**EU Exit - Important changes to the requirements for placing Electrical Equipment on the market**

Dear Sir/Madam,

The UK has left the EU and as part of the Withdrawal Agreement a Transition Period was agreed that came to an end on 31 December 2020. The Northern Ireland Protocol came into force on 1 January 2021. For as long as it is in force, Northern Ireland will align with all relevant EU rules relating to the placing on the market of manufactured goods. This includes EU regulations for Electrical equipment.

In view of this I would draw your attention to the attached guide for businesses placing electrical equipment on the market in Northern Ireland from 1st January 2021.  If you also place goods on the GB market you must follow the rules for the GB market and separate guidance is attached for your information. Both documents are also available in electronic form on the gov.uk website at <https://www.gov.uk/government/publications/electrical-equipment-safety-regulations-2016>

**The main changes to note that have taken effect from the end of the Transition Period on 31st December are:**

**Importer/ Distributor**

NI businesses which were distributors of electrical equipment supplied to them from GB should now consider whether they are classified as importers under the Regulations and therefore what additional requirements they need to comply with – **see section 6 of the attached guidance ‘Electrical Equipment (Safety) Regulations 2016- As they apply to equipment being supplied in or into Northern Ireland’ .**

Under the 2016 Regulations, an NI business placing a product from GB on the NI market does so as an importer, not as a distributor under the Electrical Equipment (Safety) Regulations 2016.

**Authorised representatives**

A manufacturer can appoint an authorised representative to perform certain tasks on their behalf. An authorised representative appointed by a manufacturer to represent them in either the NI or European Economic Area (EEA) markets cannot be based in GB. This means that GB based authorised representatives cannot carry out tasks on the manufacturer’s behalf for products being placed on the NI or EEA markets. An authorised representative based in NI can, under the 2016 Regulations as they apply in NI, carry out tasks on the manufacturer’s behalf for products placed on the NI or EEA markets. An authorised representative based in NI can also carry out tasks on the manufacturers behalf for products placed on the GB Market.

**Further information is available in section 5 of the attached guidance ‘Electrical Equipment (Safety) Regulations 2016- As they apply to equipment being supplied in or into Northern Ireland’**

**CONFORMITY MARKING**

**The NI and EEA Markets**

Where an electrical product is being placed on the market in NI and EEA markets, the conformity marking for the NI and EEA markets continues to be the CE marking.

**The GB Market**

CE marking based on self-declaration of conformity by the manufacturer is still possible for the GB market until 31 December 2021. The UKCA marking can be used from 1 January 2021 instead of the CE marking for electrical equipment placed on the GB market and must be used from 1 January 2022. However electrical equipment meeting NI rules– which is CE marked and a qualifying NI good – can be placed on the GB market after 31 December 2021.

Qualifying NI Goods. Further information is available in the attached guidance ‘Electrical Equipment (Safety) Regulations 2016 as they apply to equipment being supplied in or into Great Britain from 1 January 2021. You can find out more about qualifying Northern Ireland goods at <https://www.gov.uk/guidance/moving-qualifying-goods-from-northern-ireland-to-the-rest-of-the-uk>

Electrical equipment that does not fall within the definition of a qualifying NI good will need to meet the GB rules, including being UKCA marked, if placed on the GB market after 31 December 2022. Further information is available in the attached guidance ‘Electrical Equipment (Safety) Regulations 2016 as they apply to equipment being supplied in or into Great Britain from 1 January 2021.

**It will be possible to affix both the UKCA marking and the CE marking to the same electrical equipment on the basis of self-declaration. When selling to the NI/EEA market, the CE marking remains mandatory**.

**Radio Equipment**

Electrical equipment or electronic products which intentionally emits or receives radio waves for the purposes of radio communication or radio determination must comply with the Radio Equipment Regulations 2017 e.g. smart home appliances.

Radio equipment is defined as

* an electrical or electronic product that intentionally emits and/or receives radio waves for the purpose of radio communication and/or radio-determination; or
* An electrical or electronic product which must be completed with an accessory, such as antenna, to intentionally emit and/or receive radio waves for the purpose of radio communication and/or radio-determination

Separate guidance has been issued for Radio Equipment which is available at <https://www.gov.uk/government/publications/radio-equipment-regulations-2017>

**Additional Support**

**If you would like further information, or to discuss changes to Product Safety legislation that might affect your business please contact the Environmental Health Department on 028 90340160 or email the Environmental Health Department on** [**envhealth@antrimandnewtownabbey.gov.uk**](mailto:envhealth@antrimandnewtownabbey.gov.uk)

The Economic Development department within Council are also here to support all local businesses, offering a comprehensive range of free business support programmes. Please get in touch with the team by visiting [www.antrimandnewtownabbey.gov.uk](http://www.antrimandnewtownabbey.gov.uk)

or

by email [business@antrimandnewtownabbey.gov.uk](mailto:business@antrimandnewtownabbey.gov.uk) or by texting the Business Support Helpline on 80039

I would be grateful if you could complete the short survey attached and return via email as soon as possible.  This will assist in ensuring that you get the right information that is relevant to your business in relation to your supply chain.