

# UK Declaration of Conformity & Marking Requirements



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# Compliance & Risks Webinar Series



~~20<sup>th</sup> January – Post Transition – Economic Operators, changed responsibilities & 3<sup>rd</sup> Party Assessment Bodies – Liz Kimber, RINA~~



~~3<sup>rd</sup> February – UK REACH: The changes in obligations and risks to businesses – Emily Tyrwhitt Jones, RINA~~



~~17<sup>th</sup> February – UK Declaration of Conformity & Marking Requirements – Liz Kimber, RINA~~

# Introduction

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- Brief RINA overview

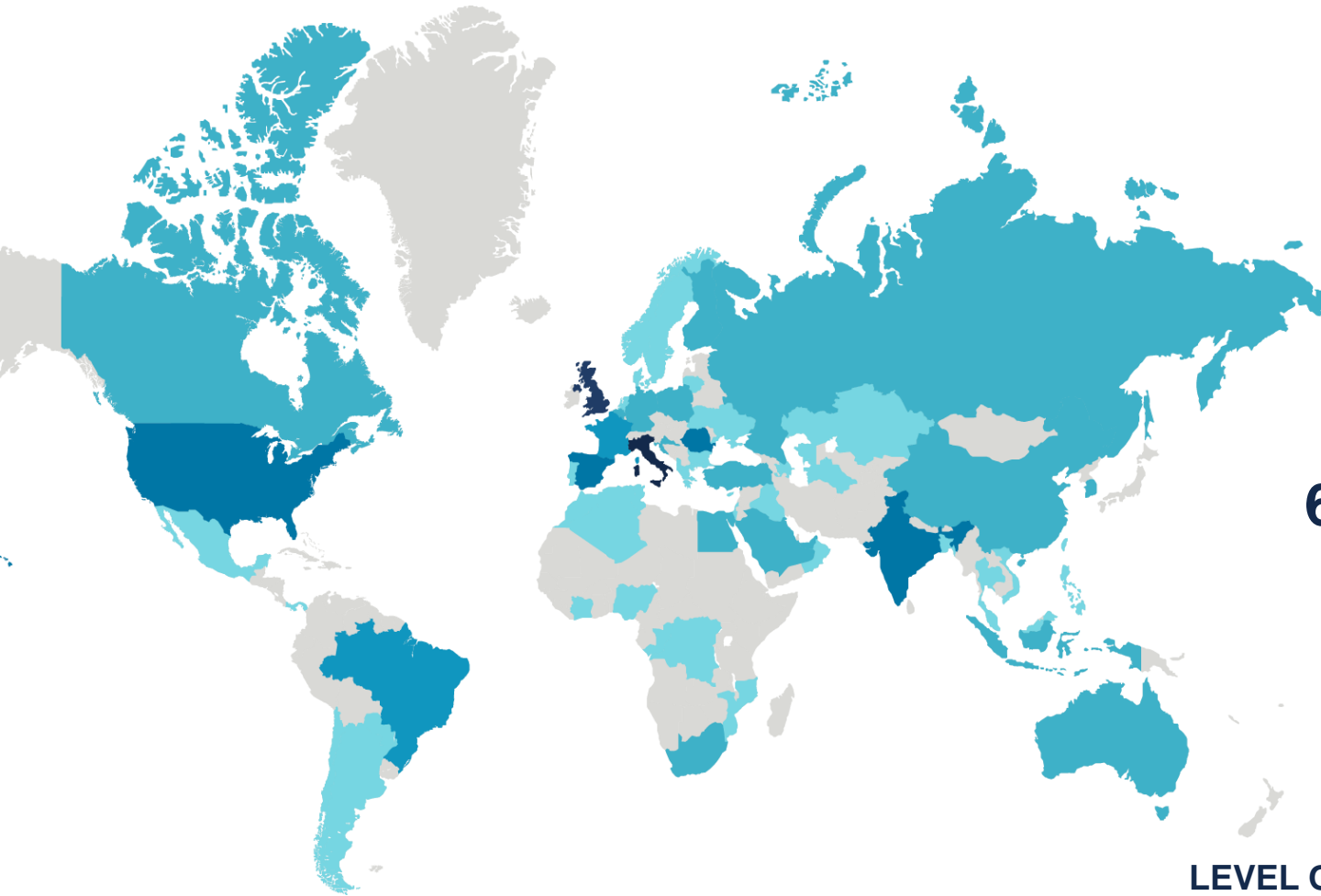
## UK Declaration of Conformity

- What is it and who is responsible?
- Why is it important ?
- Which Legislation Requires a UK Declaration of Conformity?
- What should the content and format be ?
- What should be done with it ?
- Other Declarations

## UKCA & UKNI Product Marking

- What are they and when should they be used?
- How should they be applied?

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**Marine**



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# Product Regulatory Compliance Team



- We support the European Commission, manufacturers, importers and distributors of electrical and engineering products to identify, understand and meet technical and environmental legislation
- Compliance & Risks Knowledge Partner since 2008



## UK Declaration of Conformity – What Is It & Who Is Responsible ?

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### What is it?

- ❑ The UK Declaration of Conformity (UK DoC) is the UK equivalent of the EU Declaration of Conformity.
- ❑ The UK Declaration of Conformity is a mandatory requirement under certain UK Legislation.
- ❑ A document declaring that a product is placed on the market in compliance with the UK legislation listed on the Declaration.

### Who is responsible?

- ❑ The 'manufacturer' of the product is responsible for drawing up the UK DoC.
- ❑ Under certain legislation the manufacturer can delegate this obligation to an 'authorised representative'.

## UK Declaration of Conformity – Why is it important?

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### Grounds for non-compliance relating to the UK DoC

- The EU declaration of conformity has not been drawn up
- The EU declaration of conformity has not been drawn up correctly
- The EU declaration of conformity does not accompany the subsystem or safety component (when this is a requirement)

### Consequences

- Advisory to correct the non compliance
- Measures taken to restrict the product being made available on the UK Market or to recall/withdraw it from the market



# UK Declaration of Conformity – Which Legislation Requires a UK Declaration of Conformity?



[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/953948/uk-eu-legislation-list.ods](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/953948/uk-eu-legislation-list.ods)

EU Legislation		UK Legislation	
Reference	Description	Reference	Description
2006/42/EC	Machinery Directive	S.I. 2008 No. 1597	Supply of Machinery (Safety) Regulations 2008
2014/35/EU	Low Voltage Directive	S.I. 2016 No. 1101	Electrical Equipment (Safety) Regulations 2016
2014/30/EU	EMC Directive	S.I. 2016 No. 1091	Electromagnetic Compatibility Regulations 2016
2014/34/EU	ATEX Directive	S.I. 2016 No. 1107	Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres Regulations 2016
90/385/EEC <sup>1</sup>	Active Implant Medical Devices Directive	S.I. 2002 No. 618	The Medical Devices Regulations 2002
98/79/EC <sup>2</sup>	In-Vitro Diagnostics Devices Directive	S.I. 2002 No. 618	The Medical Devices Regulations 2002
2016/424	Cableway Installations Regulation	S.I. 2018 No. 816	The Cableway Installations Regulations 2018
2009/125/EC	Ecodesign Directive	S.I. 2019 No. 539	The Ecodesign for Energy-Related Products and Energy Information (Amendment) (EU Exit) Regulations 2019
2014/28/EU	Explosives for Civil Use Directive	S.I. 2014 No. 1638	Explosives Regulations 2014
2016/426	Gas Appliances Regulation	S.I. 2019 No. 696	Regulation (EU) 2016/426 AND The Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018
92/42/EEC	Hot Water Boilers Directive	S.I. 2019 No. 539	The Ecodesign for Energy-Related Products and Energy Information (Amendment) (EU Exit) Regulations 2019
2014/33/EU	Lifts Directive	S.I. 2016 No. 1093	Lifts Regulations 2016
2014/90/EU	Marine Equipment Directive	S.I. 2016 No. 1025	The Merchant Shipping (Marine Equipment) Regulations 2016
2014/32/EU	Measuring Instruments Directive	S.I. 2016 No. 1153	Measuring Instruments Regulations 2016
93/42/EEC <sup>3</sup>	Medical Devices Directive	S.I. 2002 No. 618	The Medical Devices Regulations 2002
2000/14/EC	Noise Emissions Directive	S.I. 2001 No. 1701	Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001
2014/31/EU	Non-Automatic Weighing Devices	S.I. 2016 No. 1152	Non-automatic Weighing Instruments Regulations 2016
2016/425	Personal Protective Equipment Regulation	S.I. 2018 No. 390	Regulation (EU) 2016/425 AND The Personal Protective Equipment (Enforcement) Regulations 2018
2014/68/EU	Pressure Equipment Directive	S.I. 2016 No. 1105	Pressure Equipment (Safety) Regulations 2016
2013/29/EU	Pyrotechnics Directive	S.I. 2015 No. 1553	The Pyrotechnic Articles (Safety) Regulations 2015
2014/53/EU	Radio Equipment Directive	S.I. 2017 No. 1206	Radio Equipment Regulations 2017

- There is no mandatory format for the UK DoC
- The Declaration may take the form of a document, a label or equivalent, and must contain sufficient information to enable all products covered by it to be traced back to it.
- The Declaration should be available in English.
- The exact content requirements are defined by each specific piece of Legislation
- Annex III of Decision No. 768/2008/EC, provides a 'model'.

The model declaration in Decision No 768/2008/EC contains:

- ❑ A product identification number. This number does not need to be unique to each product. It could refer to a product, batch, type or a serial number. This is left to the discretion of the manufacturer.
- ❑ The name and address of the manufacturer or the authorised representative issuing the Declaration.
- ❑ A statement that the Declaration is issued under the sole responsibility of the manufacturer (or installer, where applicable).
- ❑ The identification of the product allowing traceability. This is basically any relevant information supplementary to the identification number describing the product and allowing for its traceability. It may where relevant for the identification of the product contain an image, but unless specified as a requirement in the UK legislation this is left to the discretion of the manufacturer.
- ❑ All relevant UK legislation complied with; the *referenced* standards or other technical specifications (such as national technical standards and specifications) in a precise, complete and clearly defined way; this implies that the version and/or date of the relevant standard is specified.
- ❑ The name and identification number of the *UK Approved Body* when it has been involved in the conformity assessment procedure.
- ❑ All supplementary information that may be required (for example grade, category), if applicable.
- ❑ The date of issue of the Declaration; signature and title or an equivalent marking of authorised person; this could be any date after the completion of the conformity assessment.

Legislation with more specific content requirements.

Reference	Description	Additional Content
S.I. 2001 No. 1701	Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001	Sound power level
S.I. 2011 No. 1881	Toys (Safety) Regulations 2011	Colour image of the toy
S.I. 2016 No. 1107	Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres Regulations 2016	ATEX marking code
S.I. 2015 No. 1553	The Pyrotechnic Articles (Safety) Regulations 2015	Registration number
S.I. 2017 No. 1206	Radio Equipment Regulations 2017	Description of accessories, components and software
S.I. 2016 No. 1105	Pressure Equipment (Safety) Regulations 2016	Description of the pressure equipment constituting the assemblies and their conformity assessment procedures
S.I. 2008 No. 1597	Supply of Machinery (Safety) Regulations 2008	Name and address of UK contact point

The Radio Equipment Regulations also allow for a ‘simplified’ Declaration of Conformity and reference to a website.

## UK Declaration of Conformity – What should be done with the UK DoC?



The manufacturer or their authorised representative having drawn up the document needs to sign and date it.

For some of the Legislation the Declaration should accompany the product.

Reference	Description	DoC with the product?
S.I. 2008 No. 1597	Supply of Machinery (Safety) Regulations 2008	Y
S.I. 2016 No. 1107	Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres Regulations 2016	Y
S.I. 2018 No. 816	The Cableway Installations Regulations 2018	Y
S.I. 2019 No. 696	Regulation (EU) 2016/426 AND The Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018	Y
S.I. 2016 No. 1093	Lifts Regulations 2016	Y
S.I. 2016 No. 1153	Measuring Instruments Regulations 2016	Y
S.I. 2001 No. 1701	Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001	Y
S.I. 2018 No. 390	Regulation (EU) 2016/425 AND The Personal Protective Equipment (Enforcement) Regulations 2018	Y OR with instructions OR available via the internet
S.I. 2017 No. 1206	Radio Equipment Regulations 2017	Y
S.I. 2017 No. 737	Recreational Craft Regulations 2017	Y

All the economic operators have obligations relating to:

- Retention
- Making available
- Checking

# UK Declaration of Conformity – Example UK DoC

## UK Declaration of Conformity



**Product:** *Widget Alpha,*

**Name and Address of the Manufacturer:**

*Widget Manufacturers Ltd  
102 Albany Road  
Sheffield  
S115 3NY  
UK*

**This Declaration is made under the sole responsibility of the manufacturer**

**Object of the Declaration:**

Product: *Widget Alpha*

Models: *WA232-01...-09*

**The Object of this Declaration is in full conformity with the following UK Statutory Instruments (and their amendments):**

*SI 2016 No.1091      The Electromagnetic Compatibility Regulations 2016*

*SI 2012 No. 3032      The Restriction of the use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012*

**The Object of this Declaration is in conformity with the applicable requirements of the following designated standards and technical specifications:**

*EN 60730-2-6:2008      Automatic electrical controls for household and similar use - Part 2-6:  
Particular requirements for automatic electrical pressure sensing controls  
including mechanical requirements*

*EN IEC 63000:2018      Technical documentation for the assessment of electrical and electronic  
products with respect to the restriction of hazardous substances*

**Signed:** *J Doe*

**Name:** *John Doe*

**Position:** *Engineering Director*

**Date:** *01/01/2021*

There are other types of Declaration required by UK product legislation these include:

- ❑ **Declaration of Incorporation** – Supply of Machinery (Safety) Regulations 2008 - this for partially complete machinery
- ❑ **Attestation of Conformity** – Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres Regulations 2016 - this is for partially complete product
- ❑ **Declaration of Performance** – The Construction Products Regulations 2013

## UKCA & UKNI Product Marking — What Are They ?

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**UK  
CA**

- ❑ Product marking to replace CE marking for the GB market (England, Wales and Scotland).
- ❑ The application of the UKCA mark to a product indicates that the product is in compliance with the UK Legislation listed on the UK DoC.

**C € UK  
NI**

- ❑ Product marking to accompany the CE mark for the Northern Ireland market. Where that product has undergone mandatory third-party conformity assessment by a Notified Body in Northern Ireland or the rest of the UK.
- ❑ The application of the CE+UKNI mark to a product indicates that the product is in compliance with the applicable EU Legislation and has been assessed by a UK CAB.



## UKCA & UKNI Product Marking – Dates

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- ❑ The UKCA and UKNI marking came into effect on the 1<sup>st</sup> January 2021.
- ❑ CE marked product will (in most cases) be accepted throughout 2021 for the GB market (England, Wales and Scotland).
- ❑ UKCA marking is required before the 1<sup>st</sup> January 2022 if:
  - ❑ The EU & GB rules applicable to a product diverge in 2021
  - ❑ The product is ‘placed on the market’ after the 31<sup>st</sup> December 2020 and
    - ❑ is in scope of legislation requiring UKCA marking
    - ❑ requires mandatory 3<sup>rd</sup> party assessment
    - ❑ conformity assessment has been carried out by a UK CAB
    - ❑ the product was not existing stock, fully manufactured and CE marked prior to the 1<sup>st</sup> Jan 2021
- ❑ UKCA marking is required (in most cases) from 1<sup>st</sup> January 2022.
- ❑ Until 1<sup>st</sup> January 2023 for (most) goods there is the option to attach the UKCA mark on a label attached to the product or a document accompanying the product

## UKCA & UKNI Product Marking – Format & Application

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**Image files** of the marks are available here:

<https://www.gov.uk/guidance/using-the-ukca-marking>

<https://www.gov.uk/guidance/using-the-ukni-marking>

[https://ec.europa.eu/growth/single-market/ce-marking\\_en](https://ec.europa.eu/growth/single-market/ce-marking_en)



### **Formatting & Application Rules:**

- The mark can be resized but the relative proportions should remain constant
- The minimum allowable overall height is 5mm
- The mark should be visible, legible and indelible

## UKCA & UKNI Product Marking – Which Marking Where ?



Marking requirements (in most cases) from 1<sup>st</sup> January 2022

	Type of goods	Accepted marking or combination thereof
Placing goods on the market in Great Britain	Manufactured goods placed on the GB market from 1 <sup>st</sup> Jan 2022	UKCA
Placing goods on the market in Northern Ireland	Manufactured goods being placed on the market in NI using an EU CAB.	CE
	Manufactured goods being placed on the market in NI using a UK CAB.	CE + UKNI
Placing qualifying Northern Ireland goods on the market in Great Britain (unfettered access)	Qualifying NI goods being placed on the GB market under unfettered access	CE or CE+UKNI
Placing goods on the EU market	Manufactured goods being placed on the EU market	CE

Table content extracted from: <https://www.gov.uk/guidance/using-the-ukni-marking>

**Note:** A product may have multiple markings, however, for the EU market the CE mark must appear without the UKNI mark, as products bearing the CE+UKNI mark are unacceptable in the EU market.



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