



EUROLAB Special Briefing

The current status of conformity assessment and accreditation policy in the UK

The new UK legal framework and TBTs

After 47 years, the UK has stopped being part of the EU Single Market and Customs Union, and is neither bound to EU policies nor EU international agreements. This has essentially created two distinct regulatory and legal boundaries that do not share [access to the freedoms of movement for people, goods, services, and capital](#). As a result, this has reintroduced [Technical Barriers to Trade \(TBT\)](#) in respects to goods which had not been in place for decades.

Specifically, the UK is now in the eyes of the EU a third country, where Technical Barriers to Trade matters are subject to the WTO TBT Agreement as well as the relevant provisions specified in Article 6 of the TCA. The Commission has issued extensive guidance on how best to deal with these changes (available [here](#)).

Revised rules on conformity assessment

The regulation that governed accreditation within the European Union was amended by the [Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\) \(as amended\)](#), which, together with the existing [Accreditation Regulations 2009 \(S.I. No 2009/3155\)](#) confirmed UKAS' continued status as the UK's sole National Accreditation Body (NAB).

To underpin this new UK framework, the Department for Business, Energy & Industrial Strategy (BEIS), on behalf of the UK Government as a whole, published its revised policy on [conformity assessment and accreditation in the UK](#). BEIS will apply these principles to all conformity assessment required in support of its policy and recommends government and business to follow the same principles. BEIS will also encourage the adoption of these principles by the UK's European and international partners. The principles are as follows:

- Conformity assessment schemes should be driven by market demand (including demand from end-users and consumers) or, where justified by the public interest, by regulators rather than by those with a commercial interest in conformity assessment.
- Except where government has specialist regulatory expertise and responsibilities, or where justified by legitimate end-user/consumer concerns, conformity assessment should be a free-market, competitive activity.
- Where conformity assessment depends on the measurement of the parameters of performance of a product or process, measurements or test results should be traceable to national or international measurement standards.
- Where conformity assessment is required in support of regulation, the infrastructure developed for non-regulatory conformity assessment should be used as far as is possible.

- Conformity assessment should be conducted to recognised standards, preferably international, European or national, or other transparent and objective criteria, such as technical regulations, in a non-discriminatory manner.
- Conformity assessment schemes and any associated marks should be developed and used so that they facilitate, not discourage, innovation and trade; and/or should be developed and used so that they protect public interest and legitimate end-user concerns (e.g. safety). Conformity assessment schemes should be developed in accordance with national policy and international standards, for conformity assessment schemes.
- Conformity assessment procedures that impose the lightest burden on business, commensurate with the objective to be achieved (e.g. regulatory confidence or product/workplace safety) should be preferred over other more onerous procedures.

BEIS will apply these principles to all accreditation required in support of its policies and recommends government and business to follow the same principles. BEIS will also encourage the adoption of these principles by the UK's European and international partners. The principles are as follows:

- Accreditation is applicable to both the regulated and non-regulated sectors.
- Accreditation being at the topmost level of control should provide an authoritative statement of the technical competence of CABs.
- The legislative framework for accreditation in Great Britain is GB RAMS and in Northern Ireland is RAMS NI (refer to Section 3.1 of the Policy document for details).
- The NAB (i.e. UKAS) shall operate in accordance with GB RAMS and RAMS NI as relevant.
- Accreditation is considered to be a public authority activity and should therefore operate in the public interest. It should be self-supporting but run as a not for profit activity.
- Accreditation should be operated with integrity; independent of the organisations it accredits and impartial, and free from commercial pressure. UKAS shall operate to recognised standards or other transparent criteria and be compliant with applicable technical requirements, demonstrated, where appropriate, through peer evaluation.

BEIS has committed to work with UKAS to ensure that UK accreditation continues to operate in the public interest and meets the obligations imposed by the Regulations on accreditation as they have effect in Great Britain and Northern Ireland. Central to this principle is the governmental policy that states that: *“where a UK CAB requests accreditation, it shall do so from UKAS as the sole NAB for the UK”*. This also goes along with the recommendation that UK businesses, government and local authorities requiring third party conformity assessment services should source them, where they exist, from conformity assessment bodies accredited by UKAS.

CABs outside the UK

For conformity assessment bodies established outside of the UK, the new UK policy recognises the equivalence of their accreditation where delivered by accreditation bodies that are members of the European or international multilateral agreements (i.e. those operated by the European cooperation for Accreditation ([EA](#)), International Laboratory Accreditation Cooperation ([ILAC](#)) and International Accreditation Forum ([IAF](#))).

Should you have any further comments or questions, please do not hesitate to contact Laura Martin, EUROLAB Secretariat at laura.martin@eurolab.org