



Department for
Business, Energy
& Industrial Strategy

Ian Moore
Chief Executive Officer
Fire Industry Association

Mike Reddington
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Our ref: MCB2020/39427

24 December 2020

Dear Mr Moore and Mr Reddington,

Thank you for your letter dated 24 November about changes to product regulation and the UKCA mark and the impact you fear this may have on your industry.

I appreciate your industry's concerns, but I must stress that the Government has been clear that we cannot indefinitely accept EU certification and CE marked goods on the market in Great Britain on a non-reciprocal basis beyond the end of the Transition Period on 31 December 2020.

Continued acceptance of CE marked goods and conformity assessments carried out by EU bodies against EU rules for an indefinite period would in essence bind us to recognise EU rules. This would even apply if they were to diverge from our own rules. It is our priority that the UK regains its regulatory autonomy at the end of this year.

I understand that transitioning to the new UK regime will require planning and will result in some costs to businesses. To allow businesses time to adjust, CE marked goods that meet EU requirements (where these match UK requirements) can continue to be placed on the GB market until 1 January 2022. This includes goods which have been assessed by an EU recognised notified body. In addition, until 1 January 2023, for most goods currently subject to the CE mark, you have the option to affix the UKCA marking on a label affixed to the product or on an accompanying document. From 1 January 2023, the UKCA marking must, in most cases, be affixed directly to the product.

One other point I would like to raise is regarding the ability of UK recognised bodies to issue certificates. We see no reason that UK conformity assessment bodies cannot start conformity assessment procedures for the UK market before the end of the Transition Period in their current capacity as notified bodies and conclude it once they have become a UK approved body. UK-based notified bodies will automatically become UK approved bodies from 1 January 2021 with the same scope of designation.

We do recognise the challenges that needing to acquire new certification poses. That is why the UK has proposed a comprehensive Mutual Recognition Agreement for the acceptance of results of conformity assessment across sectors. As I mentioned in my

previous letter, this is of course still subject to ongoing negotiations. However, I want to clarify that a reciprocal negotiated arrangement is the only basis on which we can extend recognition of EU conformity assessment. This would entail recognition of the ability of EU bodies to assess against UK – not EU – rules prior to the affixing of the new UKCA marking.

Overall, the transitional measures outlined above have been welcomed by manufacturers. I hope they will be beneficial to you in your planning processes over the upcoming year.

We will be working closely with businesses over the coming year to ensure guidance is clear and that businesses feel supported in transitioning to the new domestic arrangements.

Thank you once again for taking the time to write. I hope that the information above is helpful.

A handwritten signature in blue ink, appearing to read 'Paul Scully', is centered on the page.

PAUL SCULLY MP
Minister for Small Business, Consumers & Labour Markets
Minister for London