FAQs for Electrical Equipment during the transition period
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Brexit’s impact on electrical and electronic devices

The UK left the EU on 31 January 2020 under the terms of the Withdrawal Agreement and we are now in a transitional period until at least 31 December 2020.

The UK will continue to follow EU rules and the EU will continue to treat the UK as if it were a Member State during the transition period. There will be no immediate changes for citizens and businesses in their day-to-day dealings and the current rules regarding electrical and electronic devices will continue to apply until the end of 2020.

During the transition period the EU and the UK will negotiate the agreements governing their future relationship with the aim of ratifying those agreements by the end of the transition period. Whatever the shape of the future trading relationship with the UK post transition, trading conditions with the UK will change and businesses need to prepare themselves for this.

The following EU rules will continue to apply to all electrical and electronic devices placed on the EU market:


- **Directive 2014/30/EU of 26 February 2014** relating to electromagnetic compatibility (EMC Directive)


The EMC Directive and Radio Equipment Directive have provision for the appointment of notified bodies which can issue EU-type examination certificates. The Low Voltage Directive has no conformity assessment procedure that requires the intervention of a notified body.

It should be noted that cables are the only electrical equipment subject to Regulation 305/2011/EU of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (Construction Products Regulation).
Products Imported from the UK

Question 1.
What rules will apply to products from the UK imported into Ireland?

Ireland will continue to be part of the EU market and all electrical products imported from the UK will still need to conform with EU rules.

Any electrical device imported from the UK that is currently CE marked will still need to be CE marked if they are to continue being placed on the EU market.

This means that electrical devices will still require:
- an EU declaration of conformity
- the correct CE marking
- any electrical equipment requiring certification by an EU notified body under the Radio Equipment Directive or the EMC Directive will still need to be certified by an EU-27 notified body.

Question 2.
How will Brexit impact my supply chain?

If you source products or components from UK based suppliers, then you will need to consider the impacts of new customs duties and potential supply disruption. Goods which originate from the UK may not be counted toward “EU content” under rules of origin; this may impact your ability to access preferential tariff arrangements which the EU has in place with other jurisdictions.

If your suppliers rely on certification or conformity assessment from UK based notified bodies or UK accredited test laboratories, you will need to enquire on how their certification is being impacted by Brexit.

Question 3.
What rules will apply to products which are not CE marked?

All products placed on the EU market must comply with the General Product Safety Directive. Under the directive a product is safe if it meets all statutory safety requirements under European or national law.

Goods which are not covered by specific EU regulations or standards that are not CE marked (e.g. sockets are not covered by EMC, Radio Equipment or Low Voltage Directives or harmonised standards). Compliance for these products is determined according to other reference documents such as national standards, Commission recommendations, codes of practice, etc.

The General Product Safety Directive will continue to apply to any of these products imported from the UK post-Brexit and any products imported to Ireland will have to comply with relevant Irish legislation and standards.
Economic Operators

Question 4.
How will I be impacted if I import products from a UK based manufacturer?

If you are currently a distributor importing products from the UK you will continue to be a distributor during the transition period.

However, after the end of the transition period you may become an importer depending on the details of any future agreement or if there is no agreement. There are certain additional requirements which an importer must fulfil, and you should become familiar with these as soon as possible.

You should also engage with your UK suppliers as you require additional information and documents from them if you become an importer.

Question 5.
What additional responsibilities will I take on as an importer?

The additional responsibilities of an importer include:

- You shall only place electrical equipment that complies with EU rules on the market.

- Before placing electrical equipment on the market, you shall ensure that:
  - the appropriate conformity assessment procedure has been carried out by the manufacturer
  - the manufacturer has drawn up the technical documentation
  - the electrical equipment bears the correct CE marking and is accompanied by the required documents
  - that the manufacturer has complied with the requirements set out in the relevant directive.

- You will be required to indicate on the equipment:
  - your name
  - registered trade name or registered trade mark
  - the postal address at which you can be contacted which shall be in English or Irish.

- You will have to ensure that the electrical equipment is accompanied by instructions and safety information in English or Irish.

- You will be required to keep a copy of the EU declaration of conformity and ensure that the technical documentation can be made available to market surveillance authorities for 10 years after the last of the electrical equipment has been placed on the market.

Question 6.
I import products from outside the EU and the manufacturer has appointed a UK based authorised representative. What will be the impact for me?

As Union law will continue to have effect in the UK during the transition period the manufacturer can continue to have a UK based authorised representative until the end of the transition period (31st December 2020).

After the end of the transition period, depending on the details of any future agreement or if there is no agreement, UK based authorised representatives may no longer be able to fulfil the role of EU authorised representatives. If the manufacturer’s authorised representative is based in the UK, then they will need to appoint another one located in an EU-27 Member State.

Product conformity – Declaration of Conformity

Question 7.
Do I have to use a notified body to certify my products?

It is the responsibility of the manufacturer to demonstrate that a product, before it is placed on the market, conforms to these legislative requirements.

Decision No 768/2008/EC of 9 July 2008 on a common framework for the marketing of products and repealing Council Decision 93/465/EEC gives legal effect to the framework for conformity assessment to be applied in Union law for specific products. It sets out a number of different modules which may be applied.

In Module A the manufacturer fulfils the obligations laid down in the legislation and declares their sole responsibility that the products concerned satisfy the requirements of the legislative instrument that applies to them. **There is no requirement for the manufacturer to use an EU notified body for conformity assessment when using this module.**

There are no EU notified bodies for the Low Voltage Directive as all products covered by it are conformity assessed using Module A.

Question 8.
When are electrical devices manufacturers allowed to certify their own products?

Manufacturers are allowed to certify their own products where the legislation provides for equipment and devices to undergo conformity assessment in accordance with Module A (internal production control). For electrical equipment this applies to:

- All products to which the Low Voltage Directive applies.
- Products to which Module A (internal production control) applies under the Radio Equipment Directive
- Products to which Module A (internal production control) applies under the EMC Directive.
Question 9.
What are the requirements for manufacturers to certify their own products?

- Identify which directives may be applicable – for electrical and electronic devices these would be:
  - Low Voltage Directive
  - Radio Equipment Directive
  - EMC Directive.

- If more than one directive or regulation applies to a product it has to conform with requirements of all applicable regulations or directives. Note that the Radio Equipment Directive incorporates the requirements of the Low Voltage and EMC Directives and that radio products are declared exclusively to the Radio Equipment Directive.

- When all requirements have been established, the conformity of the product to the essential requirements of the Directive(s) needs to be assessed. This usually involves assessment and/or testing and may include an evaluation of the conformity of the product to the harmonised standard(s). Where the legislation requires these to be carried out under Module A, there is no requirement for the manufacturer to use an EU notified body for this.

- Technical documentation relating to the product or range of products, must be compiled. This information should cover every aspect relating to conformity and include details of the design, development and manufacture of the product.

- Check that no other national requirements exist in the countries the products are to be sold (e.g. national standards, packaging/labelling requirements, etc.) and ensure that any national requirements are met.

- The EU declaration of conformity must be completed. It should include:
  - the name and address of the manufacturer;
  - details of the product (model, description and the serial number where applicable);
  - a list of applicable Directives and standards that have been applied;
  - a statement declaring that the product complies with all of the relevant requirements;
  - the signature, name and position of the responsible person;
  - the date that the declaration was signed.

- Finally, affix the CE marking to the product and supply user operating instructions. When this has been done, the product can be placed legally on the EU market.
Question 10.
How does the UK’s withdrawal from the EU affect UK manufacturers certifying their own products?

EU legislation applies to products placed on the EU market irrespective of where they are manufactured. Manufacturers from a non-EU country (including those in the UK after the end of the transition period) can affix the CE mark when exporting to the EU, where this is permitted by the relevant EU directives or regulations. This includes equipment and devices that have undergone a conformity assessment procedure (including the product and quality assessment procedure) by the manufacturer in accordance with Module A.

Question 11.
I use a UKAS accredited test laboratory when certifying my products. Will their test certificates still be valid?

During the transition period Regulation (EC) No 765/2008 setting out the requirements for accreditation will continue to apply in the UK. This means that certificates from test laboratories accredited by UKAS will continue to be recognised during the transition period.

Low Voltage Directive (LVD)

Question 12.
Am I required to use a notified body to certify my products under the Low Voltage Directive?

In Module A the manufacturer fulfils the obligations laid down in the legislation and declares on their sole responsibility that the products concerned satisfy the requirements of the legislative instrument that apply to them. There is no requirement for the manufacturer to use an EU notified body for conformity assessment when using this module. As all products covered by the Low Voltage Directive are conformity assessed using Module A, there is no requirement to use an EU notified body.

Question 13
My products are certified using harmonised standards referred to in Article 12 of the Low Voltage Directive. Will they be affected by Brexit?

All electrical equipment which is in conformity with harmonised standards shall be presumed to be in conformity with the safety objectives referred to in Article 3 and set out in Annex I of the directive.

Equipment certified in this manner will be unaffected by Brexit and may continue to be CE marked and placed on the EU market.
Question 14.
My products are certified using international standards referred to in Article 13 of the Low Voltage Directive. Will they be affected by Brexit?

Where harmonised standards have not been drawn up and published, electrical equipment which complies with the safety provisions of the international standards set out by the International Electrotechnical Commission shall be regarded as complying with the safety objectives referred to in Article 3 and set out in Annex I of the Directive.

Equipment certified in this manner will be unaffected by Brexit and may continue to be CE marked and placed on the EU market.

Question 15.
My products are certified using national standards referred to in Article 14 of the Low Voltage Directive. Will they be affected by Brexit?

Where harmonised standards have not been drawn up and published and international standards have not been published, electrical equipment manufactured in accordance with the safety provisions of the standards in force in the Member State of manufacture, it shall be regarded as complying with the safety objectives referred to in the Directive, if it ensures a safety level equivalent to that required in their own territory.

Irish manufacturers whose equipment is manufactured with appropriate standards recognised under Irish legislation can continue to CE mark their products and place them on the EU market post-Brexit.

Exporting to the UK

Question 16.
How will Brexit impact my ability to place products on the UK market?

During the transition period, EU legislation, including the Low Voltage Directive, Radio Equipment Directive, the EMC Directive and the General Product Safety Directive, will continue to apply in the UK. This means that you can continue to place your products on the UK market using your existing certification.
Question 17.
What rules will apply to electrical equipment in the UK post-Brexit?

While the underlying rules and regulations setting out the requirements for each product will stay the same, a new UK framework for conformity assessment will come into effect after the UK leaves the EU, which could bring in the following:
- UK based NBs will become UK approved bodies.
- A new UK conformity mark - the ‘UKCA’ mark may be introduced which will specify that a product complies with UK regulations and can be placed on the UK market.
- Details of UK approved bodies will be placed on a planned UK Government database which will be published ahead of Brexit.

The UK Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 will amend the following regulations:
- The Electrical Equipment (Safety) Regulations 2016 which currently gives effect to the Low Voltage Directive (Schedule 23)
- The Electromagnetic Compatibility Regulations 2016 which currently gives effect to the EMC Directive (Schedule 20)

If you wish to continue exporting to the UK post-Brexit, you will need to familiarise yourself with the requirements of these regulations.

Product conformity – Third Party Certification & notified bodies

Question 18.
How does the UK’s withdrawal from the EU affect third party certification by UK notified bodies under EMC and Radio Equipment Directives?

During the transition period, Union law will continue to apply to goods lawfully placed on the UK or EU market. This means that the current rules will continue to apply until the end of 2020, including certification by UK based notified bodies.

Question 19.
What should I do if I use a UK notified body to certify my device?

You can continue to use a UK notified body for CE marking purposes during the transition period. However, you should begin to prepare for the end of the transition period - ask your UK notified body if it is in the process of establishing itself in an EU-27 Member State and prepare to transfer your files to the new EU-27 based notified body.

If the UK notified body does not have plans to move to an EU-27 Member State, you will need to find another EU notified body to certify your device. The details of all EU notified bodies are available on the EU Nando website.
Question 20.
I am a manufacturer of a product for which the certificate has been transferred from a UK notified body to an EU-27 notified body. Does the EU declaration of conformity and product labelling need to be updated?

Yes, both the EU declaration of conformity (drawn up by the manufacturer) and product labelling must be updated.

The EU declaration of conformity and notified body certificate of conformity will have to state that the certificate is now under the responsibility of the new EU-27 notified body and indicate both the old UK and the new EU notified bodies details and identification numbers.

Question 21.
All products certified by a NB must have the notified body number on the device. Does the UK NB number on the device need to be changed for products manufactured before the transfer of the certification to an EU-27 NB?

If the product documentation is in order, there is no need to change the notified body identification number for products already placed on the EU market or manufactured before the transfer of certification has taken place and not yet placed on the EU market.

However, products manufactured after the transfer of the certificate has taken place should be marked with the new EU-27 notified body identification number. Any products certified by the UK notified body before the transfer of certification should be marked with the UK notified body identification number and can still be placed on the EU market during the transition period.

Information

Question 22.
Where can I get more information?

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Irish Government Brexit Portal</td>
<td><a href="http://www.gov.ie/brexit">www.gov.ie/brexit</a></td>
</tr>
<tr>
<td>Department of Business, Enterprise and Innovation</td>
<td><a href="http://www.dbei.gov.ie/What-We-Do/EU-International-Market/Brexit">www.dbei.gov.ie/What-We-Do/EU-International-Market/Brexit</a></td>
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<tr>
<td>Department of Communications, Climate Action and Environment</td>
<td><a href="http://www.dccae.gov.ie">www.dccae.gov.ie</a></td>
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<tr>
<td>Department of Foreign Affairs and Trade</td>
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<td>EU Commission Information on Brexit</td>
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<td>Competition and Consumer Protection Commission</td>
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<td>UK Government Brexit Information</td>
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Appendix 1

Guidance on whether products fall within or outside the scope of the Low Voltage Directive

1. The General Product Safety Directive is applicable to all products, including those that fall under specific EU directives or regulations. Products covered by the Low Voltage Directive must meet the specific requirements of the Directive in addition to the more general requirements of the General Product Safety Directive.

2. See also Appendix 2 - Socket outlet with Switch.

3. If they fall within the scope of EN 61995, the Low Voltage Directive is applicable.

4. The safety of domestic plugs attached to the electrical equipment (i.e. to the cord extension) is outside the Low Voltage Directive. Thus, Member States may apply their national safety regulations or standards on plugs, in addition to the more general requirements of the General Product Safety Directive.

5. Multiple travel adaptors have one or more socket outlets that via an electro-mechanical switch can be paired with different plugs. If the switch is subject to the Low Voltage Directive then the whole product is deemed to fall under the Directive (the same rationale is used for cord extension leads, where there is a national plug on one end and a portable national socket outlet on the other – where the two are connected by a cable, which is covered by the Low Voltage Directive).

More intelligent travel adapters, i.e. contains electronic components such as an overvoltage protector, thermal device, LED-lamp or similar will also fall under the Low Voltage Directive, since the extra element between the plug and the socket outlet is covered by the Directive.

6. A simple travel adapter is per definition an adapter that only consists of a plug from one national system (that is not in the scope of the Low Voltage Directive) to a socket outlet of another national system (that is not in the scope of the Low Voltage Directive) and nothing else. In this case this simple adapter contains no elements that are covered by the Low Voltage Directive, and as a consequence the simple travel adapter is not covered by the Directive. But since it is a consumer product, a simple travel adaptor falls under the General Product Safety Directive. There is also an international safety standard IEC 60884-2-5.

There are also simple adapters that on the socket part and/or the plug part have a combination for several plug/socket systems but operate without sliding contacts or switches.

Electrically operated furniture that includes a motor with additional mechanical elements is covered by the Machinery Directive – see also the Guide to application of the Machinery Directive 2006/42/EC - Edition 2.1, sections §67 and §69

Checklist

☑ Check the certification status of your notified body on the Nando website (where applicable).
☑ Engage with your notified body to see what you need to transfer certification to a new EU-27 notified body.
☑ Ask your UK notified body if it is establishing itself in an EU-27 member state.
<table>
<thead>
<tr>
<th>Products</th>
<th>Scope of LVD</th>
<th>Examples of Products</th>
<th>Comments</th>
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</thead>
<tbody>
<tr>
<td>Plugs</td>
<td>No</td>
<td>![Plug Image]</td>
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</tr>
<tr>
<td>230V for domestic use</td>
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<td></td>
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</tr>
<tr>
<td>Socket outlets</td>
<td>No</td>
<td>![Socket Outlet Image]</td>
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<tr>
<td>230V for domestic use</td>
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<tr>
<td>Luminaire plugs and socket outlets</td>
<td>No</td>
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<td>For domestic use</td>
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<td></td>
<td></td>
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<tr>
<td>Appliance couplers: plugs, outlets</td>
<td>Yes</td>
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<td>Appliance couplers for industrial purposes</td>
<td>Yes</td>
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<td>Appliance couplers e.g. vehicle heater, i.e.</td>
<td>Yes</td>
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<td>It shall not be interconnectable with other plugs or socket outlets.</td>
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<td>manufacturer fabricated standard</td>
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<td>Cables</td>
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<td>![Components Image]</td>
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<tr>
<td>Cord extension sets (plug + socket outlet)</td>
<td>Yes</td>
<td>![Cord Extension Set Image]</td>
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<td>with or without passive components (e.g. varistors)</td>
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<tr>
<td>Cord sets and interconnection cord sets</td>
<td>Yes</td>
<td>![Cord Set Image]</td>
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<tr>
<td>(plug + cable + cord set)</td>
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<td></td>
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<tr>
<td>Installations enclosures and conduits</td>
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<td>Products</td>
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<tr>
<td>Insulating tape</td>
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<tr>
<td>Plug with multiple way socket outlets</td>
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<td></td>
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<tr>
<td>Multiple travel adaptors</td>
<td>Yes</td>
<td></td>
<td>It may contain a switch or sliding contacts (as in the sample down left, which rotates), etc.</td>
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<tr>
<td>Multiple travel adaptors with supply (e.g. charger for mobile phones or music player)</td>
<td>Yes</td>
<td></td>
<td>It may contain switch, charger with USB port, overvoltage and overload protection, LED, signalling, etc.</td>
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<td>Simple travel adaptors</td>
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<td>Plug with one or more socket outlets with incorporated electronic dimmer or twilight dimmer</td>
<td>Yes</td>
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<td>Product with integrated plug and/or outlets. 230V for domestic use (e.g. charger for mobile phones, night lights)</td>
<td>Yes</td>
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<td>Switches for households and similar fixed electrical installations</td>
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<td></td>
<td></td>
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<td>Tools for working with live parts</td>
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<td>Products</td>
<td>Scope of LVD</td>
<td>Examples of Products</td>
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<td>Single and two-pole voltage detectors</td>
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<td>Cable management systems</td>
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<td>Decorative cable covers</td>
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<td>Caravan trailers and camping wagons</td>
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<td>Car engine heaters</td>
<td>Yes</td>
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<td>Only if the external voltage supply is higher than 50V AC or 75V DC</td>
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<td>Easy chairs with built-in motors</td>
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<td>Beds with built-in motors</td>
<td>No</td>
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<td>Other regulations may apply, e.g. Regulation (EU) 2017/745 on medical devices</td>
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<td>Plastic grommet (bushing)</td>
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<td>High voltage transformers</td>
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<tr>
<td>Test equipment when not intended to be permanently connected to high voltages</td>
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</table>
Question 1.
What rules apply to electrical sockets and plugs in Ireland?

Ireland along with the UK, Malta and Cyprus, use a Type G socket and plug (see diagram below). This type of socket, even when it includes a switch, are a single product only used as a part of the national plug and socket outlet system. They are included in Annex II of the Low Voltage Directive which lists equipment not covered by the Directive and must not be CE marked.

In Ireland, sockets and plugs for domestic use must meet the requirements of the:
- National Standards Authority of Ireland (Section 28) (13 amp Plugs & Conversion Adaptors for Domestic Use) Regulations, 1997 (S.I. No. 525/1997) or the

<table>
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<th>Type F “Schuko”</th>
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<td>Belgium, Czech Republic, Denmark, France, Poland, Slovakia</td>
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<tr>
<td>Austria, Bulgaria, Estonia, Finland, Germany, Greece, Hungary, Island, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Portugal, Romania, Slovenia, Spain, Sweden</td>
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<table>
<thead>
<tr>
<th>Type G</th>
<th>Type K</th>
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</thead>
<tbody>
<tr>
<td>Cyprus, Ireland, Malta, United Kingdom</td>
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<tr>
<td>Denmark</td>
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</table>
Question 2.
What rules apply to sockets that incorporate both a Type G socket and a USB charger or a wifi extender?

Sockets incorporating a USB charger are covered by the **EMC Directive** and would require CE marking in accordance with the provisions of that Directive.

Sockets that incorporate a wifi extender are subject to the **Radio Equipment Directive** and will require CE marking in accordance with the provisions of that Directive.

It is the responsibility of the manufacturer to ensure that their products are CE marked in accordance with all relevant EU legislation.

**Socket incorporating USB chargers**

**Socket incorporating USB chargers and a WiFi extender**

Question 3.
I import plugs and sockets from the UK – after Brexit will I have any additional responsibilities?

If you are currently a distributor importing plugs and sockets from the UK you will continue to be a distributor during the transition period and your responsibilities did not change when the UK left the EU on 31 January 2020.

Any sockets that include a USB charger and/or wifi extender imported from the UK that is currently CE marked under EU rules will be required to do so post Brexit if they are to continue being placed on the EU market. This means that electrical devices will still require:
- EU declaration of conformity
- the correct CE marking
- any electrical equipment certified by an notified body under the Radio Equipment Directive or the EMC Directive will need to be certified by an EU notified body.
Question 4.
I import plugs and sockets from outside the EU – what are my responsibilities?

If you import plugs and/or sockets from outside the EU you are an importer and your responsibilities include:

- You shall only place plugs and sockets that comply to EU rules on the market.

- Before placing plugs and sockets on the market you shall ensure that:
  - the appropriate conformity assessment procedure has been carried out by the manufacturer,
  - the manufacturer has drawn up the technical documentation,
  - the correct CE marking is applied (or none if they are exempt under the LVD) and is accompanied by the required documents,
  - the manufacturer has complied with the requirements set out in the relevant directive or national legislation.

- You will have to ensure that they are accompanied by any relevant instructions and safety information in English or Irish.

- You will be required to keep a copy of any required EU declaration of conformity and ensure that the technical documentation can be made available to the market surveillance authorities for 10 years after the last of the equipment has been placed on the market.


Question 5.
Who monitors plugs and sockets on the Irish market to ensure they adhere to EU and national regulations?

The Competition and Consumer Protection Commission (CCPC) is the market surveillance authority and the competent authority in Ireland for safety of non-food consumer products covered by certain EU Directives. In this role they carry out market surveillance on certain electrical equipment, including plugs and socket.

Further information is available on the CCPC website.
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