

Placing MHE on the UK market after Brexit



Withdrawal agreement period



- The UK left the EU on 31st January 2020
- Under the terms of the withdrawal agreement goods that can legally be placed on the EU market can continue to be placed on the UK market until 31st December 2020
- EU type approvals, the CE mark and EU DoC remain valid in the whole UK until the end of the withdrawal period

Northern Ireland Protocol



From 1st January 2021 onwards the situation in NI is complicated, however:

- EU product legislation remains in force
- EU type approvals, DoC and the CE mark remain valid

A UK NI type approval will be introduced, but this will not be valid in the rest of Europe



Trucks homologated as tractors

Regulation (EU) No 167/2013



- EU type approvals for trucks homologated as tractors will lose validity for product first placed on the market after 31st December 2020
- A *'UK provisional approval'* scheme is being run by UK VCA
- UK provisional approval will be mandatory from 1st January 2021 onwards
- Applications to the *UK provisional scheme* are open now, currently free of charge, and copy over an existing EU approval
- A *full UK approval scheme* will be introduced at some point
- It is anticipated that the technical requirements of the full UK scheme will be identical to the EU technical requirements as at 31st December 2020

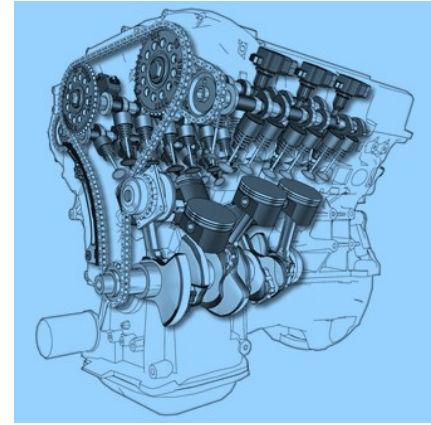


Lifting Industry Standards

Note: Trucks used on the public highway as *'works trucks'* do not require type approval in the UK

NRMM Engines

Regulation (EU) 2016/1628



- The EU technical requirements and transition arrangements and timing have been copied into UK legislation
 - This includes the revised deadlines for machine build and first placement on the market for pre-stage V NRMM
- EU Type approval remains valid in UK until 31st December 2021
- GB Type approval scheme to be introduced during 2021
 - Technical requirements likely to copy Stage V
 - Anticipate that EU type approval will be sufficient evidence for GB approval



Conformity Assessment



For EMC, OND, MD, LVD & ATEX:

Goods that are CE marked and have been conformity assessed by an EU-based notified body are accepted as compliant for the UK market until 31 December 2021.

From 1st January 2022 conformity assessment approvals will be required from UK-based approved bodies and UK CA mark shall be applied.



Self-certified product



EU product legislation has been copied into GB law with the technical requirements unchanged.

- EU markings and documentation will be accepted as sufficient evidence of compliance until 31st December 2021 so long as there is no regulatory divergence.
- An '*authorised person*' established in the UK must be identified in the documentation.



Self-certified product



Valid from 1st January 2021 and mandatory from 1st January 2022:

- DoC must refer to UK Regulations rather than EU Directives or Regulations
- UK '*designated standards*' replace EU '*harmonized standards*'
 - Initially, UK designated standards will be the UK BSI edition of EU harmonized standards, i.e. with the BS prefix
- The *UK CA* mark replaces the *CE* mark
 - Dual CE & UK CA marking is permitted
- There must be an authorised representative or responsible person who is established in the UK



Equivalent EU/UK legislation

EU legislation	UK legislation
Electromagnetic Compatibility - Directive 2014/30/EU	Electromagnetic Compatibility Regulations 2016
Low Voltage Directive 2014/35	Electrical Equipment (Safety) Regulations 2016
ATEX - Directive 2014/34/EU	Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres Regulations 2016
Machinery Directive 2006/42/EC	Supply of Machinery (Safety) Regulations 2008
Outdoor Noise Directive 2000/14/EC	Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001
Restriction of the Use of certain Hazardous Substances in Electrical and Electronic Equipment (RoHS) 2002/95/EC	The Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012
NRMM emissions (EU) 2016/1628	The Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999

Further information

- <https://www.gov.uk/guidance/placing-manufactured-goods-on-the-market-in-great-britain-from-1-january-2021>
- <https://www.gov.uk/guidance/using-the-ukca-mark-from-1-january-2021>
- <https://www.gov.uk/government/publications/moving-goods-under-the-northern-ireland-protocol>
- <https://www.gov.uk/guidance/conformity-assessment-bodies-change-of-status-from-1-january-2021>
- <https://www.vehicle-certification-agency.gov.uk/additional/files/vehicle-type-approval/related-information/GB-Type%20Approval-Scheme.pdf>