

## PROVIDING GUIDANCE TO MANUFACTURERS AND USER COMMUNITIES

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# GUIDANCE ON CE AND CA MARKING

CE or CA or both – what should you do?



### Introduction

As at 30<sup>th</sup> September the position is as follows:

The transition period following BREXIT ends on December 31<sup>st</sup> 2020.

It has been agreed that the UK will retain EU legislation currently in force in the UK and it will become domestic law. There will only be divergence where it is deemed appropriate. Should any EMC Directives change, the position is that the UK will not automatically adopt any change.

With regard to CE marking – EU standards will henceforth be identified as EN \*\*\*\*

With regard to CA marking – UK adopted designated standards will be identified as BS EN \*\*

UK only standards will continue to be identified as BS \*\*\*

UKCA marking will apply only in Great Britain – England Scotland and Wales and not Northern Ireland.

CA marking can be used now, but the underpinning legislation has not yet been put in place. By January 2022 CA marking **must be used** but this will not be recognised in the EU market and will not be accepted in NI without the additional CE Mark.

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

## The Northern Ireland position:

This is subject to The NI Protocol.

Products placed on the NI market are subject to EU law and CE Marking.

Notified bodies in NI are required to identify UK(NI) Mark rather than UKCA.

Approved bodies in the rest of the UK can certify products for Northern Ireland as CE and UK(NI). The UKCA mark will have no relevance in Northern Ireland.

Northern Ireland will have UK or EU27 for the Northern Ireland market.

CE Marking will continue to be recognised in the UK for a currently unspecified time.

## CE Marking for manufacturers who wish to supply in Europe from the UK

We will be manufacturers outside of the EU from 1<sup>st</sup> January 2021 and we will therefore need to ensure we have an authorised representative for importing into the EU.

Self declaration (not the same as self test) will be required and submitted to a notified body from EU27 to obtain a CE Mark. It will not be provided by a UK notified body (authorised body) unless they have an EU identified division which is listed as being able to provide this.

Existing CE marked products can be made available on the UK market after 1<sup>st</sup> January and there is no current time limit. Current stock will still be able to be placed on the market.

Requirements for marking will remain the same for CA as they are for CE – legibility, size, proportion, indelible and location. Until 2023 it can be shown either on the product or on accompanying documents.

## Terminology

CE Marking	UKCA Marking
EU Declaration	UK Declaration
EU Directives	UK Statutory Instrument
Harmonised EU Standard	UK Designated Standard
EU Notified Body	UK Approved Body

Trade negotiations will not affect this. We will have UKCA marking and it is intended that this will remain. If you are selling to two separate markets via import/export you will require details of UK and EU importers for validation.

## Q&A

*Will we need two sets of documents to get CA and CE mark?* It is the Declaration of Conformity that is relevant so you will need two of those and they should both be references in your technical file.

*Are current tests still valid?* Yes.

*Is my DoC valid?* Since changes of standards are not reflected in Declarations and therefore in product compliance, the question you should ask should be “Is the product still the same as the DoC currently in existence?” If not you may well need to update your DoC.

You do need two DoCs but not two technical files. Best practice when listing standards list UK SI and EU directives (see below)

New Statutory Instruments are being voted on in October.

## Current Statutory Instruments

EMC Directive (2014/30/EU) – Electromagnetic Compatibility Regulations 2016 (SI 2016 No 1091)

Construction Products Directive (2011/305/EU)– Construction Products Regulations 2013 (SI 2013 No 1387)

Low Voltage Directive – (2014/35/EU) – Electrical Equipment Safety Regulations 2016 (SI 2016 No 1101)

Radio Emissions Directive – (2014/53/EU) – Radio Equipment Regulations 2017 (SI 2017 No 1206)

For further information please use the following links

<https://www.gov.uk/guidance/using-the-ukca-mark-from-1-january-2021#how-to-use-the-ukca-marking>

<https://www.gov.uk/guidance/construction-products-regulation-from-1-january-2021>

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