



Office for Product  
Safety & Standards

## SOLACE NORTHERN IRELAND

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and Standards (OPSS)

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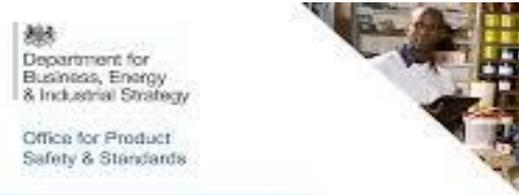
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# Agenda

1. Overview of OPSS
2. Delivering the Northern Ireland Protocol
3. What will change for your councils?
4. Councils anticipated roles post transition
5. Proposed OPSS Support
6. Anticipated working arrangements in Northern Ireland
7. Potential outcomes for Northern Ireland councils
8. Q&A

# OPSS Overview

- OPSS is the national regulator for product safety, it is part of the Department for Business, Energy and Industrial Strategy
- OPSS vision is to be a trusted product regulator that delivers protection for consumers; fairness for business and a competitive marketplace defined by outcomes of safety and public confidence
- Policy responsibility for product safety, metrology, hallmarking and market surveillance.



## Strengthening National Capacity for Product Safety

Strategy 2018-2020



**Button Batteries:  
know and manage  
the risks**

# Delivering the Northern Ireland Protocol (NIP)

- The Northern Ireland Protocol was brought into effect by the Withdrawal Agreement Act on 31 January 2020
- The UK is legally committed, through the Withdrawal Agreement to implement the Northern Ireland Protocol
- From the end of the transition period (31 December 2020), the UK (including Northern Ireland) will be a single customs territory. Northern Ireland will remain aligned with specific EU rules on goods.
- Ongoing market surveillance obligations for Market Surveillance Authorities – including Northern Ireland's district councils - are set out in the Regulation 765/2008 for Accreditation & Market Surveillance (RAMS) and other sector specific legislation.



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# Delivering the Northern Ireland Protocol (NIP)

- The Command Paper sets out UK government position.
- HMG's objective remains that there are absolute minimal changes to the way manufactured goods flow between Great Britain (GB) and NI as a result of the implementation of the Protocol



## Expectations on your councils:

- That checks on non-food consumer goods should predominantly take place on the market or at business premises.
- There will be a need to have capacity and capability to perform risk based physical checks at ports and airports on goods from the rest of the world (including GB)

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# What will change for your councils?

From 1 January 2021, there will be two regulatory zones in UK.

- Northern Ireland (NI) will continue to observe EU single market rules, listed in annex 2 of the Protocol, on goods, agricultural and environmental products.
- Agreement on EU oversight on fulfilment of market surveillance obligations by NI district councils is established by the NI Protocol – discussions are on-going on the delivery mechanism.
- Great Britain (GB) will no longer be subject to any EU rules.



# Council anticipated roles post transition

## District Councils – minimum requirements

All 11 NI councils will need flexible resource with the capacity and capability to:

- Undertake risk-based market surveillance interventions on goods before they are released for free circulation, goods in free circulation and goods at business premises.
- Manage and act on intelligence to drive a risk-based approach
- Provide advice and support to local businesses to meet their obligations for importing and exporting goods
- Co-operate and coordinate market surveillance activity across NI to ensure compliance with EU regulatory requirements.
- Monitor and report on interventions



# Proposed OPSS support

## We can provide:-

- **Leadership of a cohesive approach across the UK, recognising the requirements in Northern Ireland**
- **Funding of up to the equivalent of 1fte per council**
- Support for Market surveillance interventions including:
  - provision of guidance and training; and
  - funding the testing of products to help your business support
  - intelligence and border profiling to enable risk based targeted interventions.
- Assistance with developing advice and support for local businesses on their obligations for importing and exporting goods
- Facilitation of cooperation and coordination of relevant bodies in NI and with Competition & Consumer Protection Commission in Republic of Ireland
- A system for monitoring and reporting to meet EU reporting requirements



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# Anticipated Working Arrangements in NI



From district councils we suggest the following way forward:-

- Leadership commitment from SOLACE NI including a CEO identified as nominated SOLACE champion to work with OPSS to ensure delivery of outcomes
- An officer from one NI District Council nominated to lead on the operational delivery for EHNI
- Commitment to a network comprising one officer from each district council working together to meet the market surveillance obligations (building on the existing EHNI Consumer Protection subgroup)

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# Potential outcomes for NI Councils

- ✓ Capacity and capability to support local businesses and help economic recovery from pandemic to end of transition and January 2021 onwards
- ✓ Capacity and capability for market surveillance checks on the market and at ports where necessary to remove dangerous/unsafe goods from the market
- ✓ Ability to meet obligations of the Protocol
- ✓ The basis for a robust response to EU oversight on market surveillance
- ✓ Enhanced engagement with BEIS and other Government Depts



# OPSS

