

CE and UKCA marking after 31 December 2020

Part 5 – Goods manufactured in Northern Ireland and EU goods sold in the GB¹ market from Northern Ireland

UK
NI

CE

General introduction

This is one of a series of guidance papers about the introduction of the UKCA (UK Conformity Assessed) mark and the UKNI 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

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

[The Northern Ireland Protocol and the UKNI mark are covered in this paper and also in:](#)

Part 4 - Moving good from GB to Northern Ireland

The Northern Ireland Protocol is intended to avoid a hard border between Northern Ireland and the Republic of Ireland whilst ensuring unfettered access to the UK market for businesses in Northern Ireland.

The CE mark will continue to be recognised in Northern Ireland for the foreseeable future. The UKCA mark will not be recognised but there is no objection in principle to both marks appearing on a product, providing that they are clearly separate and no confusion results. The UKNI mark **must only be used alongside the CE mark** and only then if a compulsory conformity assessment has been carried out by a UK body.

Duties of importers

If you are a Northern Ireland business selling goods on the GB market that have been supplied to you (as a distributor) from the EU market, you will become an **importer under GB rules**. You will have certain additional duties and you need to make sure that:

- Goods are labelled with your company's details, including your company's name and a contact address (until 31 December 2022 you can provide these details on the accompanying documentation rather than on the good itself)
- The goods were correctly CE labelled by the EU manufacturer and accompanied by the necessary documentation
- You maintain a copy of the declaration of conformity and/or declaration of performance for a period of 10 years

¹ GB (Great Britain) comprises England, Wales and Scotland

- Arrangements are in place for a copy of the technical file to be made available in the event of a reasoned request from GB enforcement authorities (HSE, Trading Standards etc)

Duties of manufacturers based in Northern Ireland

CE marks will continue to be recognised in Northern Ireland, as well as the EEA² (including the Republic of Ireland). Manufacturers in Northern Ireland will therefore continue to apply the CE marking largely as before (but see below for details of when it must be accompanied by the UKNI mark).

Unfettered access

The UK government has guaranteed unfettered access to the GB market to Northern Ireland's businesses. This means that any conformity mark valid in Northern Ireland (CE and, in relevant cases, CE plus UKNI) will also be accepted in GB, where one of these two conditions applies:

1. The goods were manufactured, and CE marked, by a business in Northern Ireland, or
2. CE-marked EU goods have been supplied to a Northern Ireland business, acting as a distributor, and the business then sells them in the GB market (acting as the "importer" to the GB market)

Notified bodies and UK approved bodies

If your goods are subject to mandatory **third-party conformity assessment**³, note that, after 31 December 2020, UK notified body certificates will no longer be recognised for normal CE marking. If this affects you, you can either arrange to transfer your certification files to an EU 27 notified body (to permit continued CE marking) or you can use the UK certification to support the **UKNI mark**. This mark indicates that the accompanying CE mark is recognised in **Northern Ireland but not in the EEA**, because it is based on a UK certificate. This is permitted because of the special status of Northern Ireland under the Protocol. As mentioned above, the **UKNI mark must only be used in association with a CE mark and never alone**.

If your CE marking from 1 January 2021 will rely on certification by an **EU 27 notified body**⁴, you can continue to use CE marking normally (i.e. **without the UKNI mark**). Your CE mark will be recognised in Northern Ireland and throughout the EEA (including the Republic of Ireland)*.

For goods **not** requiring third party conformity assessment by a notified or UK approved body, you can continue to apply the CE mark as before, by self-declaration. You will **not** need to use the UKNI mark. Your CE mark will be recognised in Northern Ireland and throughout the EEA (including the Republic of Ireland)*.

Goods covered by the Construction Products Regulation (EU) 305/2011

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

² The European Economic Area (EEA) comprises the EU 27 plus Norway, Iceland and Liechtenstein

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.

⁴ 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.

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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

CE marking for system 1 products supported by certificates issued by notified product certification bodies in the EU 27, will continue to be accepted for products placed on the NI market for the foreseeable future. It will also be accepted in the Republic of Ireland and the rest of the EEA*.

If your CE marking of any of these products after 31 December 2020 will be based on certification by a UK body, the CE mark **must** be accompanied by a UKNI mark, indicating the mark is recognised **only in Northern Ireland but not in the EEA***, because it is based on UK certification. The alternative is to transfer the certification files to an EU 27 notified body and proceed as in the previous paragraph.

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 for CE marking wherever they were carried out, **but this remains to be confirmed**. This applies both to test reports on complete doors and to component tests to support Article 36 “cascaded evidence”.

In any event, CE marked products placed on the NI market supported by **test reports dated after 31 December 2020** from a UK approved test laboratory will require the UKNI mark alongside the CE mark. This marking will be recognised in Northern Ireland but not the EEA*.

Goods covered by the Machinery Directive 2006

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. You may therefore continue to apply the CE mark, based on your own conformity assessment procedures (self-declaration). The UKNI mark will **not** be needed and the CE mark will be recognised in Northern Ireland and the EEA, including the Irish Republic*.

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 require CE marking. You may, if the component complies with a harmonised standard, choose to assess the conformity of the product yourself (self-declaration) or, if no harmonised standard is applicable, use a notified body to carry out the **EC type-examination**.

If you use an EU-based notified body for the EC type-examination, then CE marking can continue as before. You will not need the UKNI mark. The CE mark will also be recognised in the EEA, including the Republic of Ireland*.

If your Machinery Directive CE marking is based on an EC type-examination by a UK notified body, and you have no plans to change this after 31 December 2020, then you can continue to CE mark for the Northern Ireland market but you **must** apply the UKNI mark alongside the CE mark. This mark will **be recognised in Northern Ireland but not the EEA***.

Products CE marked by self-declaration will **not** need the UKNI mark and the CE mark will be recognised in Northern Ireland as well as in the EEA, including the Republic of Ireland*.

Summary – goods manufactured in Northern Ireland

CE status today	Change needed	When?	Why?	Notes
Goods requiring third party conformity assessment - UK notified body	Apply UKNI mark, adjacent to CE mark	01 Jan 21	Certificates from UK notified body no longer valid for “normal” CE marking after 31 Dec 20	THIS CE MARK* IS RECOGNISED IN NORTHERN IRELAND BUT NOT IN THE EEA
Goods requiring third party conformity assessment - EU 27 notified body	None. Continue to apply the CE mark without UKNI	N/A	CE marking continues to be recognised indefinitely in NI	CE mark also recognised in EEA, including Republic of Ireland*
Goods not requiring conformity assessment by a notified body (self-declaration)	None. Continue to apply the CE mark without UKNI	N/A	CE marking continues to be recognised indefinitely in NI	CE mark also recognised in EEA, including Republic of Ireland*

Summary – goods manufactured in EU and sold in the GB market by NI distributor/importer

CE status today	Change needed	When?	Why?	Notes
Goods requiring third party conformity assessment - UK notified body	1-EU manufacturer to apply UKNI mark adjacent to CE. 2-NI distributor becomes “importer” under GB rules.	01 Jan 2021	1-Certificates from UK NB no longer valid for “normal” CE marking after 31 Dec 20 . 2-Importer from EU-27 to GB must be identified from 01 Jan 2021	Unfettered access applies to NI distributor, who becomes “importer” under GB rules (see p1)
Goods requiring third party conformity assessment - EU 27 notified body	No change to CE marking. NI distributor becomes “importer” under GB rules.	01 Jan 2021	Importer from EU-27 to GB must be identified from 01 Jan 2021	Unfettered access applies to NI distributor, who becomes “importer” under GB rules (see p1)
Goods not requiring conformity assessment by a notified body (self-declaration)	No change to CE marking. NI distributor becomes “importer” under GB rules.	01 Jan 2021	Importer from EU-27 to GB must be identified from 01 Jan 2021	Unfettered access applies to NI distributor, who becomes “importer” under GB rules (see p1)

Case studies

Powered perimeter gate or traffic barrier manufactured in NI

- Check that the gate is CE marked and 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 gates to be assessed without the involvement of a notified body (i.e. by self-declaration), no change to the current documentation is required.

You should not apply the UKNI mark.

- The CE mark will be recognised in Northern Ireland as well as in the EEA, including the Republic of Ireland*.

Powered perimeter gate or traffic barrier manufactured in EU and sold in the GB market by NI distributor/importer

- NI distributor/importer should check that the gate is CE marked and 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 gates to be assessed without the involvement of a notified body (i.e. by self-declaration), no change to the current documentation should be required. The UKNI mark should **not** be applied.
- Due to “unfettered access”, the CE mark will be recognised in GB, provided that the **NI-based importer’s name and contact address** are on the product or accompanying documentation. See page 1 for duties of importers.

Industrial or garage door manufactured in NI

- 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 initial type test reports from UK notified test laboratories issued up to 31 December 2020 will remain valid for normal CE marking, 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 normal CE marking to continue.
- If use is made of system 3 type test reports from UK laboratories issued after 31 December 2020, the CE mark should be accompanied by a UKNI mark. In this case, the mark will be **recognised in Northern Ireland but not the EEA***.
- 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 normal CE marking purposes. Certification files can be transferred to an EU 27 notified body, which can issue new certificates to enable CE certification to continue without interruption. Many UK notified bodies have established subsidiaries in the EU 27 to facilitate this process.
 - If, from 1 January 2021, certification is carried out by an EU 27 notified body, the fire/smoke door can be CE marked as before. **You should not apply the UKNI mark.** The CE mark will also be recognised in the EEA, including the Republic of Ireland*.
 - If certification is carried out by a **UK approved body** from 1 January 2021, you can still apply the CE mark for the NI market only, but only **with the UKNI mark beside it.** This mark will be **recognised in Northern Ireland but not the EEA***.
- 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. The CE mark will be recognised in Northern Ireland as well as in the EEA, including the Republic of Ireland*.

External doorsets manufactured in NI

- 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 normal CE marking to continue.

- If use is made of type test reports from UK laboratories issued after 31 December 2020, the CE mark should be accompanied by a UKNI mark. In this case, the mark will be recognised in Northern Ireland but not the EEA*.
- 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 normal CE marking purposes. Certification files can be transferred to an EU 27 notified body, which can issue new certificates to enable CE certification to continue without interruption. Many UK notified bodies have established subsidiaries in the EU 27 to facilitate this process.
 - If, from 1 January 2021, certification is carried out by an EU 27 notified body, the fire/smoke doorset can be CE marked as before. **You should not apply the UKNI mark.** The CE mark will also be recognised in the EEA, including the Republic of Ireland*.
 - If certification is carried out by a UK approved body from 1 January 2021, you can still apply the CE mark for the NI market, but only **with the UKNI mark beside it.** In this case the mark will be recognised in Northern Ireland but not the EEA*.

Controlled door-closing devices manufactured in NI

- Check that the closer has the CE marking and the Declaration of Performance (DoP) required by the Construction Products Directive (EU) 305/2011.
- For 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 normal CE marking purposes. Certification files can be transferred to an EU 27 notified body, which can issue new certificates to enable CE certification to continue without interruption. Many UK notified bodies have established subsidiaries in the EU 27 to facilitate this process.
 - If, from 1 January 2021, certification is carried out by an EU 27 notified body, the door closer can be CE marked as before. **You should not apply the UKNI mark.** The CE mark will also be recognised in the EEA, including the Republic of Ireland*.
 - If certification is carried out by a UK approved body from 1 January 2021, you can still apply the CE mark for the NI market only, but only **with the UKNI mark beside it.** In this case, the mark will be recognised in Northern Ireland but not the EEA*.
- 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.

*Under “unfettered access” (see page 2), the mark will also be accepted in GB, provided that you are a manufacturer based in Northern Ireland.



Contact us for more information

Email: info@dhfonline.org.uk

Telephone: (0)1827 52337

Address: **dhf** The Barn, Shuttington Fields Farm, Main Road, Shuttington B79 0HA

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