



Department for
Business, Energy
& Industrial Strategy

Regulations and Standards: Information for businesses preparing for a 'No Deal' Exit

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Trade and Investment Negotiations (Manufactured Goods)

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Department for
Business, Energy
& Industrial Strategy

New Approach: How things work today



High-level requirements in legislation and use of harmonised standards to achieve compliance



Conformity with requirements of 'New Approach' legislation shown by use of the CE marking



In most cases manufacturers take sole legal responsibility for compliance and can self-declare



In other cases manufacturers need to use a third party assessment body (a 'notified body')

New Approach: Selling into the UK



New approach goods meeting EU regulations can still be sold in the UK with a CE marking



UK will directly recognise conformity assessment carried out by EU notified bodies



Products assessed against UK rules by a UK 'approved body' will need the UKCA marking



We will consult with businesses before making any changes to these arrangements

New Approach: Other issues to consider



UK-based ‘authorised representatives’ will not be recognised in the EU



An EU-based distributor of UK goods may become an ‘importer’ - and vice-versa



Compared to a distributor, importers have a stronger duty to ensure products are compliant



The importer’s address also often has to be put on the product or its packaging

Non-Harmonised products: How things work today



Some goods are subject to national regulations rather than EU-wide rules



In principle can circulate in EU under mutual recognition principle once sold in one part of EU



This includes where different Member States have different national rules



However - this is subject to numerous exceptions and is not a guaranteed right



Non Harmonised Goods: What will change



UK no longer within scope of mutual recognition for non-harmonised goods



If you import those goods to UK - check they meet UK national requirements



If you export goods to EU - check they meet national requirements of first EU country exported to



Once your goods have been sold in one EU country you **may** then be able to make use of the mutual recognition principle

Automotive manufacturers: How things work today



Safety and environmental standards for vehicle and component manufacturer type-approvals are set in framework regulations on ECWVTA



UK Vehicle Certification Agency (VCA) issues EU-recognised type-approvals, and acts as a technical service for compliance testing



The UK is an individual contracting member to the UN-ECE, and continues to recognise UN-ECE approvals for vehicle systems and components



Automotive: Checklist of actions for selling into the UK



Motor vehicles to be placed on the UK market will need to convert their existing EC type-approvals to UK type-approval by applying to VCA for a provisional UK type-approval



New vehicle approvals will require VCA-issued UK type-approval after exit day (subject to new legislation which will come into force in Autumn 2019)



For manufacturers with valid EC type-approval post exit: duplicate testing is not required, but manufacturers will need to supply documentary evidence to prove compliance



Read the detailed guidance on [gov.uk](https://www.gov.uk)

Chemicals: How things work today



Production and use of chemicals is regulated by the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) Regulation as implemented by European Chemicals Agency (ECHA)



Packaging and labelling of chemicals in the EU is regulated by the Classification, Labelling and Packaging (CLP) regulation in line with the UN Globally Harmonised System (GHS)



Suppliers need to register chemicals with ECHA and comply with CLP guidelines before placing them on the EU and UK markets; manufacturers and importers need to notify ECHA with details of their chemical products



Prior Informed Consent (PIC) Regulation requires exporters to pre-notify and receive consent from ECHA for listed chemicals



3rd country exporters into the EU must trade with compliant EEA-based importers or use an 'Only Representative' (OR)¹

1. Acting agent based in the EEA, who carries out the tasks and responsibilities of importers to comply with REACH; option to simplify EEA market access for **their** products from outside the EEA, secure the supply and reduce responsibilities for importers



Chemicals: Checklist of actions for selling into the UK

UK suppliers with 'grandfathered' REACH registrations need to validate with HSE and open an IT account within 120 days of Exit

UK suppliers with 'grandfathered' registrations will need to provide full data packages within two years of Exit

If your EU/EEA supplier does not have a UK OR, downstream users will need to register as an importer within 180 days of exit and provide the full data package within two years.

New chemicals will need separate ECHA and HSE registrations before being placed on both the EEA and UK markets

Exporters will need to provide prior notifications to HSE for hazardous chemicals, and receive explicit consent from HSE

Q&A