

# Requirements for Low Voltage Directive (LVD) Equipment

EU requirements: Directive 2014/35/EU (the “LVD”) sets out requirements relating to electrical equipment designed for use within certain voltage limits, in order to provide for a high level of protection of health and safety of persons, and of domestic animals and property. The requirements include safety objectives for the design and manufacture of electrical equipment, labelling requirements, the applicable conformity assessment procedures. The LVD also sets out obligations of manufacturers, importers and distributors.

If you manufacture, import or distribute electrical equipment designed for use within certain voltage ranges that is sold in the EU, you will need to comply with the requirements of the LVD.

It is your responsibility to comply with the Low Voltage Directive LVD. You must also comply with national laws and regulations in Member States, which implement the LVD.

Please see below for further information about EU requirements.

UK requirements: The UK’s Electrical Equipment (Safety) Regulations 2016/1101 (the “EESR”) set out requirements relating to electrical equipment designed for use within certain voltage limits, in order to provide for a high level of protection of health and safety of persons, and of domestic animals and property. The requirements include safety objectives for the design and manufacture of electrical equipment, labelling requirements, the applicable conformity assessment procedures. The EESR also sets out obligations of manufacturers, importers and distributors.

If you manufacture, import or distribute electrical equipment designed for use within certain voltage ranges that is sold in the UK, you will need to comply with the requirements of the EESR. Different rules apply to goods you sell in: (1) Great Britain (England, Scotland and Wales); and (2) Northern Ireland.

It is your responsibility to comply with the EESR for products sold in the UK. If you also sell these products on Amazon EU website(s), then you must also comply with national laws and regulations in EU Member States, which implement the EU’s LVD.

Please see below for further information about UK Requirements.

This material is for informational purposes only. It is not intended as legal advice. We encourage you to consult your legal counsel if you have questions about the laws and regulations concerning your product. This material only reflects the position at the date of writing and requirements in the EU and the UK may change. You should refer to current UK Brexit guidance about your products (see below) to learn more about changes that may affect you from 1 January 2021.

## I. EU Requirements

### **What products does the LVD apply to?**

The LVD applies to electrical equipment designed for use with a voltage rating of between 50 and 1,000 V for alternating current and between 75 and 1,500 V for direct

current. There are some types of electrical equipment and phenomena that are outside of the scope of the LVD (~~for example, e.g.~~ plugs and socket outlets for domestic use). A full list of electrical equipment not within scope can be found in Annex II of the LVD.

Examples of electrical equipment covered by the LVD are: household appliances, cables, power supply units, and laser equipment.

### **Who has obligations under the LVD?**

The LVD sets out obligations for manufacturers, authorized representatives, importers and distributors of electrical equipment.

- You are a manufacturer if you manufacture electrical equipment yourself or have electrical equipment designed and manufactured and ~~market~~sell it under your name or trademark.
- You are an ~~authorised~~authorized representative if an electrical equipment manufacturer has given you a written mandate to act on their behalf in relation to specific tasks.
- You are an importer if you are established in the EU and you sell ~~from~~electrical equipment ~~from~~ outside the EU into the EU.
- You are a distributor if you make electrical equipment available for sale or supply but are not a manufacturer or importer.

### **How are ~~manufactures~~manufacturers and importers affected by the LVD?**

*Declaration of Conformity and CE marking:*

Manufacturers must:

- ensure that electrical equipment has been designed and manufactured in accordance with the safety objectives set out in the LVD;
- carry out a conformity assessment and draw up the required technical documentation;
- draw up an EU declaration of conformity in a language or languages required by the Member State in which the electrical equipment is sold;
- affix the CE marking visibly, legibly and indelibly to the electrical equipment or to its data plate, and to the packaging;

Importers must:

- ensure that the appropriate conformity assessment procedure has been carried out by the ~~manufacture~~manufacturer and that the manufacturer has drawn up the technical documentation and that the electrical equipment bears the CE marking.
- ensure that, while an electrical equipment is under their responsibility, its storage or transport conditions do not jeopardise its compliance with the essential requirements.

Manufacturers and importers must keep a copy of the technical documentation and declaration of conformity for 10 years after the electrical equipment has been ~~placed~~onsold in the ~~market~~.EU.

*Labelling and information:*

Manufacturers and importers must ensure that the electrical equipment bears:

- the name, registered trade name or registered trade mark of the manufacturer and/or importer and the postal address at which they can be contacted ~~of the manufacturer and/or importer;~~
- the type, batch or serial number or other element allowing the identification of the electrical equipment; and
- the CE marking.

Where it is not possible for this information to be on the electrical equipment itself, the above information should be on its packaging or a document accompanying the electrical equipment.

In addition, the electrical equipment must be accompanied by instructions, safety information, and the declaration of conformity. This information should be in a language that can be easily understood by end-users and market surveillance relevant authorities.

### **How are distributors affected by the LVD?**

Distributors are required to exercise due care in relation to selling electrical equipment in the EU. This can include verifying that the equipment bears a CE marking and that the equipment is accompanied with appropriate documents for end users.

### **What should you do if electrical equipment is not in conformity with the LVD?**

Manufacturers, importers and distributors should immediately take the corrective measures necessary to bring electrical equipment into conformity, to withdraw or to recall it, as appropriate.

Where the electrical equipment presents a risk, manufacturers, importers and distributors should immediately inform the competent national authorities of the Member States where it was sold, giving details, in particular, of the non-conformity and of any corrective measures taken

Manufacturers, importers and distributors should provide a competent national authority with all the information and documentation, in paper or electronic form, necessary to demonstrate the conformity of the electrical equipment with the LVD, following a reasoned request.

### **Additional Information**

We strongly encourage you to visit the European Commission's website for more information on the Low Voltage Directive:

- [https://ec.europa.eu/growth/sectors/electrical-engineering/lvd-directive\\_es](https://ec.europa.eu/growth/sectors/electrical-engineering/lvd-directive_es)
- <https://ec.europa.eu/docsroom/documents/20341/attachments/1/translations/en/renditions/pdf>

## **II. UK Requirements**

### **Where does the EESR apply?**

The EESR applies to all products sold in the UK, but the provisions apply differently to Great Britain (England, Scotland and Wales, “GB”) and Northern Ireland. You can read more about the position in Northern Ireland (“NI”) below.

### **What products does the EESR apply to?**

The EESR applies to electrical equipment designed for use with a voltage rating of between 50 and 1,000 V for alternating current and between 75 and 1,500 V for direct current. There are some types of electrical equipment and phenomena that are outside of the scope of the EESR (e.g. plugs and socket outlets for domestic use). A full list of electrical equipment not within scope can be found in Regulation 3 of the EESR.

Examples of electrical equipment covered by the EESR are: household appliances, cables, power supply units, and laser equipment.

### **Who has obligations under the EESR?**

The EESR sets out obligations for manufacturers, authorized representatives, importers and distributors of electrical equipment.

- You are a manufacturer if you manufacture electrical equipment yourself or have electrical equipment designed and manufactured and sell it under your name or trademark.
- You are an authorized representative if an electrical equipment manufacturer has given you a written mandate to act on their behalf in relation to specific tasks.
- You are an importer if you are established in the UK and sell electrical equipment from a country outside of the UK into GB.
- For details of importing into NI, see the “Northern Ireland” section below.
- You are a distributor if you make electrical equipment available for sale or supply but are not a manufacturer or importer.

### **How are manufacturers and importers affected by the EESR?**

#### *Declaration of Conformity and conformity marking*

Manufacturers must:

- ensure that electrical equipment has been designed and manufactured in accordance with the safety objectives set out in the EESR;
- carry out a conformity assessment and draw up the required technical documentation;
- draw up an declaration of conformity in English;
- affix the relevant conformity marking visibly, legibly and indelibly to the electrical equipment or to its data plate, and to the packaging. The relevant conformity marking is as follows:

- for products sold in GB from 1 January 2021, the UKCA mark;
- for products sold in NI while the Northern Ireland Protocol remains in force, the European CE mark (see “Northern Ireland” section below).

Note: the UK Government has passed legislation which provides that for certain products (including products covered by the EESR) CE marking will be accepted in GB until 1 January 2022, and that additional means of affixing the UKCA mark will be accepted until 1 January 2023. A specific Declaration of Conformity will be required referencing UK (not EU) legislation and standards. See the “BREXIT: UK Government Guidance” section below for more details on the new requirements and transitional measures.

Importers must:

- ensure that the appropriate conformity assessment procedure has been carried out by the manufacturer and that the manufacturer has drawn up the technical documentation and that the electrical equipment bears the required compliance marking (CE or UKCA mark); and
- ensure that, while an electrical equipment is under their responsibility, its storage or transport conditions do not jeopardise its compliance with the essential requirements.

Manufacturers and importers must keep a copy of the technical documentation and declaration of conformity for 10 years after the electrical equipment has been sold.

Labelling and information

Manufacturers and importers must ensure that the electrical equipment bears:

- the name, registered trade name or registered trade mark of the manufacturer and/or importer and the postal address at which they can be contacted;
- the type, batch or serial number or other element allowing the identification of the electrical equipment; and
- the required compliance marking (CE or UKCA mark)

Where it is not possible for this information to be on the electrical equipment itself, the above information should be on its packaging or a document accompanying the electrical equipment. The UK Government has released guidance on alternative means of providing GB importer traceability information until 31 December 2022. See the “BREXIT: UK Government Guidance” section below for links to this guidance.

In addition, the electrical equipment must be accompanied by instructions, safety information, and the Declaration of Conformity. This information should be in a language that can be easily understood by end-users and the relevant authorities. A specific Declaration of Conformity that refers to UK legislation and standards will be required for products sold in GB from 1 January 2021. See the “BREXIT: UK Government Guidance” section below for links to the UK Government guidance on this.

**How are distributors affected by the EESR?**

Distributors are required to exercise due care in relation to selling electrical equipment in the UK. This may include verifying that the equipment bears required compliance marking and that the equipment is accompanied with appropriate documents for end

users.

## **Northern Ireland**

Please note that different rules apply in NI from 1 January 2021 as a result of the Northern Ireland Protocol. In particular:

- You should ensure that products meet EU requirements and that you use the CE mark.
- You are an importer if you are established in the EU or NI and you sell products from a country outside of the EU and Northern Ireland (including from GB) into NI. Products sold in NI should be marked with details of any EU / NI based importer.
- Authorized representatives can be based in NI or the EU. From 16 July 2021, new rules come into force under EU Regulation 2019/1020 and some businesses may need to appoint a responsible person in the EU or NI to carry out compliance functions (if there is no other entity in the supply chain who is able to carry out the functions). Further guidance on the new rules will be made available by the UK Government.
- If you are using a UK body to carry out mandatory third-party conformity assessment, you will need to apply a UKNI marking as well as a CE mark to products placed in NI from 1 January 2021. Goods with the CE and UKNI marking can't be sold in the EU. You do not need to use the UKNI marking if you self-certify compliance or use an EU body to carry out a mandatory third-party assessment.
- "Qualifying Northern Ireland goods" will be able to be sold in GB with the CE mark. The UK Government is issuing guidance on how this will work.

## **BREXIT: UK Government Guidance**

The UK Government has released guidance on selling products in GB and NI from 1 January 2021. This guidance provides information for manufacturers, importers and distributors regarding compliance requirements from 1 January 2021, including on:

- whether you need to change your conformity assessment;
- when and how to use the UKCA mark;
- requirements for technical documentation and a specific Declaration of Conformity for products sold in GB;
- appointing an authorized representative or responsible person in the UK;
- whether your legal responsibilities will change as a result of Brexit;
- whether you need to provide GB importer information, and methods for doing this (including transitional arrangements until the end of 2022);
- how to deal with existing stock;
- what documentary evidence is required to show that products have been placed in the UK or EU before 1 January 2021; and
- specific rules for selling products in NI.

We encourage you to review this guidance (linked below), alongside any other specific UK Government guidance that applies to your product. You should consult your legal counsel if you have questions about how the laws and regulations apply to your products from 1 January 2021.

The Brexit guidance can be found here:

GB:

- Placing manufactured goods in Great Britain from 1 January 2021
- Using the UKCA mark in GB from 1 January 2021
- Product Safety and Metrology in GB from 1 January 2021

NI:

- Placing manufactured goods in Northern Ireland from Great Britain
- Placing manufactured goods in Northern Ireland from the EU
- Using the UKNI mark
- Product Safety and Metrology – NI

### **What should you do if electrical equipment is not in conformity with the EESR?**

Manufacturers, importers and distributors should immediately take the corrective measures necessary to bring electrical equipment into conformity, to withdraw or to recall it, as appropriate.

Where the electrical equipment presents a risk, manufacturers, importers and distributors should immediately inform Trading Standards (or HSE where the equipment is for use at work), giving details, in particular, of the non-conformity and of any corrective measures taken

Manufacturers, importers and distributors should provide the UK enforcement authorities with all the information and documentation, in paper or electronic form, necessary to demonstrate the conformity of the electrical equipment with the EESR, following a reasoned request.

### **Additional Information**

We strongly encourage you to review the guidance provided by the UK Government's Office for Product Safety and Standards on the application of the EESR, see here: <https://www.gov.uk/government/publications/electrical-equipment-safety-regulations-2016>.

We also encourage you to visit the [Business Companion website, which contains guidance on UK product compliance rules:](#)

- <https://www.businesscompanion.info/en/get-started>
- <https://www.businesscompanion.info/en/quick-guides/product-safety/electrical-equipment>