

CE and UKCA marking after 31 December 2020

Part 3 of 5 – Placing goods manufactured in the UK on the GB market



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 2 - Moving good from GB to the EU 27

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 manufacturers

For most UK-based manufacturers supplying only the GB market, little will change at the end of the transition period, except for the conformity mark itself. The exception will be if you currently use an EU 27 notified product certification body for certification.

Notified bodies and approved bodies²

If your goods are subject to **mandatory third-party conformity assessment**³, you need to be aware that, at the end of the transition period (31 December 2020), UK notified bodies will no longer be recognised by the

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

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 general term applies to 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, ACVP system 1 under CPR and the EC type examination under the MD. The product types affected are printed in red in this list.

EU; it will no longer be possible to rely on certification from such a body in order to apply the CE mark. However, former UK notified bodies will automatically become **UK approved bodies** on 1 January 2021 and any current certificates can be used by manufacturers to support UKCA marking. If you currently have certification from a UK notified body (and have not arranged for your files to be transferred to an EU notified body), you should begin to apply the UKCA mark from 1 January 2021.

However, any existing certification from an EU 27 notified body cannot be used to support the UKCA mark but will permit you to apply the CE mark. This mark will be recognised in GB until 31 December 2021. You must have made arrangements to obtain certification from a UK approved body by this date to permit you to apply the UKCA mark.

If your goods do **not** require the intervention of a notified or approved body to permit conformity marking (i.e. you can self-declare), you can choose to begin applying the UKCA mark when convenient during 2021. There is no problem with applying both CE and UKCA provided that your product continues to meet both sets of requirements and the two marks are displayed separately.

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**. Consequently, unless you have arranged for your certification files to be transferred to an EU 27 body, CE marking cannot continue after that date. In this case, UKCA marking must start on 1 January 2021. Former UK notified bodies will, however, be recognised as UK approved bodies and their certification will enable you to apply the new UKCA mark. **There will be no need for former UK notified bodies to re-issue certificates when they become UK approved bodies on 1 January 2021.**

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 indefinitely, but this remains to be confirmed. Assuming that there is no need for third-party conformity assessment in these cases, the UKCA mark can be introduced at any point between 1 January 2021 and 31 December 2021 as may be desired. Note that any **future** testing for the GB market will

have to be undertaken in a UK approved test laboratory; this applies to both system 3 testing commissioned by the door manufacturer and system 3 testing commissioned by component suppliers and cascaded down to the door manufacturer.

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

Except for machinery listed in Annex iv of the Machinery Directive, machinery does **not** require mandatory third-party conformity assessment. Consequently, the lack of mutual recognition between UK and EU 27 on conformity assessment bodies will not affect the conformity marking of complete powered doors and gates under the Machinery Directive. The manufacturer may therefore apply CE, UKCA or both markings, based on his own conformity assessment procedures (self-declaration).

Annex iv does, however, cover certain safety components when they are sold, and CE marked, separately; among these are:

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

These currently require CE marking. The safety component manufacturers may, if the component complies with a harmonised standard, choose to assess the conformity of the product themselves (self- declaration) or, if no harmonised standard is applicable, use a notified body to carry out the **EC type-examination**. If a UK notified body is currently used, then only the marking and DoC need to change; certificates will not need to be re-issued, but the UKCA marking and DoC will have to be applied by 1 January 2021. If an EU 27 body is currently used, then arrangements will have to be made with a suitable UK-based approved body in order to introduce UKCA marking in time for 1 January 2022.

Summary UK goods within GB

CE status today	Change needed	When?	Why?	Notes
Goods requiring third-party conformity assessment - UK notified body	Apply UKCA mark, Remove CE mark	01 Jan 21	Certificates from UK notified body no longer valid for CE marking after 31 Dec 20	Existing CE certificate from UK notified body can be used to support UKCA
Goods requiring third-party conformity assessment - EU 27 notified body	Engage UK approved body; apply UKCA mark	Before 01 Jan 22	CE marking no longer recognised in GB after 31 Dec 21	Can keep CE mark in addition, if desired for other markets.
Goods not requiring conformity assessment by a notified body (self-declaration)	Apply UKCA mark	Before 01 Jan 22	CE marking no longer recognised in GB after 31 Dec 21	Can keep CE mark in addition, if desired for other markets.

Case studies – placing goods manufactured in GB on the GB market

Industrial or garage doors placed on the GB market by a UK manufacturer

- The door requires a Declaration of Performance (DoP) under the Construction Products Regulation 305/2011. Once the UKCA mark is applied, the DoP should be amended to refer to the UK legislation: the Construction Products Regulations 2013.
- For CPR system 3 characteristics, only a test report from a notified test laboratory is currently required. It is hoped that existing reports will remain valid indefinitely for both CE marking and UKCA marking unless changes to the product or to the UK designated standard requires further tests. If new tests are required, they will have to be carried out by a UK approved test laboratory to support the UKCA mark.
- For CPR system 1 characteristics (fire & smoke), it is expected that CE certificates from UK notified bodies will cease to be valid for CE marking from 31 December 2020. They will, however, automatically be valid for UKCA marking, enabling the UKCA mark to be applied **from 1 January 2021**, if desired. (Continuing to apply the CE mark would be possible if the certification files have been transferred to an EU 27 notified body.)
- For powered doors, check that the door is being supplied with the correct Declaration of Conformity (DoC) under the Machinery Directive 2006/42/EC. Once the UKCA marking has been applied, the DoC should be updated to refer to the Supply of Machinery (Safety) Regulations 1992. 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 other changes to the current documentation are required.

Powered perimeter gate or barrier placed on the GB market by a UK manufacturer

- Check that the powered gate/barrier is being supplied with the correct Declaration of Conformity (DoC) under the Machinery Directive 2006/42/EC. Once the UKCA marking has been applied, the DoC should be updated to refer to the Supply of Machinery (Safety) Regulations 1992. Since the Machinery Directive allows conformity of powered gates/barriers to be assessed without the involvement of a notified body (i.e. by self-declaration), no other changes to the current documentation are required.

PCM (partly completed machinery) placed on the GB market by a UK manufacturer

Stand-alone drive or drive unit and control board combination

- The PCM requires a Declaration of Incorporation (DoI) under the Machinery Directive. The DoI should also declare conformity with other applicable directives such as EMC and RED. Once UKCA marking is adopted (see next paragraph), the DoI should be updated to refer to the corresponding UK legislation: the Supply of Machinery (Safety) Regulations 2008, the Electromagnetic Compatibility Regulations 2016 and the Radio Equipment Regulations 2017, for example.
- Check that the PCM is currently CE marked against the relevant directives but **not** the Machinery Directive. Valid CE marks will, in principle, be recognised in GB until 31 December 2021. However, changes in standards may lead to a divergence in the requirements between the EU 27 and GB; it is advisable to make arrangements to apply the UKCA mark as soon as convenient and, in any event, before the deadline of 31 December 2021.

- Where the PCM is supplied with cascaded test evidence⁴ to a door manufacturer, note that, for CPR system 1 characteristics (fire & smoke), the door manufacturer's UK approved product certification body will decide whether to accept the cascaded evidence.

External doorsets placed on the GB market by a UK manufacturer

- The doorset requires a Declaration of Performance (DoP) under the Construction Products Regulation 305/2011. Once the UKCA mark is applied, the DoP should be amended to refer to the UK legislation: The Construction Products Regulations 2013.
- For CPR system 3 characteristics, only a test report from a notified test laboratory is currently required. It is hoped that existing reports will remain valid indefinitely for both CE marking and UKCA marking unless changes to the product or to the UK designated standard require further tests. If new tests are required, they will have to be carried out by a UK approved test laboratory to support the UKCA mark.
- For CPR system 1 characteristics (fire & smoke), it is expected that CE certificates from UK notified bodies will cease to be valid for CE marking from 31 December 2020. They will, however, automatically be valid for UKCA marking, enabling the UKCA mark to be applied **from 1 January 2021**, if desired. (Continuing to apply the CE mark would be possible if the certification files have been transferred to an EU 27 notified body.)

Controlled door-closing device placed on the GB market by a UK manufacturer

- 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 required by the Construction Products Directive (EU) 305/2011. (If these intended uses are not relevant, CE and UKCA marking does not apply.) Once the UKCA mark is applied, the DoP should be amended to refer to the UK legislation: the Construction Products Regulations 2013.
- For CPR system 1 characteristics (fire & smoke), it is expected that CE certificates from UK notified bodies will cease to be valid for CE marking from 31 December 2020. They will, however, automatically become valid for UKCA marking, enabling the UKCA mark to be applied **from 1 January 2021**, if desired. Continuing to apply the CE mark would, however, be possible if the certification files have been transferred to an EU 27 notified body.
- Where the door closer is supplied with cascaded test evidence⁴ to a fire door manufacturer, the door manufacturer's UK approved product certification body will decide whether to accept the cascaded evidence.

⁴ Under CPR Article 36

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