

## PROPOSED REPLACEMENT EU ACT INITIAL ASSESSMENT OF IMPACT

**Date: 22 July 2025**

**DSC REF: DSC/13a/2025**

### **Proposed Replacement EU Act**

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directives 2000/14/EC, 2011/65/EU, 2013/53/EU, 2014/29/EU, 2014/30/EU, 2014/31/EU, 2014/32/EU, 2014/33/EU, 2014/34/EU, 2014/35/EU, 2014/53/EU, 2014/68/EU and 2014/90/EU of the European Parliament and of the Council as regards digitalisation and common specifications

This Directive will amend the following Directives;

2000/14/EC on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors; (Protocol Annex 2, Heading 14 on Construction products, machinery, cableways, personal protective equipment).

2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment;

(Protocol Annex 2, Heading 23 on Chemicals and related).

2013/53/EU on recreational craft and personal watercraft;

(Protocol Annex 2, Heading 18 on Recreational craft).

2014/29/EU on the harmonisation of the laws of the Member States relating to the making available on the market of simple pressure vessels;

(Protocol Annex 2, Heading 12 on Pressure vessels).

2014/30/EU on the harmonisation of the laws of the Member States relating to electromagnetic compatibility;

(Protocol Annex 2, Heading 15 on Electrical and radio equipment).

2014/31/EU on the harmonisation of the laws of the Member States relating to the making available on the market of non-automatic weighing instruments;

(Protocol Annex 2, Heading 13 on Measuring instruments).

2014/32/EU on the harmonisation of the laws of the Member States relating to the making available on the market of measuring instruments;

(Protocol Annex 2, Heading 13 on Measuring instruments).

2014/33/EU on the harmonisation of the laws of the Member States relating to lifts and safety components for lifts;

(Protocol Annex 2, Heading 10 on Lifting and mechanical handling appliances).  
2014/34/EU on the harmonisation of the laws of the Member States relating to equipment and protective systems intended for use in potentially explosive atmospheres; (Protocol Annex 2, Heading 15 on Electrical and radio equipment).  
2014/35/EU on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits;  
(Protocol Annex 2, Heading 15 on Electrical and radio equipment).  
2014/53/EU on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment;  
(Protocol Annex 2, Heading 15 on Electrical and radio equipment).  
2014/68/EU on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment;  
(Protocol Annex 2, Heading 12 on Pressure vessels).  
2014/90/EU on marine equipment;  
(Protocol Annex 2, Heading 27 on Marine equipment).

## **Summary of the Act**

This is part of a package of proposals from the EU Commission on digitalisation which seek to amend the sectoral framework, i.e. product legislation which sets out harmonised rules relating to the design, manufacture, conformity assessment and placing on the market of products. This proposal is for a Directive which would amend 13 current EU Directives, all of which fall under Annex 2 of the Protocol.

The proposed amendments seek to simplify reporting requirements and reduce administrative burdens for businesses and market surveillance authorities by:

- Mandating the use of digital formats for declarations of conformity and similar documents, which must be accessible by internet address or machine-readable code.
- Requiring that manufacturers indicate a digital contact on products placed on the market.
- Specifying that instructions accompanying products may be provided in electronic form (with the exception of safety information which continues to require a paper format).
- Amending reporting requirements to national authorities that require a 'paper or electronic format' to an electronic format only.
- Introducing an obligation for digital communication to national authorities.
- Introducing a provision allowing common specifications as an alternative to harmonised standards where these are unavailable or insufficient.

- Obligating that information contained in declarations of conformity and instructions is available on a digital product passport where a digital product passport is required by other EU legislation.

### **Department(s) Responsible**

The proposal covers a range of areas, most of which are reserved to Westminster. However local enforcement responsibility has been identified for several of these areas. For areas that are devolved, responsibility sits with the Department for the Economy and its Arm's Length Bodies. The Department of Agriculture, Environment and Rural Affairs (DAERA) will also have an interest in some of the changes.

### **Initial Assessment of Impact**

Analysis undertaken by the Department for Business and Trade (DBT) has found that the proposed amendments will not have significant impacts for those selling goods into Northern Ireland, as the overarching aim of these amendments is to streamline the provision of information for regulatory compliance purposes. Rather, the proposed amendments may have a positive impact for those trading in goods by reducing administrative burdens, while providing a reasonable timeframe to familiarise with new requirements.

The EU's impact assessment notes that the changes are "limited and targeted" and do not have significant impact on policy.

However, DBT notes that the proposals for digitalisation have the potential to introduce a difference in approach for products between Northern Ireland and Great Britain. It also acknowledges the potential for initial costs relating to the transition to the new regulations.

DBT has stated that it recognises the value of streamlining will be looking to engage further with industry and consumer organisations regarding similar measures for Great Britain in due course.

The evidence available therefore points to the potential for some initial costs relating to the introduction of the new requirements and for a difference in approach compared to Great Britain. This situation would persist until such times as similar measures would be adopted in Great Britain, something that the UK Government has undertaken to consider. The DBT analysis does not indicate that any of the impacts are expected to be significant.

Conversely, Northern Ireland companies seeking to trade with the EU would have to comply with the requirements being proposed. Not applying the proposed replacement act would cause a significant impact, namely a barrier to trade with the EU. This impact would persist for as long as the requirements applying in Northern Ireland continued to differ from those applied by the EU.

## **UK Government Explanatory Memorandum**

The Explanatory Memorandum is attached at Annex 1. It summarises the proposal and lists the directives and regulations affected by it and presents the DBT analysis that it will not have significant impacts for those selling goods into Northern Ireland.

It notes previous Parliamentary scrutiny of similar simplification measures on Eco-design and on batteries and waste batteries. It also notes that product safety legislation is primarily reserved, but that some aspects of conformity assessment and required documentation may relate to devolved areas.

At present, the UK and EU have similar requirements for providing technical documentation, however these proposals would amend the technical information (except for safety information) supplied with the product, mandate digital declarations of conformity and ensure information can be supplied digitally. This has the potential to introduce a difference in approach for products between Northern Ireland and Great Britain.

Throughout the UK, trade documents in electronic form have the same legal status as their paper equivalents. While electronic versions are encouraged, their use is not mandatory. The UK Government recognises the value of streamlining costs and the importance of clear and easily accessible information. It will therefore consider whether it wishes to facilitate similar principles to the EU on this matter.

UK Government consultation on similar measures indicated support for the introduction of voluntary digital labelling, with the majority of businesses supporting it as a method of reducing costs. It is reported that the results of EC stakeholder consultations were largely in favour of digitalisation.

It is acknowledged that there could be initial costs on transitioning to the proposed digital requirements, however the EU impact assessment describes the changes as “limited and targeted.”

## **Analysis by the European Commission on its Impact Assessment**

The proposal concerns limited and targeted changes of legislation with a view of simplifying reporting requirements and ensuring the digitalisation and alignment of common specifications. They are based on experience gained from implementing legislation. The changes do not have significant impact on the policy, but only ensure a more efficient and effective implementation also through aligning common specifications with standing legislation.

## **Departmental Engagement**

None.

## **Annex 1 – Explanatory Memorandum**



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