

► Post-Brexit Machine Safety

What you need to know

Brexit – the United Kingdom’s departure from the EU – has an impact on the import and export of machinery and machine components. All machine and plant manufacturers need to know the new requirements and make the necessary process changes without delay.

The CE Marking represents the free movement of goods in the European Single Market

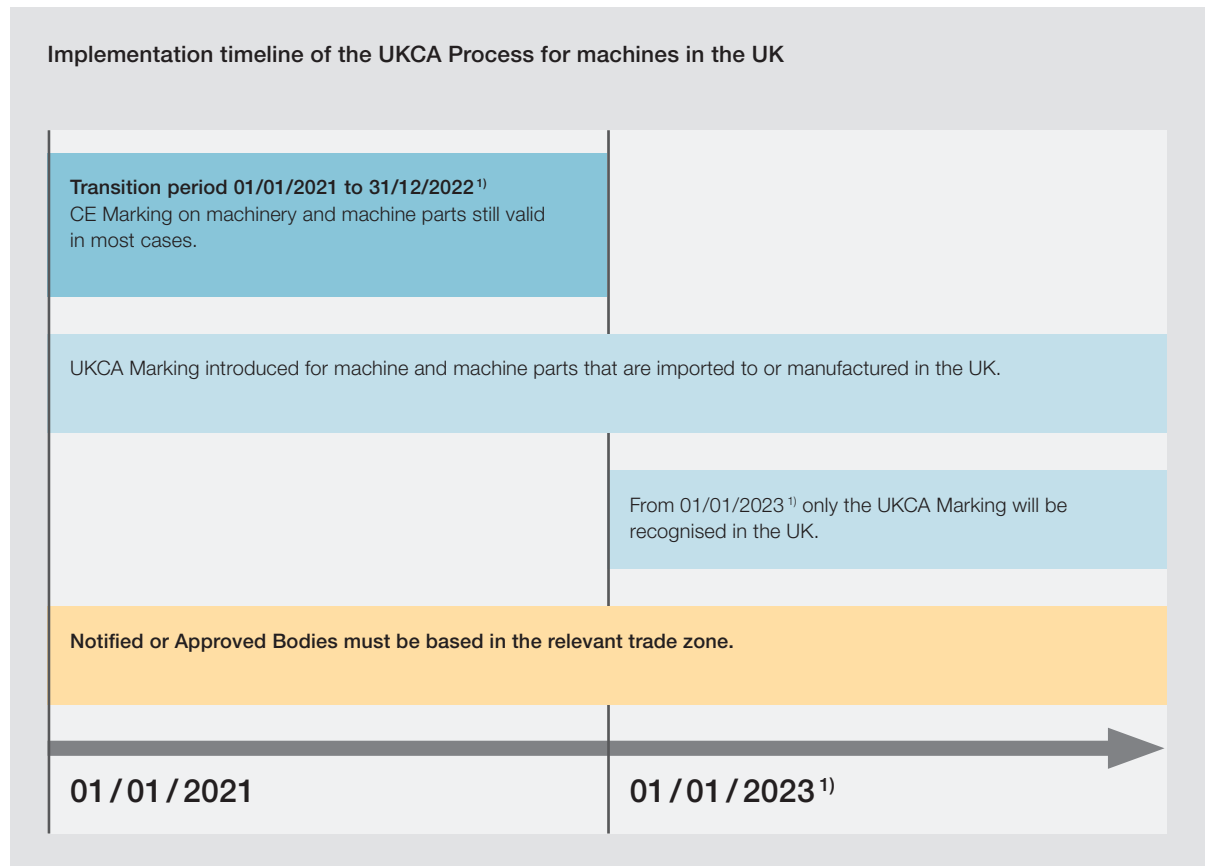
Manufacturers use the CE Marking to prove that their product, e.g. a machine, complies with the safety requirements in applicable EU Directives such as the Machinery Directive. The corresponding CE Conformity Assessment Process is used throughout the EU as well as in Iceland, Lichtenstein, Norway, Switzerland and Turkey. Machine and plant manufacturers, system integrators, machine importers, and operators that build or substantially change machinery for their own use are responsible for implementing this assessment process and ensuring it is legally documented. They can appoint Authorised Representatives to do this on their behalf.

Before Brexit, the EU Directives were transposed into UK law by means of regulations. Now that the UK has left the EU, these regulations are in the process of being amended. In the first stage, the amendments mainly affect references and the definition of terms. For example, “Notified Bodies” under Machinery Directive 2006/42/EC will be called “Approved Bodies” in the UK.

In the next phase, these UK laws will be compiled and finally consolidated. This means that there may be more changes to come in terms of safety requirements. At present the most important and drastic change concerns the CE Marking.



► CE Marking is changing to the UKCA Process

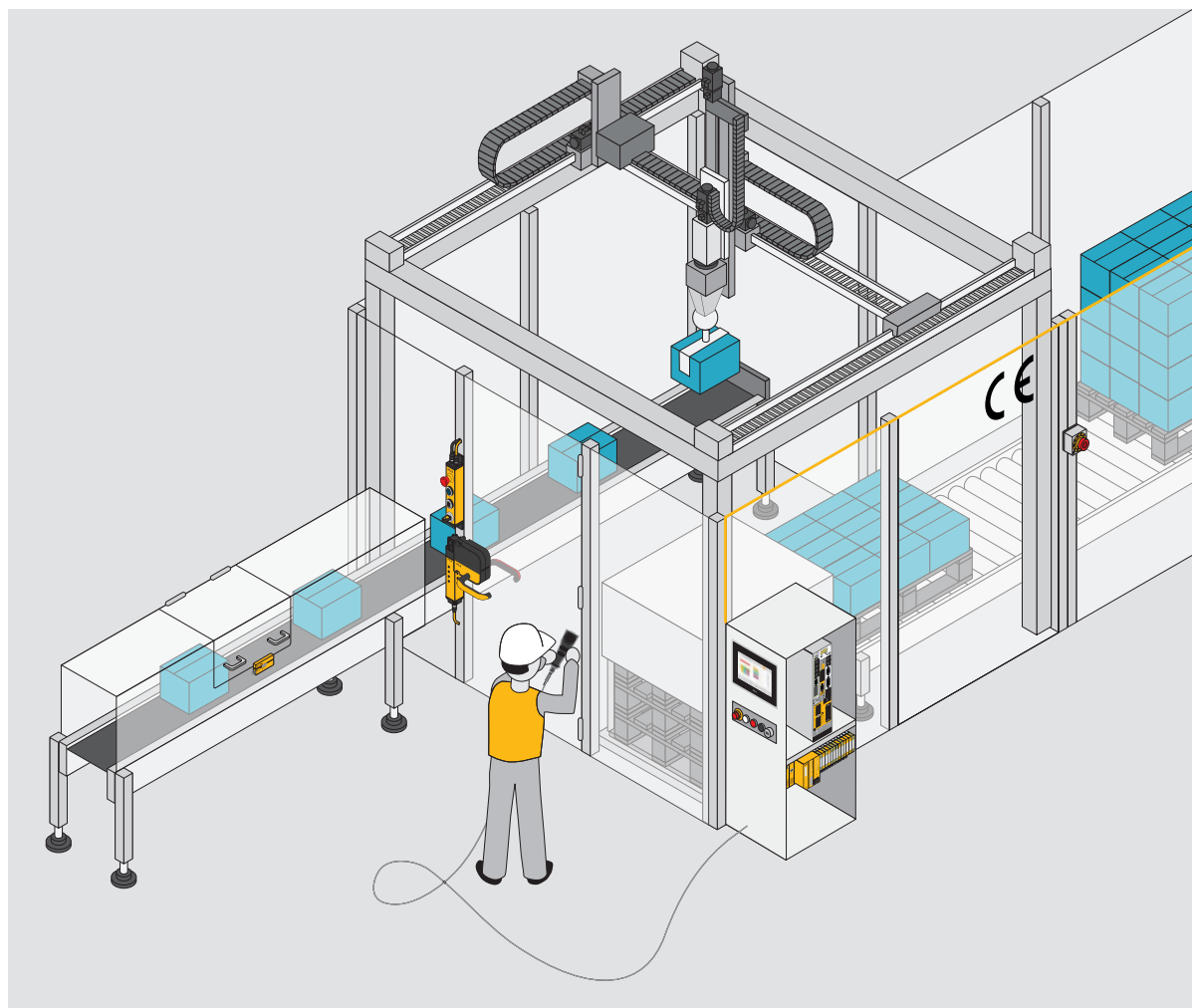


¹⁾With the announcement of the UK Government from 24/08/21, businesses will have 12 more months until 31/12/22 to start using the UKCA marking!

- From 01/01/2021, the applicable Conformity Assessment Process and Conformity Marking in the UK is the United Kingdom Conformity Assessment – UKCA. This process is currently based on the EU Conformity Assessment but with reference to national UK laws.
- During a defined transition phase from 01/01/2021 to 31/12/2022¹⁾ the EU Conformity Assessment Process and CE Marking will remain feasible under specific conditions and for specific product groups. If any changes to EU law come into force during the transition phase, the UKCA Marking will become mandatory during the transition phase.
- From 01/01/2023¹⁾, only the UKCA Marking will be recognised. For most goods, until 01/01/2024¹⁾ the UKCA Marking can be affixed to a product with a label or added to an accompanying document. After this date – in accordance with the regulation specifications – it must be on the product itself.
- Which product groups fall into which category and whether they require the UKCA Marking as of 01/01/2021 or by 01/01/2023¹⁾ is something that you need to check for each product.

New rules when placing machinery on the market

- ▶ As of 01/01/2021, when placing machines on the UK market, or UK machines on the EU market, the Notified Bodies that support this process as independent third parties must have a base in the relevant trade zone.
- ▶ As of 01/01/2021, British Notified Bodies – Approved Bodies – are no longer accredited for the EU. In other words, all EC/EU type approvals issued by a British body are no longer valid and must be transferred to Notified Bodies within the EU.
- ▶ As of 01/01/2021, Certificates of Conformity from manufacturers in the UK must either include the address of a local representative in the EU or be issued by an Authorised Representative based in the EU.
- ▶ In general, as of 01/01/2021 the UK is considered a third country. This means that in order to import machines and machine parts into the EU, you may need to designate an EU-based Authorised Representative.
- ▶ This also applies conversely to imports from the EU into the UK.
- ▶ Note that there are special rules for Northern Ireland, with specific process requirements for both a CE Marking and the new UKNI Marking.



Pilz experts will help you navigate the change processes required for post-Brexit Certification and CE Marking of products and machinery. From training on the UKCA Process to practical production implementation, Pilz can help you place your machinery, plant and installed machine components on the UK market.

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We are looking forward to support you through the process.

This information is based on the information available at a particular date and makes no claims to completeness. In this regard, please note that there may be further changes to directives and legal provisions before national implementation is complete.

We are represented internationally. Please refer to our homepage www.pilz.com for further details or contact our headquarters.

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