address etc) on the packaging or in a document accompanying the product.

22. Schedule 26: Non-automatic Weighing Instruments Regulations 2016

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EEA Market.** Similarly, "making available" refers to supply on the **EEA market.** References to the EU and the EEA include the UK.	The term 'placing on the market' means the first making available of a product on the **Great Britain Market**. **"Making available"** refers to supply on the **GB market**.
Non-automatic weighing instruments have to be marked by the manufacturer (or where mandated their authorised representative) with the **CE Marking** and **M Marking** before being placed on the market, to demonstrate they meet all the legal requirements, including that they have been subject to the relevant conformity assessment and met the essential requirements. Manufacturers have to draw up an **EU declaration of conformity**, setting out the relevant Union harmonisation legislation with which the manufacturer declares the product in conformity (amongst other things).	To place instruments on the GB market, manufacturers must meet the requirements of the UK legislation. This means that manufacturers can self-declare, where allowed, or have a conformity assessment by a UK approved body and affix the **UKCA marking**, where required or, until 31 December 2021, follow the EU requirements including using an EU recognised notified body and affix the CE marking (where required). The choice to use the UKCA marking is at the manufacturer's discretion but the UKCA marking will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the instrument. The **M Marking** will still be required when either the **UKCA** or the **CE Marking** is used. Where the manufacturer follows GB rules and affixes a UKCA marking, the manufacturer must draw up a **Declaration of Conformity** setting out the (UK) enactments with which the instrument is compliant. Where the manufacturer follows the **EU rules**, they must draw up an **EU declaration of conformity** and make sure that that and the technical documentation is prepared in or translated into English.
An **Authorised Representative** can be established in any of the EEA states.	**Authorised Representatives** from 1 January 2021 must be established in the UK.

Conformity assessment of a product has to be carried out by an EU recognised notified body (where applicable). The **notified body** is a conformity assessment body notified by the Secretary of State to the European Commission and to the other Member States, or a notified body under the laws of another EEA State.	UK Notified Bodies automatically become **UK Approved Bodies** on 1 January 2021. They can carry out conformity assessments for products to be placed on the GB market. They cannot carry out conformity assessments for products to be placed on the EU market. The (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities.
Instruments to be placed on the market can comply with published **harmonised standards** in order to benefit from a presumption of conformity with the essential requirements.	UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them.
An importer is a person established in the EEA who places a non-automatic weighing instrument from a third country on the EEA market. They need to ensure that the following identification information is marked on the instrument: (a) the importer's name, registered trade name or registered trade mark; and (b) the address at which the importer can be contacted. Where this would require the packaging to be opened, the information can instead be marked on the packaging and on any document accompanying the instrument.	An importer is someone based in the UK who places a non-automatic weighing instruments from a third country on the GB market. A third country includes an EEA state. This also includes where a person or business based in NI places a product on the GB market which has been supplied to them from an EEA state. There is an additional circumstance under which an importer does not need to mark identification information on the instrument itself: if the importer imports the instrument from an EEA state or Switzerland and places it on the GB market before 31 December 2022, the importer can set out the identification information (name, address etc) in a document accompanying the instrument.

23. Schedule 27: Measuring Instruments Regulations 2016

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EEA Market.** Similarly, "making available" refers to supply on the **EEA market.** References to the EU and the EEA include the UK.	The term 'placing on the market' means the first making available of a product on the **Great Britain Market.** **"Making available"** refers to supply on the **GB market.**
Measuring instruments have to be marked by the manufacturer or (where mandated, their authorised representative) with the **CE Marking and M Marking** before being placed on the market, to demonstrate they meet all the legal requirements, including that they have been subject to the relevant conformity assessment and meet the essential requirements. Manufacturers have to draw up an **EU declaration of conformity**, setting out the relevant Union harmonisation legislation with which the manufacturer declares the product in conformity (amongst other things).	To place instruments on the GB market, manufacturers must meet the requirements of the UK legislation, as it applies in GB. This means that manufacturers can self-declare, where allowed, or have a conformity assessment by a UK approved body and affix the **UKCA marking**, where required or, until 31 December 2021, follow the EU requirements including using an EU recognised notified body (where required) and affix the CE marking. The choice to use the UKCA marking is at the manufacturer's discretion but the UKCA marking will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the instrument. The **M Marking** will still be required when either the UKCA or the CE marking is used. Where the manufacturer follows GB rules and affixes a UKCA marking, the manufacturer must draw up a **Declaration of Conformity** setting out the (UK) enactments with which the instrument is compliant. Where the manufacturer follows the **EU rules**, they must draw up an **EU declaration of conformity** and make sure that that and the technical documentation is prepared in or translated into English.
An **Authorised Representative** can be established in any of the EEA states.	**Authorised Representatives** from 1 January 2021 must be established in the UK.

Conformity assessment of a product has to be carried out by an EU recognised **notified body** (where applicable). The **notified body** is a conformity assessment body notified by the Secretary of State to the European Commission and to the other Member States, or a notified body under the laws of another EEA State.	UK Notified Bodies automatically become **UK Approved Bodies** on 1 January 2021. They can carry out conformity assessments for measuring instruments to be placed on the GB market. They cannot carry out conformity assessments for products to be placed on the EU market. The (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities.
Measuring instruments to be placed on the market can choose to comply with published harmonised **EU standards** or with parts of published **normative documents** in order to benefit from a presumption of conformity with the essential requirements.	UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them. Normative documents will now be published by the (BEIS) Secretary of State.
An importer is a person established in the EEA who places a measuring instrument from a third country on the EEA market. They need to ensure that the following identification information is marked on the instrument: (a) the importer's name, registered trade name or registered trade mark; and (b) the address at which the importer can be contacted. The information can instead be marked on the packaging and in any documents accompanying the measuring instrument where it is not possible to put it on the measuring instrument itself.	An importer is someone based in the UK who places a measuring instrument from a third country on the GB market. A third country includes an EEA state. This also includes where a person or business based in NI places a product on the GB market which has been supplied to them from an EEA state. There is an additional circumstance under which an importer does not need to mark identification information on the instrument itself: if the importer imports the measuring instrument from an EEA state or Switzerland and places it on the GB market before 31 December 2022, the importer can set out the identification information (name, address etc) in a document accompanying the measuring instrument.

24. Schedule 28: Recreational Craft Regulations 2017

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EEA Market.** Similarly, "making available" refers to supply on the **EEA market.** References to the EU and the EEA include the UK.	The term 'placing on the market' means the first making available of a product on the **Great Britain Market.** **"Making available"** refers to supply on the **GB market.**
A product has to be marked by the manufacturer (or where mandated, their authorised representative) with the **CE Marking** before being placed on the EU market, to demonstrate it meets all the legal requirements, including that it has been subject to the relevant conformity assessment and met the essential requirements. Manufacturers have to draw up an **EU declaration of conformity**, setting out the relevant Union harmonisation legislation with which the manufacturer declares the product in conformity (amongst other things). Manufacturers that require a manufacturer's code (MIC) in relation to watercraft identification as set out in Schedule 1, 2.1 (3) must obtain one from the UK Body who are authorised to issue MICs on behalf of the Secretary of State.	To place products on the GB market, manufacturers must meet the requirements of the UK legislation, as it applies in GB. This means that manufacturers can self-declare, where allowed, or have a conformity assessment by a UK approved body and affix the **UKCA marking**, where required or, until 31 December 2021, follow the EU requirements including using an EU recognised notified body (where required) and affix the CE marking. The choice to use the UKCA marking is at the manufacturer's discretion but the UKCA marking will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the product. Where the manufacturer follows GB rules and affixes a UKCA marking, the manufacturer must draw up a **Declaration of Conformity** setting out the (UK) enactments with which the product is compliant. Where the manufacturer follows the **EU rules**, they must draw up an **EU declaration of conformity** and make sure that that and the technical documentation is prepared in or translated into English. Manufacturers that require a manufacturer's code (MIC) in relation to watercraft identification as set out in Schedule 1, 2.1 (3) must obtain one from the UK Body who are authorised to issue MICs on behalf of the Secretary of State. MICs issued by the UK body before 1 January 2021 will continue to be accepted after 1 January 2021.
An Authorised Representative can be established in any of the EEA states.	**Authorised Representatives** from 1 January 2021 must be established in the UK

Conformity assessment of a product has to be carried out by an EU recognised notified body (where applicable). The **notified body** is a conformity assessment body notified by the Secretary of State to the European Commission and to the other Member States, or a notified body under the laws of another EEA State.	UK Notified Bodies automatically become **UK Approved Bodies** on 1 January 2021. They can carry out conformity assessments for products to be placed on the GB market. They cannot carry out conformity assessments for products to be placed on the EU market. The Department of Business, Energy and Industrial Strategy (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities.
Products to be placed on the market can comply with **harmonised standards** in order to benefit from a presumption of conformity with the essential requirements.	UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them.
An importer is a person established in the EEA who places a product from a third country on the EEA market. They need to ensure that the following identification information is marked on the product: (a) the importer's name, registered trade name or registered trade mark; and (b) the address at which the importer can be contacted. For components, the information can instead be marked on the packaging or in a document accompanying the component where it is not possible to put it on the component itself.	An importer is someone based in the UK who places a product from a third country on the GB market. A third country includes an EEA state. This also includes where a person or business based in NI places a product on the GB market which has been supplied to them from an EEA state. There is an additional circumstance under which an importer does not need to mark identification information on the product itself: if the importer imports the product from an EEA state and places it on the GB market before 31 December 2022, the importer can set out the identification information (name, address etc) in a document accompanying the product (or, in the case of a component, on the packaging).

25. Schedule 29: Radio Equipment Regulations 2017

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EEA Market.** Similarly, "making available" refers to supply on the **EEA market.** References to the EU and the EEA include the UK.	The term 'placing on the market' means the first making available of a product on the **Great Britain Market.** **"Making available"** refers to supply on the **GB market.**
Radio equipment has to be marked by the manufacturer (or, where mandated, their authorised representative) with the **CE Marking** before being placed on the market, to demonstrate it meets all the legal requirements, including that it has been subject to the relevant conformity assessment and meets the essential requirements. Manufacturers have to draw up an **EU declaration of conformity**, setting out the relevant Union harmonisation legislation with which the manufacturer declares the product in conformity (amongst other things).	To place equipment on the GB market, manufacturers must meet the requirements of the UK legislation, as it applies in GB. This means that manufacturers can self-declare, where allowed, or have a conformity assessment by a UK approved body and affix the **UKCA marking**, where required or, until 31 December 2021, follow the EU requirements including using an EU recognised notified body (where required) and affix the CE marking. The choice to use the UKCA marking is at the manufacturer's discretion but the UKCA marking will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the equipment. Where the manufacturer follows GB rules and affixes a UKCA marking, the manufacturer must draw up a **Declaration of Conformity** setting out the (UK) enactments with which the equipment is compliant. Where the manufacturer follows the **EU rules**, they must draw up an **EU declaration of conformity** and make sure that that and the technical documentation is prepared in or translated into English.
An **Authorised Representative** can be established in any EEA state.	**Authorised Representatives** from 1 January 2021 must be established in the UK.
Conformity assessment of a product has to be carried out by an EU recognised notified body (where applicable). The **notified body** is a conformity assessment body notified by the Secretary of State to the European Commission and to the other Member States, or a notified body under the laws of another EEA State.	UK Notified Bodies automatically become **UK Approved Bodies** on 1 January 2021. They can carry out conformity assessments for products to be placed on the GB market. They cannot carry out conformity assessments for products to be placed on the EU market. The (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities.

Equipment to be placed on the market can comply with published **harmonised standards** in order to benefit from a presumption of conformity with the essential requirements.	UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them.
An importer is a person established in the EEA who places equipment from a third country on the EEA market. They need to ensure that the following identification information is marked on the equipment: (a) the importer's name, registered trade name or registered trade mark; and (b) the address at which the importer can be contacted. The information can instead be marked on the packaging or in a document accompanying the equipment where it is not possible to put it on the equipment itself.	An importer is someone based in the UK who places equipment from a third country on the GB market. A third country includes an EEA state. This also includes where a person or business based in NI places a product on the GB market which has been supplied to them from an EEA state. There is an additional circumstance under which an importer does not need to mark identification information on the equipment itself: if the importer imports the equipment from an EEA state or Switzerland and places it on the GB market before 31 December 2022, the importer can set out the identification information (name, address etc) on the packaging or in a document accompanying the equipment.

26. Schedule 33: Amendment of Regulation (EC) No 765/2008

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The Regulation provides a framework for border control of products entering the EU from third countries and market surveillance within the EU and lays down the general principals of the **CE marking** which indicates conformity with the requirements of the legislation.	The Regulation provides a framework for controls on products entering the Great Britain market, for market surveillance within GB, and provides the requirements as to the form of a **UKCA marking** which indicates conformity with relevant legislation.
It sets out duties for Member States to appoint a national accreditation body and rules on the national accreditation bodies.	A single UK national accreditation body (UKAS) is retained.
The term 'placing on the market' means the first making available of a product on the **Community Market** (which included the UK)**.**	The term 'placing on the market' means the first making available of a product on the **Great Britain Market**.
CE marking is affixed only by the manufacturer or their authorised representative to show conformity of goods with requirements set out in applicable harmonised EU legislation. Responsibility for ensuring compliance fell to Market Surveillance authorities.	The (BEIS) Secretary of State has prescribed the form and usage of the **UKCA marking**. This is to show conformity with requirements of domestic law, which are currently the same in substance. Market surveillance authorities remain responsible for ensuring compliance.
Conformity assessment of a product has to be carried out by an EU recognised notified body (where applicable). The **notified body** is a conformity assessment body notified by the Secretary of State to the European Commission and to the other Member States, or a notified body under the laws of another EEA State.	UK Notified Bodies automatically become **UK Approved Bodies** on 1 January 2021. They can carry out conformity assessments for products to be placed on the GB market. They cannot carry out conformity assessments for products to be placed on the EU market. The (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities.
Members States are to ensure that products presenting a serious risk are recalled, withdrawn or prohibited from being on the market and are to **inform the Commission without delay. EU RapEx database is available to Member States. There is Market Surveillance cooperation between member states.**	The obligation to ensure that products presenting a series risk are recalled, withdrawn or prohibited on the market rests with **Market Surveillance** authorities who must inform the (BEIS) Secretary of State without delay. The RapEx database is no longer available to the UK; the UK product safety database replaces it.
The scope of RAMs 16 – 26 applied as long as there were no specific provisions with the same objective in Community Harmonisation legislation.	The scope of provisions Arts 16-22 and 26 remain as long as there are no specific provisions with the same objective in 'any relevant enactment' (including retained EU law). The reference to Community Harmonised Legislation is now 'any relevant enactment' (which will include retained EU law). Articles 23-25 removed.

The general requirements of market surveillance by reference to products covered by Community Harmonisation Legislation	The general requirement is **more clearly allocated to Market Surveillance Authorities** which must ensure products (used for intended purpose or a purpose reasonably foreseen) covered **by any relevant enactment** which are withdrawn/prohibited from being put on market or restricted and the public and **Secretary of State is informed.**
The general obligation that Member States' National market surveillance infrastructures and programmes should ensure effective measures in relation to the products falling into scope.	**That obligation now falls more precisely onto the Secretary of State.**
Market Surveillance information obligations of EU member states to advise certain information to EU Commission and the public.	That obligation to advise the EU Commission no longer remains but it is **now a Secretary of State obligation** to take appropriate measures to ensure the public is aware of MSAs; their existence, roles and responsibilities and identities, and contact details.
EU member states to establish procedures re complaints/ reports on issues relating to risks; monitor accidents / harm to health caused by products corrective action and technical follow up.	The obligations to establish procedures remain, but are now **transferred to the Secretary of State.**
EU member states had an obligation to invest MSAs with the right powers etc.	**That obligation has been placed on the Secretary of State who is empowered to make regulations to meet the purpose.**
Member states were obliged to ensure their MSAs undertook their activities in accordance with the proportionality principle	**That obligation now falls directly on MSAs to exercise powers proportionately.**
Member states to review MS activities by their MSAs.	**The obligation now falls on the Secretary of State to review periodically and assess the activities of Market Surveillance Authorities.**
Obligation on Member States' MSAs to advise the economic operator where a product of theirs (manufactured in another EU MS) has been withdrawn. Advice via the address indicated on the product or its documentation.	That obligation remains with the MSA but only in respect of a product manufactured in the UK.
Obligation on Member States to ensure products posing a serious risk and needing intervention are recalled, withdrawn and their availability on the market prohibited and the EU Commission advised without delay.	That obligation about products posing serious risk remains the same, **but that obligation is transferred to the MSA,** which must inform the SoS of any such interventions, without delay.
Obligation on Member States to ensure that any measures (taken pursuant to any Community harmonisation legislation) are proportionate and state the exact grounds on which it is based.	**That obligation has been transferred to MSAs specifically.**

Where Member State takes / intends to take Art20 measures and considers reasons for the action or the effects of the measure are beyond its territory, it shall notify the EU Commission of the measure immediately. Also must inform EU commission where any such action is modified or withdrawn.	Article 20 measures being undertaken / intending to be taken by the MSA must be immediately notified to the SoS.
Where a product presenting a serious risk has been placed on the market Member States are to inform the EU Commission of any voluntary measures taken and communicated by an economic operator.	Where a product presenting a serious risk has been placed on the market **the obligation to advise and inform (**of any voluntary measures taken and communicated by an economic operator) **has transferred to the MSA. The party to be advised has changed to the SoS.**
For the purposes of 22.1, 22.2 and 22.3 Member States were to use the information exchange system provided for in Art 12 Directive 2001/95/EC to provide the notification.	For the purposes of 22.1, 22.2 and 22.3 **the MSA must notify the SoS through the database established by regulation 33(A1) of the GPSR 2005.**
Reference to 'release of a product for free circulation'.	References now changed to '**discharge of a product from the free circulation procedure'.**
Reference to the fixing of a **CE marking** in a false or misleading manner as one of the reasons for suspending the release of a product for free circulation.	Reference changed from CE marking to **conformity** marking.
The endorsements on commercial invoice documents or any other relevant documents and where applicable in data processing systems, must indicate the following: Where a product is 'dangerous': ''Dangerous product – release from the free circulation not authorised – Regulation (EU) 765/2008'' Where a product 'not in conformity': ''Product not in conformity - release from the free circulation not authorised – Regulation (EU) 765/2008''	**Required endorsements have changed to:** 'Dangerous product – Discharge from the free circulation not authorised – Regulation (EU) 765/2008'' ''Product not in conformity – discharge from the free circulation not authorised – Regulation (EU) 765/2008''

27. Schedule 34: Regulation (EU) 1223/2009 and the Cosmetic Products Enforcement Regulations 2013

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EEA market.** Similarly "making available" refers to supply on the **EEA market.** References to the EU and the EEA include the UK.	The term 'placing on the market' means the first making available of a product on the **Great Britain market after the end of the transition period.** **"Making available"** refers to supply on the **GB market.**
Only cosmetic products with a **designated 'responsible person'** within the EU can be placed on the market, with product labelling to identify this person.	**There must be a Responsible Person based in the UK** for cosmetic products placed on the GB market under the new regime. There is a **2-year transition period** before businesses have to include the UK Responsible Person details on product labels, as long as the EU responsible person details are included. This will allow existing stocks to be used and reflects the typical shelf-life of a cosmetic and business' labelling cycles (although the Responsible Person may have to notify the product to the GB database and will comply with other obligations of Responsible Persons). Other obligations of the Responsible Person remain the same as they were previously – they must keep the Product Information File (PIF) and make it available to market surveillance and enforcement authorities when asked to do so. A responsible person can be based in NI for products placed on the GB market. A responsible person for the NI market cannot be based in GB.
Responsible persons need to notify their products once – via the **EU Cosmetic Products Notification Portal (CPNP)** – prior to placing their products on the market in the EEA.	**The UK Government has established a cosmetic product notification service notification - the Submit Cosmetic Product Notification (SCPN) -** to replace the CPNP in the UK. If Responsible Persons continue to place their products on the GB market after the transition period they need to notify their products to the Secretary of State (via this service). For products already on the EEA market, and notified to the Commission (through the CPNP): if a UK Responsible Person places the product on the market within 90 days from 11pm on 31 December 2020, they need to provide to the Secretary of State within 90 days from that date (so 31 March) with details of:

	• *the category of cosmetic product and its name or names, enabling its specific identification;* • *the name of the responsible person;* • *the address at which the product information file (PIF) in respect of the cosmetic product is kept;* • *the contact details of a natural person to contact in the case of urgency;* • *the frame formulation allowing for prompt and appropriate medical treatment in the event of difficulties.* This information should be provided through the notification service referred to above. For products that have not previously been notified to the Commission or have not been placed on the EEA market, and are placed on the GB market from 1 January 2021, you need to provide the information above **and** the following information **before** you place the product on the GB market: • *(where applicable) the presence of substances in the form of nanomaterials and the identification (including the chemical name) and the reasonably foreseeable exposure conditions;* • *the name and the Chemicals Abstracts Service (CAS) or EC number of substances classified as carcinogenic, mutagenic or toxic for reproduction (CMR) of category 1A or 1B under Regulation (EC) No 1272/2008;* • *the original labelling and, where reasonably legible, a photograph of the corresponding packaging.* Again this information should be provided using the UK's notification service. Information must be made available to poison centres and some of the information to market surveillance authorities on the same basis as before 1 January 2021.
Safety Assessor: You will need to ensure that the product safety assessment is carried out by a safety assessor recognised by the EU.	**Safety Assessor:** For products that have not previously been notified to the Commission, or have been placed on the EEA market or NI market, or are placed on the GB market after 90 days from 1 January 2021, you will need to ensure that the product safety assessment is carried out by a safety assessor recognised by the (BEIS) SoS.

A responsible person has an obligation to notify **serious undesirable effects** to **national authorities**, who then transmits the information to the competent authorities of other Member States**.** The authorities also collect information from users, health professionals, and others.	Serious Undesirable Effects (SUE) should be notified on the new UK SUE form – information on any SUE should be notified in the same way as previously and will be gathered from the same sources as previously.
The responsibility for evaluating the safety of certain substances for use in cosmetic products lies with a **European Commission body, the Scientific Committee on Consumer Safety (SCCS).**	The **Secretary of State** is responsible for making changes to the Regulation, and will draw on expert advice to do so.
Products with nanomaterials need to be **notified to the European Commission six months before being placed on the market**, so that the SCCS could assess their safety.	Where the inclusion in a cosmetic product of relevant nanomaterials has not been notified to the Commission before 1 January 2021, a cosmetic product containing nanomaterials must be notified to the Secretary of State by the responsible person at least 6 months prior to it being placed on the GB market. The following information must be notified (this is the same information that must be currently notified to the Commission): • *identification of the nanomaterial, including its chemical name (IUPAC);* • *specification of the nanomaterial including size of particles and chemical properties;* • *an estimate of the quantity of the nanomaterials;* • *(where no reference is available) the toxicological profile;* • *safety data of the nanomaterial;* • *reasonably foreseeable exposure conditions.* Where a notification of products with nanomaterials has been made to the European Commission in the six-months before 1 January 2021, the Responsible Person must provide the Secretary of State with information about the nanomaterials within 90 days from 1 January 2021 and the Secretary of State has one extra month to determine whether there is sufficient scientific evidence of risks to human health from these substances and therefore whether any amendment should be made to the Annexes to the Regulation to make the substances prohibited or restricted substances. Therefore it may take a total of seven months from the time of notifying the Commission for the product to be accepted onto the GB market. Where a product containing nanomaterials has already been placed on the EEA market and the EU Responsible Person has complied with the notification requirements under EU law, if a UK Responsible Person is to place the product on the UK market within 90 days from 1 January

	2021, they must provide the information on nanomaterials within 90 days from 1 January 2021 as part of their notification of the product on the UK registration service.
Businesses who move goods into the UK from an EU Member State are classified as **'distributors'** in most cases.	Businesses who bring cosmetic products into GB from an EU Member State, in most cases, become **'importers'** where they would previously have been 'distributors'. The importer of a cosmetic product, whether from the EU or another country, becomes a Responsible Person by default, although they may appoint an agent to act as the Responsible Person for them.
The **European Commission** has an obligation to publish a glossary of common ingredient names that businesses must use. This is a publicly available online list based on internationally agreed terms.	Duty lies with the **(BEIS) Secretary of State** to publish a reference to a glossary of common ingredient names. The guidance published on GOV.UK directs users to the INCI ((International Nomenclature Cosmetic Ingredient) database

28. Schedule 35: Regulation (EU) 2016/425 and the Personal Protective Equipment (Enforcement) Regulations 2018

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EEA market.** Similarly, "making available" refers to supply on the **EEA market.** References to the EU and the EEA include the UK.	The term 'placing on the market' means the first making available of a product on the **Great Britain market.** **"Making available"** refers to supply on the **GB market.**
Personal protective equipment (PPE) has to be marked by the manufacturer (or where mandated, their authorised representative) with the **CE marking** before being placed on the EU market, to demonstrate it meets all the legal requirements, including that it has been subject to the relevant conformity assessment and meets the essential health and safety requirements. Manufacturers have to draw up an **EU declaration of conformity**, setting out the relevant Union harmonisation legislation with which the manufacturer declares the product in conformity (amongst other things).	To place PPE on the GB market, manufacturers must meet the requirements of the UK legislation, as it applies in GB. This means that manufacturers can self-declare, where allowed, or have a conformity assessment by a UK approved body and affix the **UKCA marking**, where required or, until 31 December 2021, follow the EU requirements including using an EU recognised notified body (where required) and affix the CE marking. The choice to use the UKCA marking is at the manufacturer's discretion but the UKCA marking will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the PPE. Where the manufacturer follows GB rules and affixes a UKCA marking, the manufacturer must draw up a **Declaration of Conformity** setting out the (UK) enactments with which the PPE is compliant. Where the manufacturer follows the **EU rules**, they must draw up an **EU declaration of conformity** and make sure that that and the technical documentation is prepared in or translated into English.
An **Authorised Representative** can be established in any EEA state.	**Authorised Representatives** from 1 January 2021 must be established in the UK.
Conformity assessment of a product has to be carried out by an EU recognised notified body. The **notified body** is a conformity assessment body notified by a Member State (including the UK) to the European Commission and to the other Member States.	UK Notified Bodies automatically become **UK Approved Bodies** on 1 January 2021. They can carry out conformity assessments for products to be placed on the GB market. They cannot carry out conformity assessments for products to be placed on the EU market. The (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities.

PPE to be placed on the market can comply with published **harmonised standards** in order to benefit from a presumption of conformity with the essential health and safety requirements.	UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them.
An importer is a person established in the EEA who places PPE from a third country on the EEA market. They need to ensure that the following identification information is marked on the PPE: (a) the importer's name, registered trade name or registered trade mark; and (b) the address at which the importer can be contacted. The information can instead be marked on the packaging or in a document accompanying the PPE where it is not possible to put it on the PPE itself.	An importer is someone based in the UK who places PPE from a third country on the GB market. A third country includes an EEA state. This also includes where a person or business based in NI places a product on the GB market which has been supplied to them from an EEA state. There is an additional circumstance under which an importer does not need to mark identification information on the PPE itself: if the importer imports the PPE from an EEA state or Switzerland and places it on the GB market before 31 December 2022, the importer can set out the identification information (name, address etc) on the packaging or in a document accompanying the PPE.

29. Schedule 36: Regulation (EU) 2016/426 and the Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018

This guidance applies from 1 January 2021

Before 1 January 2021	From 1 January 2021
The term 'placing on the market' means the first making available of a product on the **EEA Market.** Similarly, "making available" refers to supply on the **EEA market.** References to the EU and the EEA include the UK.	The term 'placing on the market' means the first making available of a product on the **Great Britain Market.** **"Making available"** refers to supply on the **GB market.**
An appliance or fitting has to be marked by the manufacturer (or where mandated, their authorised representative) with the **CE Marking** before being placed on the market, to demonstrate it meets all the legal requirements, including that it has been subject to the relevant conformity assessment and meets the essential requirements. Manufacturers have to draw up an **EU declaration of conformity**, setting out the relevant Union harmonisation legislation with which the manufacturer declares the product in conformity (amongst other things).	To place appliances or fittings on the GB market, manufacturers must meet the requirements of the UK legislation, as it applies in GB. This means that manufacturers can self-declare, where allowed, or have a conformity assessment by a UK approved body and affix the **UKCA marking**, where required or, until 31 December 2021, follow the EU requirements including using an EU recognised notified body and affix the CE marking (where required). The choice to use the UKCA marking is at the manufacturer's discretion but the UKCA marking will become compulsory from 1 January 2022. Until 31 December 2022, the UKCA marking may be affixed to a label or a document accompanying the appliances and fittings. Where the manufacturer follows GB rules and affixes a UKCA marking, the manufacturer must draw up a **Declaration of Conformity** setting out the (UK) enactments with which the appliance or fitting is compliant. Where the manufacturer follows the **EU rules**, they must draw up an **EU declaration of conformity** and make sure that that and the technical documentation is prepared in or translated into English.
An **Authorised Representative** can be established in any EEA state.	**Authorised Representatives** from 1 January 2021 must be established in the UK.

Conformity assessment of a product has to be carried out by an EU recognised notified body. The **notified body** is a conformity assessment body notified by a Member State (including the UK) to the European Commission and to the other Member States.	UK Notified Bodies automatically become **UK Approved Bodies** on 1 January 2021. They can carry out conformity assessments for products to be placed on the GB market. They cannot carry out conformity assessments for products to be placed on the EU market. The (BEIS) Secretary of State has compiled a register of Approved Bodies, with their approved body identification numbers, the activities for which they have been approved and any restrictions on those activities.
Appliances to be placed on the market can comply with published **harmonised standards** in order to benefit from a presumption of conformity with the essential requirements.	UK **'designated standards**' replace 'harmonised standards'. Designated standards are standards which have been (i) adopted by any of the following recognised standardisation bodies: the European Committee for Standardisation (CEN); the European Committee for Electrotechnical Standardisation (Cenelec); the European Telecommunications Standards Institute (ETSI); the British Standards Institution (BSI); and (ii) designated by the (BEIS) Secretary of State publishing a reference to them.
An importer is a person established in the EEA who places an appliance or fitting from a third country on the EEA market. They need to ensure that the following identification information is marked on the appliance or fitting: (a) the importer's name, registered trade name or registered trade mark; and (b) the address at which the importer can be contacted. The information can instead be marked on the packaging or in a document accompanying the appliance or fitting where it is not possible to put it on the appliance or fitting itself.	An importer is someone based in the UK who places an appliance or fitting from a third country on the GB market. A third country includes an EEA state. This also includes where a person or business based in NI places a product on the GB market which has been supplied to them from an EEA state. There is an additional circumstance under which an importer does not need to mark identification information on the appliance or fitting itself: if the importer imports the appliance or fitting from an EEA state or Switzerland and places it on the GB market before 31 December 2022, the importer can set out the identification information (name, address etc) on the packaging or in a document accompanying the appliance or fitting.

This publication is available at https://www.gov.uk/guidance/opss-coronavirus-covid-19-guidance-for-business-and-local-authorities

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