

CE & UKCA marking after 31 December 2020



Part 1 – Moving goods from the EU 27 to GB

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 2 - Moving goods 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:

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.

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

Section 1

Duties of distributors and importers

Are you a distributor or an importer?

If you bring goods manufactured in the EU 27 into the GB market **after 31 December 2020**, you will generally be regarded as an **importer**; this means that you will have additional duties, including labelling the goods with your name and address and checking that the manufacturer in the EU 27 has applied the correct conformity marking, supported by the appropriate documentation.

UKCA marking becomes possible from 1 January 2021, but goods placed on the GB market by **31 December 2021** can continue to rely on the CE marking, provided that the technical requirements remain the same. After that date, goods placed on the GB market must carry the **UKCA** marking; note that this can be applied in addition to the CE marking if the product meets both sets of requirements. The rules for applying the marking vary according to the legislation applicable to the product.

Section 2

Duties of manufacturers

Notified bodies and approved bodies

If the goods are subject to mandatory **third-party conformity assessment**², you should be aware that, after 31 December 2020, UK notified body certificates will no longer be recognised for CE marking. Similarly, EU 27 notified body certificates will not be recognised in GB for UKCA marking.

If your CE marking is based on certification by an **EU 27 notified body**³, you can continue to rely on CE marking throughout 2021 if you wish, but you will have to make arrangements with a UK approved body in time to apply the UKCA marking for 1 January 2022.

If your CE marking relies upon certification by a **notified body in the UK**, you will not be able to apply the CE marking after 31 December 2020 unless your files have been transferred to an EU 27 notified body. This is because, as noted above, UK notified body certificates will cease to be recognised for CE marking purposes after that date. You would then have to use UKCA marking instead for goods placed on the GB market from **1 January 2021**. Existing UK notified body certificates will be recognised for UKCA marking in this situation; UK notified bodies will automatically become UK approved bodies on 1 January 2021.

² 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.

³ 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.

There is nothing wrong with applying both markings if your product meets both sets of requirements, provided that the markings are clearly separated and do not cause confusion. This could avoid the need to have different packaging for the EU 27 and the GB markets in the future. Although the CE mark will not be recognised in GB after 31 December 2021, it will not be banned. Similarly, there is no suggestion that correctly CE marked goods which also display the UKCA mark will be banned in the EU 27.

If your goods do not require the intervention of a notified or approved body, you can choose to begin applying the UKCA mark at any convenient point during 2021. Again, there is no problem with applying both CE and UKCA, provided that your product meets both sets of requirements.

Section 3

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

CE marking, supported by certificates issued by **notified product certification bodies** in the EU 27, will continue to be accepted for products placed on the GB market until 31 December 2021. The UKCA mark, supported by certificates issued by UK approved product certification bodies, will be accepted alongside CE marking in the GB market from 1 January 2021 and will become the only acceptable conformity mark after 31 December 2021. UK approved product certification bodies may be able to accept test reports generated by test laboratories in the EU 27; early discussion with UK approved bodies is strongly recommended if re-testing is to be avoided.

If you use imported components that are currently approved without further testing under CPR Article 36 (cascaded test evidence), you will also need to ensure that the appropriate technical documentation has been approved by a UK approved body well before the deadline of 31 December 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, **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”.

Section 4

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 manufacturer may, if the component complies with a harmonised standard, choose to assess the conformity of the product himself or, if no harmonised standard is applicable, use a notified body to carry out the EC type-examination. If you currently use an EU-based notified body to provide this service, 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.

Section 5

Documentation supporting the UKCA mark

Declarations of Performance and Declarations of Conformity supporting the UKCA mark should be produced as for the CE mark, but with the following changes:

- Refer to UK legislation in place of EU directives and regulations:
 - “Supply of Machinery (Safety) Regulations 2008” instead of “Machinery Directive 2006/42/EC”
 - “Construction Products Regulations 2013” instead of “Construction Products Regulation (EU) No 305/2011”
- Refer to UK-designated standards instead of harmonised standards:
 - eg: “BS EN 14351-1:2006+A2:2016” instead of “EN 14351-1:2006+A2:2016”
- Where required, give the new “UK approved body” 4-digit reference. If you are keeping the same UK notified body, the new 4-digit reference will be the same as the old “notified body” 4-digit reference.

Summary – EU27 to GB

CE status today	Change needed	When?	Why?	Notes
Goods requiring conformity assessment - EU notified body	Engage UK approved body; apply UKCA mark. Importer into GB has additional duties	Before 01 Jan 22	CE marking no longer recognised in GB after 31 Dec 21	
Goods requiring conformity assessment - UK notified body	Apply UKCA mark. Importer into GB has additional duties	Before 01 Jan 21	UK notified body no longer recognised for CE after 31 Dec 20	Existing certificate from UK notified body remains valid for UKCA
Goods not requiring conformity assessment by a notified body	Apply UKCA mark by self-declaration. Importer into GB has additional duties	Before 01 Jan 22	CE marking no longer recognised in GB after 31 Dec 21	

Section 6

Case studies – EU 27 to GB

Industrial or garage door imported from EU 27 to GB

Where goods are being imported from the EU 27 and placed on the UK market, the “importer” must be identified (usually the main UK distributor) and the importer’s contact details must either appear on a label on the door or (until 31 December 2022) on documents accompanying the door.

- Check that the door is being supplied with the correct Declaration of Performance (DoP) required by 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, requiring a test report from a notified test laboratory, it is hoped that test reports dated up to 31 December 2020 will remain valid, providing neither the product itself nor the UK designated standard changes. EU 27 test reports dated after this will be valid only for CE marking and, similarly, UK test reports will be valid only for UKCA marking. If changes to either the product or the UK-designated standards necessitate further testing, it will have to be undertaken by a UK approved test laboratory.
- For CPR system 1 characteristics (fire & smoke) requiring a certificate of constancy of performance from a notified product certification body, the likely situation is that certification by UK notified bodies will cease to be valid for CE marking from 31 December 2020 and certification by EU 27 bodies will not be recognised for UKCA marking. Applying the UKCA mark will therefore only be possible if the certification has been carried out by a UK approved body. Agreements between UK approved bodies and EU 27 notified bodies may make this process easier.
- For powered doors, check that the door is being supplied with the correct Declaration of Conformity (DoC), required by the Machinery Directive. Once the UKCA mark is applied, the DoC should be amended to refer to the UK legislation: the Supply of Machinery (Safety) Regulations 2008.
- Check that the door is currently correctly CE marked. Valid CE marks will in principle be recognised in the GB market until 31 December 2021, but you must check that your certification (where required) is still recognised and also that there have been no changes to standards leading to the CE requirements becoming different from the UKCA requirements. It is therefore advisable to make arrangements to apply the UKCA mark as soon as convenient and, in any event, before the deadline of 31 December 2021.

Powered perimeter gate or traffic barrier imported from EU 27 to GB

Where goods are being imported from the EU 27 and placed on the UK market, the “importer” must be identified (usually the main UK distributor) and the importer’s contact details must either appear on a label on the gate/barrier or (until 31 December 2022) on documents accompanying the gate/barrier.

- Check that the gate/barrier is being supplied with the correct Declaration of Conformity (DoC), required by the Machinery Directive. Once the UKCA mark is applied, the DoC should be amended to refer to the UK legislation: the Supply of Machinery (Safety) Regulations 2008.
- Check that the gate/barrier is currently correctly CE marked. Valid CE marks will in principle be recognised in the GB market until 31 December 2021. However, changes in standards may lead to a divergence in requirements between EU 27 and GB and it is therefore advisable to make arrangements to apply the UKCA mark as soon as convenient and, in any event, before the deadline of 31 December 2021.

PCM (partly completed machinery) imported from EU 27 to GB

Stand-alone drive or drive unit and control board combination

Where goods are being imported from the EU 27 and placed on the UK market, the “importer” must be identified (usually the main UK distributor) and the importer’s contact details must either appear on a label on the PCM or (until 31 December 2022) on documents accompanying the PCM.

- Check that the PCM is being supplied with the correct Declaration of Incorporation (DoI), required by the Machinery Directive. The DoI should also declare conformity with other relevant safety directives, including EMC and RED. Once UKCA marking is adopted, the DoI should be amended 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 safety directives but **not** the Machinery Directive. Valid CE marks will in principle be recognised in the GB market until 31 December 2021. However, changes in standards may lead to a divergence in requirements between EU 27 and GB and it is therefore 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 evidence according to Article 36 of the CPR, the current situation is that, for CPR system 1 characteristics (fire & smoke), the approved product certification body responsible for certifying the complete fire or smoke door would be responsible for determining the acceptability of the evidence. EU 27 notified product certification bodies will not be recognised for UKCA marking. Applying the UKCA mark to the complete door will therefore only be possible if the certification has been carried out by a UK approved body; it will be for this body to determine whether any cascaded evidence offered is acceptable.

- For CPR system 3, it is hoped that any notified test laboratory report produced up to 31 December 2020 will remain valid; this remains, however, to be confirmed. For UKCA marking, future testing would need to be undertaken by a UK approved body.

Safety components imported from EU 27 to GB

Includes safe edge, light grid, laser scanner & associated control relay, control board supplied as a stand-alone universal component and fall-back protection device.

Where goods are being imported from the EU 27 and placed on the UK market, the “importer” must be identified (usually the main UK distributor) and the importer’s contact details must either appear on a label on the safety component or (until 31 December 2022) on documents accompanying the safety component.

- Check that the safety component is being supplied with the correct Declaration of Conformity (DoC), required by the Machinery Directive. The DoC should also declare conformity with other relevant safety directives, including EMC and RED. Once UKCA marking is adopted, the DoC should be amended 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 safety component is currently correctly CE marked. Valid CE marks will in principle be recognised in the GB market until 31 December 2021, but you must check that your certification (where required) is still recognised and also that there have been no changes to standards leading to the CE requirements becoming different from the UKCA requirements. It is therefore advisable to make arrangements to apply the UKCA mark as soon as convenient and, in any event, before the deadline of 31 December 2021.
- Manufacturers of sensitive safety components to detect the presence of people (eg safe edge, light grid or laser scanner) can either use the harmonised standard EN 12978 or use the services of a notified body to undertake an EC type-examination. Note that a type-examination certificate from an EU 27 notified body will not be valid for UKCA marking.

Controlled door-closing devices imported from EU 27 to GB

Where goods are being imported from the EU 27 and placed on the UK market, the “importer” must be identified (usually the main UK distributor) and the importer’s contact details must either appear on a label on the goods or (until 31 December 2022) on documents accompanying the goods.

- Check that, if use on fire and smoke compartmentation doors is among the intended uses of a door closing device, the Declaration of Performance (DoP) required by the Construction Products Regulation 305/2011 is provided. 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), requiring a certificate of constancy of performance from a notified product certification body, the likely situation is that certification by UK notified bodies will cease to be valid for CE marking from 31 December 2020 and certification by EU 27 bodies will not be recognised for UKCA marking. Applying the UKCA mark will therefore only be possible if the certification has been carried out by a UK approved body. Agreements between UK approved bodies and EU 27 notified bodies may make this process easier.
- Where the closer is supplied to, for example, a doorset manufacturer with cascaded test evidence according to Article 36 of the CPR, the current situation is that, for CPR system 1 characteristics (fire & smoke), the approved product certification body responsible for certifying the complete fire or smoke doorset would be responsible for determining the acceptability of the evidence. EU 27 notified product certification bodies will not be recognised for UKCA marking. Applying the UKCA mark to the complete doorset will therefore only be possible if the certification has been carried out by a UK approved body; it will be for this body to determine whether any cascaded evidence offered is acceptable.
- Check that the closer is currently correctly CE marked. Valid CE marks will in principle be recognised in the GB market until 31 December 2021, but you must check that your certification is still recognised and also that there have been no changes to standards leading to the CE requirements becoming different from the UKCA requirements. It is therefore advisable to make arrangements to apply the UKCA mark as soon as convenient and, in any event, before the deadline of 31 December 2021.

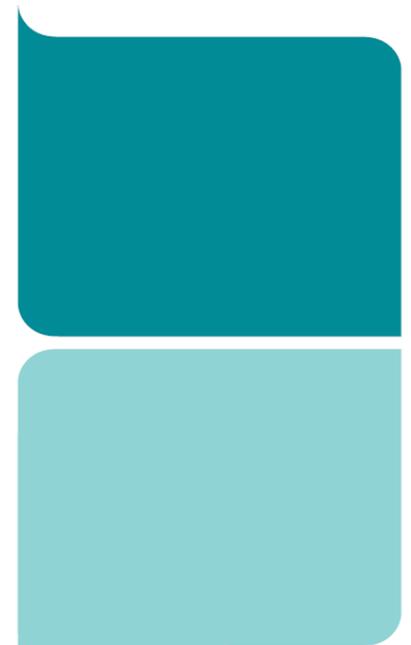
Fire-resisting external doorsets imported from EU 27 to GB

Where goods are being imported from the EU 27 and placed on the UK market, the “importer” must be identified (usually the main UK distributor) and the importer’s contact details must either appear on a label on the goods or (until 31 December 2022) on documents accompanying the goods.

- Check that the doorset is being supplied with the correct Declaration of Performance (DoP) required by 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 1 characteristics (fire & smoke), requiring a certificate of constancy of performance from a notified product certification body, the likely situation is that certification by UK notified bodies will cease to be valid for CE marking from 31 December 2020 and certification by EU 27 bodies will not be recognised for UKCA marking. Applying the UKCA mark will therefore only be possible if the certification has been carried out by a UK approved body. Agreements between UK approved bodies and EU 27 notified bodies may make this process easier.
- Check that the doorset is currently correctly CE marked. Valid CE marks will in principle be recognised in the GB market until 31 December 2021, but you must check that your certification is still recognised and also that there have been no changes to standards leading to the CE requirements becoming different from the UKCA requirements. It is therefore advisable to make arrangements to apply the UKCA mark as soon as convenient and in any event before the deadline of 31 December 2021.

**UK
CA**



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