



Every two months, SGS Baseefa Technical Manager Ron Sinclair MBE gives his perspective on the latest developments in the world of standards.

## Getting at the information

provided the secretariat for that group, with the Notified Bodies paying an additional contribution to the funds to cover the specific UK Notified Body activity.

With the new legal arrangement, there is an added requirement for the Approved Bodies to meet and discuss matters, so we have contracted with BEAMA to provide enhanced secretarial services. This is to include operation of a website that will, as far as reasonably practical, provide similar facilities to both CIRCABC and the Clarification Sheet database, making the UKEX Decision Sheets available to the public, along with other useful information.

You will notice that we are using the term “Decision Sheet” which is the term used within the IECEX system. And, as with IECEX, all bodies have committed to implement a published Decision Sheet. In contrast, the ExNB Clarification Sheets are regarded as advice, without an absolute commitment by any one Notified Body to follow them exactly.

In addition to the UKEX Decision Sheets, we will consider what other information might be useful to manufacturers, installers, and users of Ex equipment. This might include links to all the relevant UK Statutory Instruments and additional advisory documents that have been circulated by BEIS.

We anticipate that BEIS may eventually publish “Guidelines” to the statutory instruments, similar to the European Commission’s ATEX Guidelines; an incredibly useful document. In the meantime, where the text permits, we will be following the EU ATEX Guidelines in determining what might be in or out of the scope of the Directive/ Statutory Instrument Guidelines, for example (I am obliged to say it is useful, as I was on the Commission working group that put the current version together!).

We will try and make the website as helpful as possible to everyone who needs to understand the regulations, and how they are being implemented by the UKEX-ABG.

Although technically, because there has been no change in the standards and no change in the Essential health and Safety requirements (EHSRs), the activities we undertake as an Approved Body are no different from those of our previous role as a Notified Body, Brexit has caused a lot of work.

For eighteen months prior to the Brexit date (1 January 2021) we spent a lot of time arranging for the existing ATEX certificates to be transferred to our partner EU27 based Notified Bodies. Now we are feverishly working with our customers to provide them with UKEX certificates, which they will require by 1 January 2022, if they intend to sell the equipment in Great Britain (the transferred ATEX Certificates remain the requirement for Northern Ireland.)

At first thought, the two processes might seem similar, but there is a critical difference. The ATEX certificate was transferred while the new UKEX certificate is created. For ATEX, it was just the change in supervision of an already existing certificate. Therefore, if the ATEX certificate was not up to date, i.e. did not refer to harmonised standards, it could still be transferred. However, we cannot issue a new certificate which does not reflect the “state of the art”, so the certification has to be to the current designated standards. For further information on this, a very good explanation is contained in § 139 and § 140 of the ATEX Guidelines. ■

**A week after the press date for this article, but before its publication, the UKEX Approved Bodies Group (UKEX-ABG) will meet to agree a format for their new website.**

All the former UK based European Notified Bodies for the ATEX Directive were automatically converted to UK Approved Bodies on January 1 this year. They were also given a restricted Notification to the European Commission for the purpose of issuing ATEX Certificates that would be accepted in Northern Ireland only. UKEX certificates, to the UK regulations that are equivalent to ATEX, are not legally acceptable in Northern Ireland according to the current protocol.

Having previously been Notified Bodies, we were certainly familiar with the way that the European Commission financed the operation of the secretariat to the ExNBG. This paid for the operation of the ExNBG secretariat, including running a website that gave public access to Clarification Sheets issued by the ExNBG (it also paid for the hosting arrangements (room and food) for the annual ExNBG meeting in Brussels). Distribution of “private” documents was through the European Commission’s CIRCABC documentation system. Thus, there were no direct charges to the individual Notified Bodies.

The UK Government has, to date, not put funding in place for a similar system for the UKEX-ABG. All bodies had previously met as an adjunct to the UK shadow committee for IECEX (Committee L/6/10) and BEAMA

### About the author

SGS Baseefa’s Technical Manager Ron Sinclair MBE will continue to attend the European Notified Bodies Group for ATEX (ExNBG), although representing SGS Fimko, their partner EU Notified Body, now that the UK bodies are excluded. He is Chair of the IECEX Service Facility Certification Committee and a member of the IECEX Executive. He is chair of the UK Standards Committee operating in this area for electrical equipment, and recently retired as chair of the European committee.