

# US-UK Telecom MRA

## NIST Implementation Guidance

### Version 1.1 – April 11, 2019

#### Introduction to the US-UK MRA

The US-UK Mutual Recognition Agreement (MRA) was signed on February 14, 2019.

The agreement includes provisions that mirror those of the US-EU Telecom MRA:

- qualified UK CABs can become FCC recognized test labs and FCC recognized TCBS
- qualified US CABs can become UK “Approved Bodies” (UABs<sup>1</sup>)

The text of the agreement: <https://ustr.gov/sites/default/files/US-UK-Framework-MRA-signed.pdf>

- Framework (MRA text p. 2)
- Telecommunications Equipment Annex (MRA text p. 17)
- EMC Annex (MRA text p. 29)

#### Entry into Force (Article 20)

The MRA enters into force when the UK leaves the EU. On April 10, 2019, the European Council (Art. 50) adopted [conclusions on Brexit](#), allowing for additional time (until October 31 2019) for the EU and the UK to work out the details of the UK’s departure.

#### Existing US NBs for the EU RED and/or the EMCD

**All existing US NBs approved by the EU and listed on NANDO will automatically continue to be recognized by the UK (as UABs) when the agreement enters into force.** (References: MRA text p. 23 and p. 34 - right column, 2<sup>nd</sup> paragraph)

Existing US NBs are listed here:

15 US RED NBs – NANDO - [http://ec.europa.eu/growth/tools-databases/nando/index.cfm?fuseaction=directive.notifiedbody&dir\\_id=154428](http://ec.europa.eu/growth/tools-databases/nando/index.cfm?fuseaction=directive.notifiedbody&dir_id=154428)

14 US EMCD NBs - NANDO - [http://ec.europa.eu/growth/tools-databases/nando/index.cfm?fuseaction=directive.notifiedbody&dir\\_id=153681](http://ec.europa.eu/growth/tools-databases/nando/index.cfm?fuseaction=directive.notifiedbody&dir_id=153681)

**IMPORTANT:** Existing EU Type Examination Certificates (TECs) issued by the US NBs (as approved by the EC) and the CE marked products will continue to be accepted in the UK for a time-limited period after Brexit. As such, it will not be necessary to issue separate UK TECs yet.

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<sup>1</sup> In this document, a “UK Approved Body” is equivalent to a Notified Body. The UK terminology may change.

### Updating the Scope of Accreditation to reflect UK Regulations

After entry into force of the MRA, each **UAB** will have to update the Scope of Accreditation for their “UAB” activities to reflect the UK regulations listed below.

UK Regulations	Notes
<b>Radio Equipment Regulation (SI 2017/1206)</b>	On-Line: <a href="http://www.legislation.gov.uk/ukxi/2017/1206/contents/made">http://www.legislation.gov.uk/ukxi/2017/1206/contents/made</a> PDF: <a href="http://www.legislation.gov.uk/ukxi/2017/1206/pdfs/ukxi_20171206_en.pdf">http://www.legislation.gov.uk/ukxi/2017/1206/pdfs/ukxi_20171206_en.pdf</a> <i>This is the UK transposition of the RED.</i>
<b>Electromagnetic Compatibility Regulation (SI 2016/1091)</b>	On-Line: <a href="http://www.legislation.gov.uk/ukxi/2016/1091/contents">http://www.legislation.gov.uk/ukxi/2016/1091/contents</a> PDF: <a href="http://www.legislation.gov.uk/ukxi/2016/1091/pdfs/ukxi_20161091_en.pdf">http://www.legislation.gov.uk/ukxi/2016/1091/pdfs/ukxi_20161091_en.pdf</a> <i>This is the UK transposition of the EMCDD.</i>

On Day 1 of entry into force of the MRA, the UK regulations noted above reflect a direct transposition of the EU RED and EMCDD. As such (and as confirmed by the UK), the addition of these references on the Scope of Accreditation is a purely administrative exercise. [There are no additional technical competency requirements that need to be assessed by the NIST-Listed Accreditation Bodies that accredit the UABs.]

- The UK regulations can be listed with the EU RED and EMCDD references already included on the Scope of Accreditation.
- The same lists of radio equipment (for RED) and apparatus (for EMCDD) will continue to apply for the UK regulations.

### Official Listing of All UABs

The UK expects to transition to a UK version of a NANDO-like database so that all **UABs** can be viewed. The UK is planning to make the database available on-line as of the date of the UK departure.

### US CABs Newly Seeking UAB Status

US CABs that are in the European Commission’s NB process (in the 60-day standstill period and not yet approved as EU NBs) on Day 1 will need to be designated to the UK separately by NIST after the US-UK MRA has entered into force. The process for this has not yet been determined by the UK.

### NIST Support for the MRA

Once the US-UK MRA enters into force, the NIST TEL MRA Program office will publish the designation requirements [here](#).

## ADDITIONAL INFORMATION – SELECT UK GUIDANCE DOCUMENTS

### UK Guidance – General

The UK has prepared guidance on various topics if there is no Brexit deal with the EU.

<https://www.gov.uk/government/collections/how-to-prepare-if-the-uk-leaves-the-eu-with-no-deal>

### UK Guidance – New Approach Directives

[Placing manufactured goods on the UK market if there's no Brexit deal](#)

#### On the Role of Standards

“The role of standards in the regulatory framework for manufactured goods will not change when we leave the EU. The current EU ‘harmonized standards’ will be carried across as UK ‘designated standards’ to maintain a single standards model between the UK and the EU.” ***NIST Note: We understand that while the UK will try to keep the UK synchronized with the EU HS, divergence between the HS on the two lists is possible, especially in the long term.***

### UK Guidance on the CE Marking and the new UKCA Marking

[Read the full guidance on using the UKCA marking here.](#)

“You will still be able to use the CE marking for products being placed on the UK market if any mandatory third-party assessment was carried out by an **EU-recognized notified body** [*NOTE BY NIST – this includes all our US NBs approved by the EU*] or if the certificate of conformity previously held by a UK body has been transferred to an EU-recognized body.”

“You will still be able to use the CE marking for products being placed on the UK market for a time-limited period unless your product requires third party conformity assessment and if this has been carried out by a UK ‘notified body’. In these cases, you will instead have to apply the new UKCA marking after **xxx (the Brexit date)**.”

“If you currently rely solely on a self-declaration of conformity for the CE marking you will also be able to use the UKCA marking based on self-declaration, for those products within scope of the marking. In these cases, it would be possible to use either marking, or to use both the UKCA and CE marking on the same product.” ***NIST Note: We understand this to mean that (1) manufacturers (located anywhere) that are placing a product on the market in the UK and using the self-declaration of conformity process without any need for involvement of a third party may optionally use the UKCA mark (for the UK). CE marking would also be accepted in the UK for a time limited period.***

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Please send questions to [mra@nist.gov](mailto:mra@nist.gov).

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