Webinar: UKCA marking requirements for exporting goods to the UK - 20/05/2021

Did you miss this Webinar or are you still in doubt about the topics covered in it? Don't worry! You are in the right place. In this page you can check the complete Webinar and have access to Q&A related to the UKCA (UK Conformity Assessed) marking requirements for exporting goods to the UK. Please do not hesitate to contact us if you have additional questions. You can find our contact details at the bottom of this page.

The complete Webinar is available via this link.

Questions & Answers

1. **Are companies also allowed to do self UKCA marking certification?**

For now, the circumstances in which you can use self-declaration of conformity for UKCA marking are the same as for CE marking until further notice. In other words, manufacturers who are currently producing goods which meet CE marking requirements for self-declaration can also self-declare the UKCA marking.
Check here whether your products are allowed for self-declaration or not.

2. **Are there consolidated versions of the Statutory Instruments (for the UK equivalents of EU's CE marking directives) available ? If not yet, what is the expected timing ?**

The consolidated versions are not yet available and there is no specific deadline for when it will be launched.

3. **Is there an official logo + directives for the graphical part for the UKCA marking, so we can start incorporating it on all new projects and when ordering packaging?**

Guidance and graphics of the UKCA can be found and downloaded via this link.

4. **When do I need to have an authorised representative to place my product in the UK market?**

Where an authorised representative was required for CE marking, it will also be required for UKCA.

EU representatives will no longer be recognized as authorized representatives to place a product in the UK market. Authorised Representatives must be based in GB or Northern Ireland (NI) for the GB market. GB-based Authorised Representatives aren't recognised in the EU.

As from 16 July 2021, an EU representative is obligatory if there is no other economic operator in place (when exporting to the EU and NI).

5. Do I also need to add the importer address on the product?

The UK importer needs to make sure that:

•Goods are labelled with your company's details including name and a contact address. Until 31 December 2022 you an provide these details on the accompanying documentation rather than on the good itself if you import certain goods from the EEA (and in some cases Switzerland). After 31 December 2022, your details must be affixed to the product or, in circumstances where the legislation allows, on the packaging or an accompanying document;

•The correct conformity assessment procedures have been carried out and that goods have the correct conformity markings

•The manufacturer has drawn up the correct technical documentation and complied with their labelling requirements

•You maintain a copy of the declaration of conformity for a period of 10 years

•goods conform with the relevant essential requirements

The importer must comply with the above for goods placed on the GB market regardless of whether they are CE or UKCA marked.

You can find more information via this link.

6. How must I apply the UKNI marking?

In most cases, you must apply the UKNI marking to the product itself or to the packaging. In some cases, it may be placed on the manuals or on other supporting documents. This will vary depending on the specific regulations that apply to the product.

The following general rules apply:

- The UKNI marking must only be placed on a product by you as the manufacturer or your authorised representative (where allowed for in the relevant legislation)
- When attaching the UKNI marking to accompany another conformity marking, you take full responsibility for your product's conformity with the requirements of the relevant legislation
- You must not place any marking or sign that may misconstrue the meaning or form of the UKNI marking to third parties
- You must not attach other markings on the product which affect the visibility, legibility or meaning of the UKNI marking
- The UKNI marking cannot be placed on products unless there is a specific requirement to do so in the legislation
- The UKNI marking must accompany another conformity marking; it never appears on a product alone

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

The CE marking will continue to be relevant marking for most goods. If you self-declare for CE, you can continue to do this when placing goods on the NI market. If you use an EU Notified Body, you will only need to use the CE marking.

The CE marking will need to be accompanied by the UKNI marking if you use a UK Notified Body to assess against EU rules. This is now the case and this rule applies to existing stock that was not already placed on the market by the end of the 2020 (if that existing stock was assessed against relevant EU rules by a UK Notified Body). Goods with the 'CE UKNI' marking are not valid for the EU market.

UK bodies approving for the NI market will remain 'Notified Bodies'. These 'Notified Bodies' can be based anywhere in the UK. EU bodies will continue to be recognised as competent to certificate for the NI market. The UKCA marking alone will not be valid for the NI market.

You never apply the UKNI marking on its own. It always accompanies the relevant EU conformity marking.

You can find more information about the use of UKNI via this link.

7. Where can we find information about the UK requirements for Eco-design on pumps, fans & electrical motors as apparently this is not aligned with EU?

From 1 January 2021, there are some differences in the rules for placing energy-related products on the market in Great Britain (England, Scotland and Wales) and placing energy-related products on the market in Northern Ireland.

You can find more information via this link.

8. Is there a template for the UK Declaration of Conformity?

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

- declare that the product is in conformity with the relevant statutory requirements applicable to the specific product
- make sure the document has the name and address of the manufacturer (or your authorised representative) together with information about the product and the conformity assessment body (where relevant)
- The UK Declaration of Conformity should be available to market surveillance authorities on request.

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

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

You will need to list:

- relevant UK legislation (rather than EU legislation) (ODS, 5.08KB)
- UK designated standards rather than standards cited in the Official Journal of the European Union

You can find more information via this link.

9. What defines an importer vs. a representative under UKCA?

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

UK-based distributors of EU goods may become 'importers' - and vice-versa. Compared to distributors, importers have additional duties to ensure products are compliant with product standards and must ensure their address is on a product.

- 'authorised representative' shall mean any natural or legal person who has received a written mandate from a manufacturer to act on his behalf in relation to specified task
- 'importer' shall mean any natural or legal person who places a product from another country on the market.

You can find more information via this link.

10. Is there a special rule regarding UKCA marking on medical devices?

Yes, medical devices follow different rules than general products. “Since 1 January 2021, there have been a number of changes, introduced through secondary legislation, to how medical devices are placed on the market in Great Britain (England, Wales and Scotland)”. These are the main guidelines for medical devices:

- CE marking will continue to be recognised for medical devices in Great Britain until 30 June 2023
- certificates issued by EU-recognised Notified Bodies will continue to be valid for the Great Britain market until 30 June 2023
- the EU no longer recognises UK Notified Bodies
- UK Notified Bodies are not able to issue CE certificates (other than for the purposes of the “CE UKNI” marking, which is valid in Northern Ireland) - and have become UK Approved Bodies

Please find the complete regulation on medical devices in the UK via this link.

Are there still questions? Contact us on brexit@vlaio.be