



Department for
Business, Energy
& Industrial Strategy

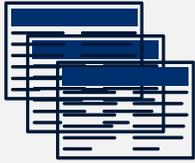
Regulations and Standards: Information for businesses preparing for a 'No Deal' Exit

March 2019



Department for
Business, Energy
& Industrial Strategy

Objectives for this webinar



Share the key information businesses need to prepare for Exit



Provide you with links to additional information on topics covered



Respond to your questions and gather your feedback

We are here to share information to help you prepare for Exit

Who we are

We are from the BEIS Business Intelligence and Readiness team

Our objective is to help businesses across sectors prepare for EU Exit

We are attending events across the UK and working with TAs

Our aims for today



Provide an overview of key changes expected in 'No Deal'



Share sources to find more detailed information



Respond to your questions and gather your feedback

Agenda for today

1 Welcome and Introductions

Lora Bedford, BEIS

5 mins

2 Goods Regulation

Alex Kay, BEIS

35 mins

3 Q&A

All panellists

20 mins

Businesses
need to
prepare for
every
eventuality

Delivering the deal negotiated with the EU is the Government's top priority

However, as a responsible Government, we are preparing for every eventuality

Preparing for 'No Deal' is now an operational priority for the Government

Businesses should make sure they prepare and take action on their own 'No Deal' plans

Agenda

- HMG Objectives in the Event of No Deal
- Introduction to Goods Regulation
- Trading goods regulated under 'New Approach'
- Non-harmonised goods and mutual recognition

Introduction to Goods Regulation



‘Old Approach’: goods such as cars, medicines, chemicals and aerospace, with standalone models of regulation



‘New Approach’: a common toolkit of regulatory measures covering goods such as toys and machinery



‘Non-harmonised goods’: subject to national rather than EU-wide product rules

How does the 'New Approach' work now?



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')

The European Commission's position



UK will be treated as a third country for regulatory purposes from exit day



UK compliance activity against EU regulations will no longer be recognised



Individual items already on the EU-27 market will be unaffected

The UK's position



UK will adopt a time-limited continuity approach to minimise disruption



Almost all products meeting EU regulations can still circulate in the UK



At the same time, equivalent UK regulatory frameworks are being established

Selling into the UK: UK marking and approved bodies



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

Selling into the EU: CE marking and notified bodies



Conformity assessments by UK notified bodies will no longer be recognised in the EU



Goods assessed by a UK body cannot be sold in the EU without reassessment by an EU body



As an alternative, manufacturers can transfer their files to an EU-recognised body pre-exit



CE marking needs to be used for goods sold into the EU. Self-declaration unaffected

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

Further advice and guidance on action to take

Source of material in this section

Trading goods regulated under the 'New Approach' if there's no Brexit deal - Available [here](#)

Using the UKCA marking - Available [here](#)

Additional information beyond this presentation

There may be other issues not addressed in this material

In some areas, policy content is still being developed

Please visit [gov.uk/euexit](https://www.gov.uk/euexit) for the latest information

Non-harmonised products: How things work today



Some goods e.g. furniture, 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 products: what is changing



UK would no longer fall
within the scope of the
mutual recognition
principle



UK no longer within scope of mutual recognition



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

Further advice and guidance on action to take

Source of material in this section

Sources: Trading under the mutual recognition principle if there's no Brexit deal - Available [here](#)

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Preparing for Brexit: webinars in the series

- Mon 11th March - 11-12 Workforce and People
- Tues 12th March - 10-11am Regulations and Standards
- Fri 15th March - 11-12 Digital and Data
- Mon 18th March - 1 - 2pm Importing and Exporting
- Tues 19th March - 12-1 Business Legal Requirements
- Wed 20th March - 11-12 Intellectual Property

Send further questions on these and other issues to sed@beis.gov.uk

Please visit euexit.campaign.gov.uk for more information