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Dear Liam,

ANNOUNCEMENT TO CONTINUE RECOGNITION OF THE CE MARKING FOR A RANGE OF PRODUCT REGULATIONS

I am writing to provide you with an update on the Government's approach to the UK Conformity Assessment (UKCA) product marking and plans to continue recognition of 'conformité européenne' (CE) beyond 31 December 2024. I announced in August 2023 that the UK Government plans to continue recognition of current EU requirements, including the CE marking, for the product regulations managed by the Department for Business and Trade. Since then, we have continued to engage with industry, both in the UK and those who supply the UK from overseas. We are taking further action.

The continued recognition of current EU requirements, including the CE marking, will cover the 18 product regulations under the responsibility of the Department of Business and Trade, and, following feedback from industry, three additional regulations from other Government departments. Continued CE recognition will now include the Ecodesign for Energy-Related Products 2010 Regulations, (Department for Energy Security and Net Zero), the Explosives Regulations 2014 (Department for Work and Pensions (Health and Safety Executive)), and the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012 (Department for Environment, Food & Rural Affairs).

The Government is taking a tailored approach to support the interests of British businesses and ensure consumers are protected, taking account of the specialist nature of each regulation. This means not all product regulations covered by the CE or UKCA regime will be included in this legislation. There are specific arrangements in place for medical devices (Department for Health and Social Care (Medical and Healthcare products Regulatory Agency)), construction products (Department for Levelling Up, Housing and Communities). There are also specific arrangements for the Department for Transport regulations, which include marine equipment, rail products, cableways, transportable pressure equipment and unmanned aircraft systems.

This decision will allow businesses to continue to place goods on the GB market using the CE mark, as well as in NI and the EU. This approach aligns with the requirements in Northern Ireland, where CE is already recognised, pursuant to the Windsor Framework.

The legislation, being brought to Parliament in Spring, will use powers under the Retained EU Law Act (2023). The legislation forms part of the Government's smarter regulation programme, designed to improve regulation across the board, ensuring it is clear and only used where necessary and proportionate. It also ensures that the UK retains the power to act and diverge where it is in the UK's interests.

The main purposes of this instrument are to:

- Provide businesses with the flexibility to place goods that fall under 21 product regulations and meet current EU requirements on the market in Great Britain.
- Introduce a 'Fast-Track UKCA' measure, allowing manufacturers to use the UKCA marking to demonstrate compliance, in GB, with either UKCA product requirements or EU product requirements where they are recognised. Where products are covered by multiple regulations, a mixture of both UKCA and CE conformity assessment procedures can be used. This is designed to provide longer-term certainty and flexibility for businesses should the UK mandate UKCA for certain regulations in the future.

I'm also pleased to announce that later in the year, the Government also intends to introduce greater labelling flexibility, including the option for manufacturers to use digital labelling and provide labelling flexibility to enable importers of goods from the EU and the rest of the world to supply their details indelibly, on an accompanying document, the packaging or on an adhesive label.

Alongside this legislation, the UK Government will continue to monitor any regulatory changes the EU may make in future, and we will continue to work with industry to ensure UK regulatory policy reflects the interests of British businesses and consumers. We recognise the importance of being able to mandate UKCA marking, and we may choose to do this in the future for certain regulations where this is in the interests of British businesses, consumer safety, or environmental protection.

I am aware of the important role UK Conformity Assessment Bodies play in ensuring the compliance of goods to UKCA requirements and their role in supporting innovation. We will continue to work with the UK Accreditation Service and industry to monitor capacity of the conformity assessment market.

My officials will continue to engage with industry closely to provide businesses with support, reviewing the UK regulatory framework to identify opportunities to reduce costs and burdens for the benefit of businesses and consumers.

Yours ever,

A handwritten signature in black ink, appearing to read 'Kevin', with a stylized flourish at the end.

Kevin Hollinrake MP

Minister for Enterprise, Markets, and Small Business
Department for Business and Trade