



Department for  
Business, Energy  
& Industrial Strategy

# BUSINESS IMPACT TARGET: SUMMARY REPORT

Non-qualifying Regulatory Provisions  
(NQRP) summary report

**Regulator:** The Office of Product Safety and Standards

**Business Impact Target Reporting Period Covered:** 17 December 2020 - 16 December 2021

Excluded Category*	Summary of measure(s), including any impact data where available**
<p>Measures certified as being below <i>de minimis</i> (measures with an EANDCB below +/- £5 million)</p>	<p><b>Extension of the Primary Authority Scheme to cover relevant enactments made under Part 2A of the Public Health (Control of Disease) Act 1984.</b>            Updating the list of legislation that primary authorities can provide assured advice on to include regulations made under Part 2A of the Public Health (Control of Disease) Act 1984 (the 1984 Act). This means in a future pandemic, advice by primary authorities can formally apply across all branches of a business / group of businesses from the outset of the pandemic, and that businesses cannot be required to follow conflicting advice from different local authorities.</p> <p>The number of businesses expected to join the scheme in the event of a pandemic is expected to rise. The costs involved are primarily set-up costs such as initial partnership building between the local authority and business, and then familiarisation with the primary authority guidance.</p> <p>Note: 'Primary authorities' are local authorities providing advice to businesses on a range of regulatory issues.</p> <p><i>This SI was laid on 1 Nov and parliamentary debates are yet to be scheduled. Once parliamentary approval is secured it will be a further 21 days before this SI comes into force, therefore it may potentially fall just outside this BIT reporting period.</i></p>
<p><i>EU Regulations, Decisions and Directives and other international obligations, including the implementation of the EU Withdrawal Bill and EU Withdrawal Agreement</i></p>	<p><b>The Market Surveillance (Northern Ireland) Regulations 2021</b> supports the implementation of the EU Regulation on Market Surveillance and Compliance of Products 2019/1020/ (MSC). It confers updated legal powers on market surveillance authorities (MSAs) and sets out a proportional enforcement and penalty regime for the Regulation.</p> <p>The NI Protocol has already been subject to an Impact Assessment under the European Union (Withdrawal Agreement) Act 2020. Subsequent changes to the functioning of the Protocol are to be considered part of the baseline which has already been assessed. Only changes where the UK is electing to implement the same provisions in Great Britain require an assessment of costs; no such provisions were brought forward by this SI.</p> <p><b>The Conformity Assessment (Mutual Recognition Agreements) and Weights and Measures (Intoxicating Liquor) (Amendment) Regulations 2021</b> introduces</p>

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	<p>regulations that make changes that are necessary as a result of the UK's Trade negotiations. The regulations provide certainty that where relevant products from certain countries are conformity assessed by recognised bodies, they can be placed on the market in Great Britain and affixed with the UKCA marking. Conformity assessment by recognised bodies in these countries will be treated as if carried out by UK-based approved bodies.</p> <p>The countries referred to include those covered by agreements under continuity Mutual Recognition Agreements (MRA), and secondly as part of a Comprehensive Economic Partnership Agreement (CEPA). The countries with agreements covered by this instrument are United States of America (USA), Australia, New Zealand, Republic of Korea, Canada, and Japan.</p> <p>This Regulation does not impose any new obligations on business. It is giving effect to UK's obligations under these international agreements. The main direct cost to business would be familiarisation costs associated with this new piece of legislation.</p>
<i>Measures certified as concerning EU Withdrawal Bill operability measures</i>	OPSS has issued guidance documents on product safety and metrology from 1 January 2021 for Great Britain and Northern Ireland.
Pro-competition	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Systemic Financial Risk	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Civil Emergencies	<p><b>The Personal Protective Equipment (Temporary Arrangements) (Coronavirus) (England) Regulations 2020</b> enabled the continuation of the temporary regulatory easements on Personal Protective Clothing (PPE) post the end of the transition period to ensure a continued supply of PPE during the Covid-19 pandemic.</p> <p>This regulation sets out a legal basis for continued use of the specified PPE easements at the end of the transition period and provides sunset dates for them.</p> <p>The impact to business is a one-off familiarisation cost and the impact was certified as de minimis.</p>
Fines and Penalties	OPSS' approach to sanctions is set out in its published Enforcement Policy, which was updated in February 2021.
Misuse of Drugs	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Measures certified as relating	Following consideration of the exclusion category there are no

<b>Excluded Category*</b>	<b>Summary of measure(s), including any impact data where available**</b>
to the safety of tenants, residents and occupants in response to the Grenfell tragedy	measures for the reporting period that qualify for the exclusion.
Casework	OPSS publishes a list of Statutory Enforcement Actions which is updated on a six-monthly basis. There have been no changes to the way OPSS approaches its casework and investigatory activities within this reporting period.
Education, communications and promotion	OPSS has an ongoing programme of consumer safety advice and awareness campaigns.
Activity related to policy development	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Changes to management of regulator	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.

\* For detailed guidance on the exclusion categories, please see <https://www.gov.uk/government/publications/better-regulation-framework>