



Rialtas na hÉireann
Government of Ireland

Brexit Series Green Procurement

Additional impacts

The UK is a party to nearly 40 international environmental conventions either as a party or as an EU Member State.

In the case of a 'No Deal' Brexit, EU waste law no longer applies to the UK and all exports of waste for disposal and the export of mixed municipal waste for recovery from the EU to the UK will be prohibited.

For EU Reg 995/2010 Fight against illegal logging, post-Brexit, UK based 'Monitoring Organisations' will no longer be recognised under the EU Timber Regulation. Operators using Due Diligence Systems established by such organisations will assume full responsibility for the system they implement. If you import timber and/or timber products from the UK, you are currently defined as a "Trader". However, post-Brexit you will become an "Operator" which incurs significant obligations as outlined in the Regulation. The UK Government have indicated that in time they will implement their own UK Timber Regulations.

In the case of a 'No Deal' Brexit, the UK will be defined as a "third country" under Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein and will be subject to its provisions.

Further information

The UK Government have indicated that they intend to maintain environmental standards when the UK leaves the EU. The draft Environment (Principles and Governance) Bill was published in late 2018 and sets out draft proposals for green governance after the UK leaves the EU. It is intended to replace EU environmental law after Brexit and incorporates clean air, nature protection, waste and other areas.

About NSAI

NSAI is an EU notified body for certification of medical devices, motor vehicles, construction products and measuring instruments. It also carries out market surveillance on packaged goods and measuring devices. NSAI aims to inspire consumer confidence and create the infrastructure for products and services to be recognised and relied on.

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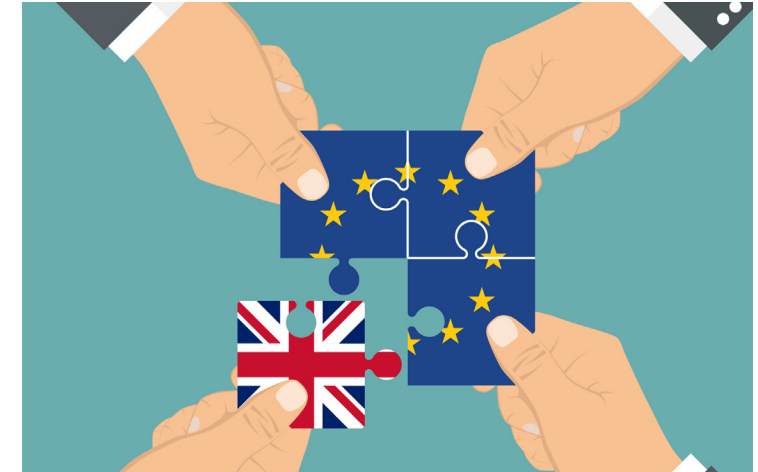
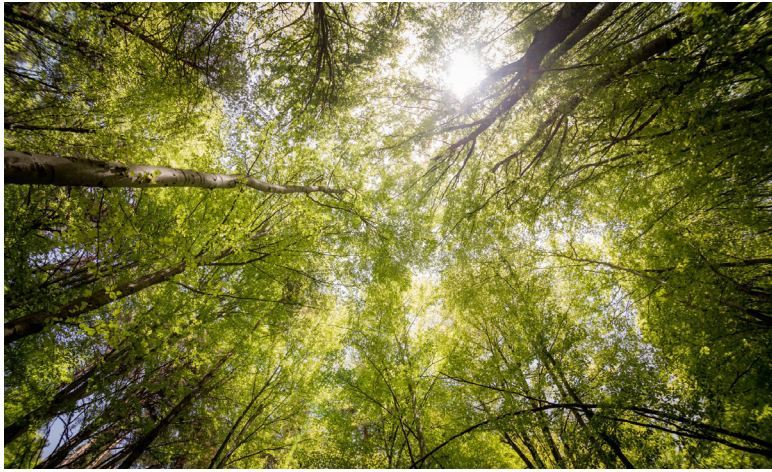
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Further information

The Irish Government has put in place a number of supports to help businesses, of all shapes and sizes and across all sectors to prepare for Brexit.

- EPA
- Department of Agriculture, Food and the Marine
- Department of Business, Enterprise and Innovation
- Department of Foreign Affairs and Trade





What will happen after Brexit?

Brexit may affect organisations who are required to demonstrate their 'Green' credentials due to supply chain or tender requirements. Organisations who rely on UK based certification or verification may be impacted by the UK decision to leave the EU. Further details of the main implications are outlined below.

Ecolabel

The Ecolabel is the eco-friendly product certification scheme for EU Member States. Post-Brexit, UK based competent bodies will cease to be recognised and products with EU Ecolabels awarded by the UK Ecolabel competent body will no longer be able to be placed on the EU market.

The UK Government has indicated that it will be possible for products carrying the EU Ecolabel certification from an EU-27 Ecolabel Competent Body to be sold within the UK but there is no indication on how long this will be permitted. They have also stated that they will explore their own new labelling scheme in time.

Further information

NSAI offers certification to the EU Ecolabel scheme, ISO 14001 Environmental Management System and ISPM 15.

The EU Commission have published a wide range of preparedness notices on various issues including emissions, waste law, chemicals, products and eco labelling.

Schemes and certification

ISO 14001 Environmental Management System has been developed to help organisations identify, manage and control the activities that have an environmental impact. ISO standards such as 14001 Environmental Management System are recognised worldwide and will continue to be so post-Brexit.

In Ireland, the EU Emissions Trading Scheme (ETS) is administered by the Environmental Protection Agency (EPA). Applicable organisations must ensure their previous year's emissions are verified by an accredited verification body for reporting purposes. Post-Brexit, if your verification is provided by a UK based body, it will no longer be recognised and you will need to source an alternative provider.

If your EU Eco-Management and Audit Scheme (EMAS) verification is provided by a UK based body, you will need to transfer the registration from the UK EMAS Competent Body to an EU-27 EMAS Competent Body. Post-Brexit, the UK's EMAS Accreditation Body will lose its status and the environmental verifiers accredited by the UK Accreditation Body will no longer be able to carry out their tasks. The EMAS Global scheme provides opportunities for UK organisations wishing to remain in EMAS.

The Irish Government introduced the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019 (the "Brexit Act"). One of its provisions establishes an equivalence certification regime for the EU-regulated fluorinated greenhouse gas industry. It provides for certification issued by a certification body in the UK to remain valid in the EU for a time limited period. During this time, individuals relying on UK based certification must apply to the Environmental Protection Agency (EPA) to arrange for a transfer of certification.

Pallets and wood packaging material

In the event of a 'No Deal' Brexit, all Wood Packaging Material (WPM) being imported from the UK to the EU (including Ireland) will need to be ISPM 15 compliant which is not currently required. ISPM 15 is an internationally recognised phytosanitary measure that establishes standards for the treatment and marking of WPM which is mainly pallets, crates, boxes, cable drums, dunnage etc. and affects all WPM used in international trade. WPM must be officially marked as being ISPM compliant. Currently, the EU only requires that all WPM from third countries entering the EU to be ISPM 15 compliant. Post-Brexit the UK will become a third country and ISPM 15 will apply to WPM used in imports from the UK and all WPM exported to the UK.

The implementation of the scheme is overseen by the Department of Agriculture, Food and the Marine (DAFM). NSAI operates the ISPM 15 certification scheme on behalf of DAFM. NSAI carry out the registration and auditing of kiln facilities, the registration of pallet and other WPM manufacturers, ISPM 15 marking systems and compliance standards.

Further information

The Environmental Protection Agency is the competent authority for implementation of the EU Emissions Trading Scheme in Ireland.

The Department of Agriculture, Food and the Marine is responsible for the implementation of ISPM 15. Further information is available on their website.