

BREXIT AND CONFORMITY ASSESSMENTS

This document is produced and maintained by British Engineering Services and is based on our understanding of the legislation as of January 2021.



**BRITISH
ENGINEERING
SERVICES**

HOW HAVE THE RULES AROUND CONFORMITY ASSESSMENTS CHANGED AS A RESULT OF BREXIT?

Here are some key dates and changes we think are useful post 1st January 2021:

Date	Changes
31/12/2021	<p>Under the terms of the Brexit deal, this is the latest equipment CE marked by EU27 Notified Body can be placed on the GB market</p> <p>Please note, equipment UKCA marked by a UK Approved Body will continue to be accepted on the GB market after this date as normal</p> <p>Northern Ireland will not accept UKCA marked equipment unless it has a CE mark from an EU27 Notified Body or a CE UKNI mark from a UK Notified Body</p>
1/01/2022	<p>From this date, only equipment UKCA marked by a UK Approved Body is permitted to be placed on the GB market.</p> <p>Equipment CE marked by an EU27 Notified Body will not be permitted to be placed on the GB market.</p>

Governing legislation

Markings	Governing legislation
UKCA marked equipment	Pressure Equipment (Safety) Regulations 2016
CE marked equipment	Remain the Pressure Equipment Directive 2014/68/EU.
UK NI marked equipment	Pressure Equipment (Safety) Regulations 2016 - NI

- Technical requirements for UKCA & CE marking are initially the same*
- For UKCA marked equipment, EU harmonised standards will be replaced by UK designated standards
- EU Harmonised & UK designated standards initially the same*

* At time of publication

CONTINUING TO WORK WITH THE BRITISH ENGINEERING SERVICES GROUP

At the British Engineering Services Group, we've introduced a number of changes to ensure we can continue to support all of our customers in line with the changes:

From 1/1/2021 all UK Notified Bodies and Recognised Third Party Organisations were removed from the EU list of approved EU Notified Bodies.

As a result:

- British Engineering Services is no longer an EU recognised Notified Body
- We are not permitted to perform mandatory conformity assessment to the Pressure Equipment Directive and CE mark the equipment

However:

- Irish Engineering Services, our sister company based in the ROI, is an EU27 Notified Body and can continue to provide our customers with this service

To work with Irish Engineering Services:

- Simply update the name of the Notified Body and Notified Body number in the technical documentation, the process for conformity assessment is the same as before
- Contact Irish Engineering Services by emailing techcon.pricing@briteng.co.uk

Please note, equipment under contract with British Engineering Services and completed prior to 1/1/2021 can still bear the CE mark and certification will be issued by British Engineering Services.



EQUIPMENT BEING PUT ONTO THE GB MARKET

SOME FREQUENTLY ASKED QUESTIONS:

Who do we apply to for certification for equipment being put on the market in Great Britain?

An application should be made to British Engineering Services using the PESR application form (a copy can be sent on request).

What if the equipment is only partially built and is due to be put on the market in Great Britain after 1/1/2021?

All CE marking on the equipment must be replaced with the UKCA mark. Any reference to British Engineering Services as an EU Notified Body should be replaced with 'United Kingdom Approved Body'.

All references to Pressure Equipment Directive should be replaced with Pressure Equipment (Safety) Regulations.

What are the marking requirements for pressure equipment being put on the GB market after Brexit?

Pressure equipment put on the market in Great Britain (England, Wales & Scotland) will need to UKCA marked.

UK CA

I am UKCA marking my equipment, how does this affect the documentation I have to produce?

- The application made to British Engineering Services should be made on the PESR application form (a copy can be provided on request)
- Declaration of Conformity must refer to the Pressure Equipment Safety Regulations 2016
- References to the Pressure Equipment Directive 2014/68/EU must be replaced with reference to Pressure Equipment Safety Regulations 2016
- Reference to EU harmonised standards should be changed to UK designated standards
- Reference to British Engineering Services as a "Notified Body" should be replaced with "UK Approved Body"
- Equipment name plates must bear the UKCA mark and British Engineering Services UK Approved Body number 0040



EQUIPMENT BEING PUT ONTO THE NI MARKET

SOME FREQUENTLY ASKED QUESTIONS:

Who do we apply to for certification for equipment being put on the market in Northern Ireland?
An application can be made to either British Engineering Services or Irish Engineering Services. For applications made to British Engineering Services, the equipment will be CE UKNI marked and can be placed on the market in either Great Britain or Northern Ireland.

For applications made to Irish Engineering Services, the equipment will be CE marked only and can be placed on the market in Great Britain (until 1st January 2022), Northern Ireland and the European Union.

What if the equipment is only partially built and is due to be put on the market in Northern Ireland?*

Any reference to British Engineering Services as an EU Notified Body should be replaced with UK Notified Body. All references to Pressure Equipment Directive should be replaced with Pressure Equipment (Safety) Regulations – Northern Ireland and all CE marking on the equipment must be replaced with the CE UKNI mark.

*For equipment under contract with Irish Engineering Services no changes are required.

What are the marking requirements for pressure equipment being put on the NI market after Brexit?

Pressure equipment put on the market in Northern Ireland will need to be CE UKNI marked if the application is made through British Engineering Services**

** As per the Northern Ireland Protocol, if an application is made through Irish Engineering Services the equipment only needs the CE mark to be placed on the NI market.

I am CE UKNI marking my equipment, how does this affect the documentation I have to produce?

- The application made to British Engineering Services should be made on the PESR application form (a copy can be provided on request)
- Declaration of Conformity must refer to the Pressure Equipment Safety Regulations 2016 – Northern Ireland
- References to the Pressure Equipment Directive 2014/68/EU must be replaced with reference to Pressure Equipment Safety Regulations 2016 – Northern Ireland
- Reference to EU harmonised standards should be changed to UK designated standards
- Equipment name plates must bear the CE UKNI mark and British Engineering Services UK Notified Body number 0040



EQUIPMENT BEING PUT ONTO THE EU MARKET

SOME FREQUENTLY ASKED QUESTIONS:

Who do we apply to for certification for equipment being put on the market in the European Union?

An application should be made to Irish Engineering Services.

What if the equipment is only partially built and is due to be put on the market in the European Union*?

Your contract will have to be transferred to Irish Engineering Services. Any reference to British Engineering Services as the EU Notified Body should be replaced with Irish Engineering Services and the EU Notified Body number should be changed from 0040 to 2820.

*For equipment already under contract with Irish Engineering Services no changes are required.

What are the marking requirements for pressure equipment being put on the EU market after Brexit?

Pressure equipment put on the market in the 27 European Union states will need to be CE marked.



I am CE marking my equipment, how does this affect the documentation I have to produce?

- The application made to Irish Engineering Services should be made on the Irish Engineering Services PED application form (a copy can be provided on request)
- References to British Engineering Services must be changed to Irish Engineering Services
- Equipment name plates must bear the CE mark and Irish Engineering Services Notified Body number 2820



EU TYPE EXAMINATION CERTIFICATES AND DUAL MARKING OF EQUIPMENT

SOME FREQUENTLY ASKED QUESTIONS:

I need to both UKCA and CE mark my equipment who do I apply to?

An application should be made to British Engineering Services for UKCA marking and Irish Engineering Services for CE marking.

It is important that at the time of inquiry, the intended market the equipment is due to be placed on is shared so that the correct conformity assessment route is followed.

Can UKCA marked equipment be manufactured against a current EU type examination certificate (Module B)? For example, can a UKCA Module F certificate be issued in conjunction with an EU Module B certificate?

Yes, as long as it was issued by a UK NoBo. EU type examination certificates are acceptable until 1/1/2022 at which point they will need to be replaced with a UKAB certificate of type examination.

Can CE marked equipment be manufactured against a current EU type examination certificate (Module B) issued by a UK Notified Body?

No, the certificate will no longer be valid for manufacture of new equipment. A new application would need to be made to Irish Engineering Services for type examination.

Please contact techcon.pricing@briteng.co.uk to begin this application process.

STANDARDS

What is the definition of a designated standard?

Designated standards are those that have the presumption of conformity to the Essential Safety Requirements shown in Schedule 2 of the PESR 2016.

What are the designated standards for use under the Pressure Equipment (Safety) Regulations?

A list of designated standards is contained in Publication 0016/21* issued by the Department for Business, Energy & Industrial Strategy and can be accessed [here](#).

*Correct as of 06/01/2021

What are the harmonised standards for use under the Pressure Equipment Directive?

The harmonised standards list hasn't changed and can be found on the European Commission website [here](#).

MATERIALS

SOME FREQUENTLY ASKED QUESTIONS:

I have Particular Material Appraisals (PMAs) which were approved by UK Notified Body, are they still valid for equipment being put on the market in the EU?

Yes, as long as they are reviewed and accepted by Irish Engineering Services.

Will material from a manufacturer who has an appropriate quality assurance system certified by a competent body, established within the UK be acceptable for use on CE marked equipment if, at the time of issuing the certificate, the UK was part of the EU. (I.e. will stock material, or material already used on fabricated equipment, that was manufactured in the UK prior to December 31st 2020 remain acceptable for PED equipment).

The rules surround this have not been clarified.

What are the rules for material and material manufacturers regarding their use on UKCA marked equipment?

Material manufacture certificate of quality assurance provided by an EU27 NoBo is still acceptable for use for UKCA marked equipment up until 31st December 2021.

The procedure for approving materials for UKCA marked equipment after 31st December 2021 have not be clarified yet.

Will EU harmonised materials standards be acceptable for UKCA marked equipment?

The EU harmonised standards have been replaced for UKCA marked equipment with the UK designated standards. The use of non-designated materials standards will still require a PMA per the requirements of the PESR Essential Safety Requirements.

NON DESTRUCTIVE TESTING (NDT)

Are my NDT operator qualifications (PCN certificates) valid for use on UKCA marked equipment?

Yes, as long as they are still in date and qualify the processes being used.

Are my NDT operator qualifications (PCN certificates) valid for use on CE UKNI marked equipment?

Yes, as long as they are still in date and qualify the processes being used.

Are my NDT operator qualifications (PCN certificates) valid for use on CE marked equipment?

This depends on PED Category :

- For PED category I and II equipment, certificates issued by BINDT are still valid for use
- For PED category III and IV equipment, certificates issued by BINDT are no longer valid for use. It is our understanding that BINDT are in discussion with an EU27 NoBo to establish an agreement to permit their use for CE marked equipment. At the time of publication of this document the details of this agreement are unknown.

Irish Engineering Services can review and countersign NDT operator qualifications issued by BINDT to allow their continued use on CE marked equipment in Categories III & IV. If you require this service please contact techcon.pricing@briteng.co.uk

WELDING/ PERMANENT JOINING

SOME FREQUENTLY ASKED QUESTIONS:

Are my weld procedures and welder qualifications issued by a UK NoBo / RTPO still valid for use on UKCA marked equipment?

Yes – providing they cover the weld being performed and welder qualification have been suitably prolonged.

Are my weld procedures and welder qualifications issued by a UK NoBo / RTPO still valid for use on CE UKNI marked equipment?

Yes, providing they cover the weld being performed and welder qualification have been suitably prolonged.

Are my weld procedures and welder qualifications issued by a UK NoBo / RTPO still valid for use on CE marked equipment?

Depending on CE Category and Module:

- For PED category 1 Module A equipment, weld procedures and welder qualifications issued by a former UK NoBo / RTPO will still be acceptable. This applies only to equipment using conformity assessment module A
- For PED category II, III and IV the documentation must be endorsed by a EU27 NoBo/ RTPO therefore documentation issued by a former UK NoBo /RTPO will no longer be acceptable

We can review this documentation and countersign with Irish Engineering Services to allow continued use on CE marked equipment, this could be done as part of a technical review to bring older procedures in line with current standards. If you require this service, please contact techcon.pricing@briteng.co.uk

Are my weld procedures and welder qualifications issued by an EU NoBo / RTPO still valid for use on UKCA marked equipment?

It is unclear at the time of publication what the rule changes affecting this will be.

QUALITY SYSTEMS

SOME FREQUENTLY ASKED QUESTIONS

This is applicable to certification covering QA Modules D, D1, E1 & H

I have a PED QA Module certificate issued by British Engineering Services, can I still CE mark equipment?

No – As British Engineering Services is no longer an EU Notified Body this certificate is no longer valid for CE marking new equipment.

I need to CE mark my equipment under a PED QA module, how can I do this if my British Engineering Services certificate is no longer valid?

If you instigated a certification transfer contract with Irish Engineering Services prior to 1/1/2021 your certification will be transitioned to Irish Engineering Services who will issue a new certificate allowing you to continue CE marking new equipment.

If a contract was not instigated prior to 1/1/2021 then a new application will need to be made to Irish Engineering Services for certification.

Irish Engineering Services will need to conduct an audit prior to issuing of new certification.

Please contact techcon.pricing@briteng.co.uk to begin this application process.

I have a PED QA Module certificate issued by British Engineering Services, can I UKCA mark equipment?

Yes, your certification will automatically be transferred to UKCA marking under the requirements of the Pressure Equipment Safety Regulations.

Dependant on the market, I need to be able to CE mark my equipment under the Pressure Equipment Directive or UKCA mark my equipment under the Pressure Equipment Safety Regulations, how do I do this?

If you currently hold British Engineering Services QA module certification this will automatically be transferred to allow you to UKCA mark the equipment, if not done already an application to Irish Engineering Services for certification will need to be made to allow you to CE mark the equipment.