

‘British Standards Institution’ (not institute) and ‘Notified Bodies’ (not Notifiable)

BSI and BSI ACCREDITATION and NOTIFIED BODIES

QUESTIONS RAISED BY CONCORDANCEOUT.EU and the answers: How will BSI certification be recognized? [Either, by EU and/or by non EU?]

We should separate and be very clear on the issues of Standards and Certification and EU Certification by NOBO’s.

Standards, with **BSI as the UK’s national standards** body, are the businesses that are relevant here. There are other parts of the **BSI Group that provide certification services**, including those of being a Notified Body*. [NOBO]

This part comprises an answer on standards, but it will give the reader some very unofficial thoughts on certification/NOBO’s too.

Standards are good practice set down by experts (industry, consumers, govt, testing people, unions etc etc) through processes run by independent and very often private standards bodies, like **BSI**, and used voluntarily.

Certification is the process of a third party organization stating that a product, service or process meets a standard.

On Standards, this is the relevant EU Brexit question about continued membership for **BSI** of CEN and CENELEC. It is to be understood that the directors of BSI remain very positive about achieving this, in good time, through a change of the CEN and CENELEC statutes. The BSI are speaking again to the CEN and CENELEC Board meetings in June 2018 (BSI are a member of the Boards of the two organizations).

BSI discussions with UK government are also positive (helped in terms of the education mission to government that the BSI has been undertaking by the secondments made). UK government understands the issues about standards and does not want to stand in the way of a BSI designed solutions, unless there is a significant political reason for doing so. It is to be hoped that there will be more, and specific, policy statements in the forthcoming UK government white paper.

On Certification generally and very unofficially, ConcordanceOUT.eu understands that this is a voluntary activity performed by **BSI** when businesses so request it.

BSI Assurance* certifies to a huge range of standards, as do other certifiers in this commercial market. These certifiers will most commonly be accredited to perform their certification function, through **UKAS, the United Kingdom Accreditation Service****.

BSI Assurance also has accreditation through other accreditation bodies around the world, reflecting the global nature of BSI Assurance’s work. One example of this

certification is the **BSI Kitemark**, which is well known.

POST BREXIT BSI CERTIFICATION

Certification work by **BSI Assurance** can continue post-Brexit: these are business services used when businesses need them, **not EU regulatory requirements**. BSI's certificates for whatever products or services will continue to be recognized post-Brexit as that accreditation will still be valid.

This **BSI Assurance** work is significantly different from **NOBO's** though as Nigel Moore has mentioned, except as referred to below.***.

NOBO's undertake EU Regulatory Certification for EU conformity assessment

When a product is to be placed on the EU market, it has to meet certain regulatory laws (especially of safety), and meeting those laws means that the product has free circulation in the EU and EEA market. To meet the EU law, the manufacturer has to go through a process of **conformity assessment**, to prove that the product will comply with relevant EU legislation. This may involve an element of mandatory testing by a third party organization, a **Notified Body**.

Notified Bodies are certification (and similar) bodies designated by Member States for this purpose. **There are some 200 UK NOBOs, and BSI Assurance*** for example is a NOBO for some 15 EU directives/regulations**. Remember that only an EU Member States that can designate NOBOs.

Accordingly please note carefully that: -

FROM day 1 post-Brexit all UK NOBOs will no longer be legitimate and official NOBOs and there will be or could be challenges to the validity of their certificates. [Accordingly, UK goods and planes so certified will not pass EU borders or fly!]

There is therefore no solution to the BREXIT chaos of this government in just leaving the EU and walking out under WTO rules. The route can only be through the EEA and EFTA. This may be somewhat eased by the transition period but details are unknown. What then in December 2020?

Some countries have MRAs [Memoranda of Agreements] permitting them to have legitimate NOBOs, including in the EEA and also agreements with Canada, US and possibly Japan. This is something that UK could/should/must push for. The continued role of **UK NOBOs** is certainly a vital issue for the BREXIT negotiations.

***It is worth noting that UKAS has its own statute issue with its European body, EA.