

CE and UKCA marking after 31 December 2020

Part 2 of 5 – Moving goods from GB to the EU 27



General introduction

This is one of a series of guidance papers about the introduction of the UKCA (UK Conformity Assessed) mark. Other documents in this series are:

Part 1 - Moving goods from the EU 27 to GB

Part 3 - Placing goods manufactured in the UK on the GB market

The Northern Ireland Protocol and the UKNI mark are covered in:

Part 4 - Moving goods from GB to Northern Ireland

Part 5 - Goods manufactured in Northern Ireland

The new UKCA marking is intended to apply to goods placed on the market in Great Britain (England, Wales and Scotland), replacing the existing CE mark. It will apply to goods which are currently required to carry the CE mark, such as construction products and machinery. The technical requirements for the two marks are currently identical (although this could change) but the procedures differ slightly as explained below.

UKCA marking will be recognised in Great Britain from **1 January 2021**, following the end of the current transition period. Provided that you still have any necessary testing and/or certification¹, you will be able to continue applying the CE mark after this date, if you wish. There is no problem with applying both marks provided that you keep them separate and no confusion is caused.

However, after **31 December 2021**, CE marking will no longer be recognised in GB; UKCA will be the only recognised conformity mark for the GB market.

UKCA marking will not be recognised either in the EU 27 or in Northern Ireland.

Duties of distributors and importers

Is your customer or agent now an importer?

If you manufacture goods in GB with a view to placing them on the EU market **after 31 December 2020** (the end of the transition period), an **importer** into the EU 27 must be identified. This could be an existing distributor or agent, but they must be established in the EU 27. The organisation identified will have additional duties, including labelling the product with their name and address and checking that you, the GB manufacturer, have carried out the relevant conformity requirements and applied the correct conformity marking.

¹ See below under “Notified bodies and approved bodies” for further details about this.

Duties of manufacturers

Notified bodies and approved bodies²

Where the goods are subject to **mandatory third-party conformity assessment**³, it should be noted that, after 31 December 2020, UK notified body certificates will no longer be recognised for CE marking.

If your CE marking relies upon certification by a **notified body in the UK**, your certification files must be transferred to an EU 27 notified body before the end of the transition period (31 December 2020) to permit you to continue applying the CE mark. UK notified bodies have, in many cases, established subsidiaries in the EU 27 to facilitate this process.

If your certification is already with an EU 27 notified body, you need take no further action to continue applying the CE mark.

Goods covered by the Construction Products Regulations 2013

AVCP system 1 (third party certification), including the following products and harmonised standards:

1. Fire/smoke-resisting external doorsets EN 16034:2014 plus EN 14351-1:2006+A2:2016
2. Fire/smoke-resisting industrial doors EN 16034:2014 plus EN 13241:2003+A2:2016
3. Emergency escape external doorsets EN 14351-1:2006+A2:2016
4. Emergency exit devices EN 179:2008
5. Panic exit devices EN 1125:2008
6. Door closers EN 1154:1996+A1:2002+AC:2006
7. Hold-open devices EN 1155:1997+A1:2002+AC:2006
8. Door co-ordinators EN 1158:1997+A1:2002+AC:2006
9. Single-axis hinges EN 1935:2002+AC:2003
10. Mechanically operated single point locks & latches EN 12209:2003+AC:2005
11. Electromechanical locks & strikes EN 14846:2008

For all these products, CE marking can only continue after 31 December 2020 if supported by certification issued by an **EU 27 notified product certification body**.

AVCP system 3 (third party test), including the following products and harmonised standards:

1. External doorsets (without fire/smoke characteristics) EN 14351-1:2006+A2:2016
2. Industrial and garage doors (without fire/smoke characteristics) EN 13241:2003+A2:2016

In principle, notified test laboratory reports dated prior to the end of the transition period (31 December 2020) should remain valid, **but this remains to be confirmed**.

² Notified bodies are test or certification bodies recognised by the European Commission for carrying out tasks in connection with EU directives and regulations. UK approved bodies perform equivalent tasks under UK legislation.

³ This describes the certification activity carried out by “notified” or “approved” bodies to confirm that a product conforms with an EU directive/regulation or equivalent UK legislation. It includes, for example, AVCP system 1 under CPR and the EC type examination under the MD. The product types affected are printed in red in this list.

Goods covered by the Supply of Machinery (Safety) Regulations 2008

Except for Annex iv machinery, no third-party conformity assessment is required. CE marking under the Machinery Directive may therefore continue as normal for powered doors and gates (self-declaration).

However, Annex iv machinery includes certain safety components:

- Protective devices designed to detect the presence of persons
- Logic units to ensure safety functions

These require CE marking. The services of a notified body are needed to carry out the **EC type-examination** unless a suitable harmonised standard has been used, in which case self-declaration can apply.

If the EC type-examination is required and a UK notified body has previously been engaged for this purpose, the files will need to be transferred to an EU 27 body well before the end of the transition period (31 December 2020) in order for CE marking to continue uninterrupted.

If the EC type-examination is already undertaken by an EU 27 notified body, or self-declaration applies, then no changes will be required in order to continue CE marking after the end of the transition period.

Summary GB to EU 27

CE status today	Change needed	When?	Why?	Note
Goods requiring conformity assessment - UK notified body	Transfer files to EU notified body. Identify importer into EU 27, who has specific duties	ASAP, certainly before end of transition on 31 Dec 20	CE certificates from UK notified body no longer valid for CE marking after 31 Dec 20	Many UK NBs have established EU 27 subsidiaries
Goods requiring conformity assessment - EU notified body	Identify importer into EU 27, who has specific duties	N/A	CE marking remains valid for EU 27	
Goods not requiring conformity assessment by a notified body (self-declaration)	Identify importer into EU 27, who has specific duties	N/A	CE marking remains valid for EU 27	

Case studies

Powered perimeter gates or traffic barriers exported from GB to EU 27

An “importer” based in the EU 27 must be identified and the importer’s name, trade name and contact details must either appear on the gate/barrier or, if this is not possible, on documents accompanying the gate/barrier.

Check that the CE marking and the Declaration of Conformity (DoC) under the Machinery Directive are correct and made available to the importer, who must be able to verify that:

- the GB manufacturer has taken the necessary steps to allow the gate/barrier to be placed on the EU market
- the necessary documentation such as the DoC and the technical file is available upon request
- contact with the manufacturer is possible at any time

Industrial or garage doors exported from GB to EU 27

An “importer” based in the EU 27 must be identified and the importer’s name, trade name and contact details must either appear on the door or, if this is not possible, on documents accompanying the door. It is a requirement that the CE marking, the Declaration of Performance (DoP) under the CPR and, if required, the DoC under the Machinery Directive are made available to the importer, who must be able to verify that:

- the GB manufacturer has taken the necessary steps to allow the door to be placed on the EU market
 - the necessary documentation, such as the DoP and the technical file, is available upon request
 - contact with the GB manufacturer is possible at any time
- Check that the door has the CE marking and the Declaration of Performance (DoP) required by the Construction Products Directive (EU) 305/2011.
 - For CPR system 3 characteristics, it is hoped that test reports from UK notified test laboratories issued up to 31 December 2020 will remain valid, notwithstanding the laboratory’s subsequent change in status. However, this has yet to be confirmed. Test reports required after this date will need to be obtained from EU 27 notified test laboratories.
 - For any CPR system 1 characteristics (fire and smoke), a **certificate of constancy of performance is required**, from a notified product certification body. If the body in question is based in the UK, it will lose its notified status after 31 December 2020 and any existing certificates will no longer be valid for CE marking purposes. Certification files can be transferred to an EU 27 notified body, which can issue new certificates to enable certification to continue without interruption. Many UK notified bodies have established subsidiaries in the EU 27 to facilitate this process.
 - For powered doors, check that the door is being supplied with the correct Declaration of Conformity (DoC), required by the Machinery Directive 2006/42/EC. Since the Machinery Directive allows conformity of powered doors to be assessed without the involvement of a notified body (i.e. by self-declaration), no change to the current documentation is required.

External doorsets exported from GB to EU 27

An “importer” based in the EU 27 must be identified and the importer’s name, trade name and contact details must either appear on the doorset or, if this is not possible, on documents accompanying the doorset. It is a requirement that the CE marking and the DoP under the CPR are made available to the importer, who must be able to verify that:

- the GB manufacturer has taken the necessary steps to allow the doorset to be placed on the EU market
 - the necessary documentation, such as the DoP and the technical file, is available upon request
 - contact with the GB manufacturer is possible at any time
- Check that the doorset has the CE marking and the Declaration of Performance (DoP) required by the Construction Products Directive (EU) 305/2011.
 - For CPR system 3 characteristics, it is hoped that test reports from UK notified test laboratories issued up to 31 December 2020 will remain valid, notwithstanding the laboratory’s subsequent change in status. However, this has yet to be confirmed. Test reports required after this date will need to be obtained from EU 27 notified test laboratories.
 - For CPR system 1 characteristics (fire/smoke and emergency escape), a **certificate of constancy of performance is required**, from a notified product certification body. If the body in question is based in the UK, it will lose its notified status after 31 December 2020 and any existing certificates will no longer be valid for CE marking purposes. Certification files can be transferred to an EU 27 notified body, which can issue new certificates to enable certification to continue without interruption. Many UK notified bodies have established subsidiaries in the EU 27 to facilitate this process.

Controlled door-closing devices exported from GB to EU 27

An “importer” based in the EU 27 must be identified and the importer’s name, trade name and contact details must either appear on the product or, if this is not possible, on documents accompanying the product. It is a requirement that the CE marking and the DoP under the CPR are made available to the importer, who must be able to verify that:

- the GB manufacturer has taken the necessary steps to allow the product to be placed on the EU market
 - the necessary documentation, such as the DoP and the technical file, is available upon request
 - contact with the GB manufacturer is possible at any time
- Check that, if use on fire and smoke compartmentation doors is among the intended uses of a door-closing device, the product has the CE marking and the Declaration of Performance (DoP) required by the Construction Products Directive (EU) 305/2011. (If these intended uses are not relevant, CE marking does not apply).

- For CPR system 1 characteristics (fire/smoke and emergency escape), a **certificate of constancy of performance is required**, from a notified product certification body. If the body in question is based in the UK, it will lose its notified status after 31 December 2020 and any existing certificates will no longer be valid for CE marking purposes. Certification files can be transferred to an EU 27 notified body, which can issue new certificates to enable certification to continue without interruption. Many UK notified bodies have established subsidiaries in the EU 27 to facilitate this process.
- Where the closer is supplied to, for example, a fire doorset manufacturer with cascaded test evidence under CPR Article 36, the doorset manufacturer's notified body will be responsible for determining the acceptability of the cascaded evidence.

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