

Written submission from the British Standards Institution (BSI) to the House of Commons Public Bills Committee scrutinising the Retained EU Law (Revocation and Reform) Bill.

About BSI

1. BSI is the UK's National Standards Body, incorporated by Royal Charter and responsible independently for preparing British Standards and related documents, and for coordinating the input of UK experts to European and international standards committees.
2. BSI has 120 years of experience in serving the interest of a wide range of stakeholders including government, business, and society. As the UK's national standards body, BSI has a public function in support of the UK economy and brings together stakeholders to facilitate the development of standards to underpin products and services. We provide the infrastructure for over 13,000 experts, who are the voice of UK economic and social interests, to be influential in the international standards system.
3. BSI operates in accordance with a Memorandum of Understanding with the UK Government. As the UK member of ISO (the International Organization for Standardization) and the IEC (International Electrotechnical Commission), we represent the UK view on standards. BSI is also one of 34 national members of the European regional standards organizations CEN (the European Committee for Standards) and CENELEC (the European Committee for Electrotechnical Standardization), performing the same role. BSI is a member of ETSI (The European Telecommunications Standards Institute) and provides support to DCMS in representing UK interests in the ITU (the International Telecommunication Union).
4. Standards offer a flexible and collaborative alternative to regulation by providing common languages, terminologies, requirements, guidelines, and good practice developed by and for stakeholders. BSI's robust standards development process requires open consultation and full stakeholder involvement to build consensus-based outcomes. This gives standards the legitimacy and market acceptance to be used for public policy purposes.
5. Through membership of the international standards system, including ISO and IEC, BSI is able to influence global standards in line with the UK's strategic interests. As such, standards are a valuable tool of UK soft-power and provide an opportunity to create leadership for UK businesses in global markets.
6. BSI sees great value in the continued role of standards to support regulation and policy and presents this submission to the Call for Evidence on the Retained EU Law (Revocation and Reform) Bill.

Background

7. We note that the scope of the Bill is very large and therefore limit our evidence to considering where it would affect standards, notably the product standards used to demonstrate conformity to essential requirements in safety and related legislation that play a significant role in ensuring consumer safety and product reliability. As the Government has not published any plans for how

it will replace, amend or retain these regulations using the powers of this Bill, our evidence is presented solely looking at the effects of the Bill as it stands on those regulations.

Standards supporting regulation and policy

8. Standards, including those used for regulatory conformity, enable domestic and global trade in goods and services and define how well-managed organizations should operate. They are developed with a full spectrum of stakeholder involvement, to build consensus on what good looks like. BSI's catalogue of some 40,000 current British Standards, the majority of which are developed by international collaboration, represents a significant body of evidence that Government should use to understand the needs of businesses and other stakeholders. Using standards helps organizations to run more effectively and efficiently, and given the current economic climate, can help with effective cost management, promote innovation, and support efforts to operate more sustainably.
9. Among the 40,000 current British Standards, some 3,000 are "designated" by the Government, i.e. recognized to achieve conformity to essential requirements of regulations including those for the safety of toys and appliances, fire safety and product performance. At present, the Bill would effectively remove the Government's designated standards system and any basis for legal conformity. This represents significant economic uncertainty for BSI's stakeholders, i.e. those who use and who contribute to the development of these standards, and more broadly to the UK economy. It also creates the potential for significant detriment to public safety.
10. We understand that it is unlikely that the Government would leave these areas completely unregulated: whatever regulations are put in place, maintaining the use of standards will be necessary to avoid undue shocks and ensure continuity and confidence for UK businesses, consumers, environmental stakeholders and others. This can be via continued designation to support conformity, as well as part of a broader system of alternatives to regulation. Whilst UK-only standards can, where necessary, support UK regulations, using international standards for the purpose can also safeguard promote the openness of the UK market to trade in both directions.

BSI, the national standards body

11. BSI considers that any standards used to support regulations and policy in the UK should take into account the views of UK stakeholders, such as those standards developed via BSI. Government recognizes BSI as the UK's National Standards Body, and BSI's role is to ensure that there is a systematic means for UK stakeholders' voices to be represented in standards-making, whether at national or international levels.
12. BSI is an important part of the UK's national quality infrastructure. The UK's current regime of product safety, including in the use of standards as a voluntary means for regulatory compliance and the unique model of ensuring that consumers have a voice in the development of product, has been continually shaped by the UK over decades. Standards, adopted through a stakeholder, consensus driven process are part of this tightly integrated ecosystem of product safety regulation and are closely intertwined with the global trading system.



Internal market and global trade

13. As the national standards body for all four nations of the UK, BSI sees standards as an important way to ensure that the UK's internal market remains free of undue friction. Any divergence in regulation across the UK nations, for example through changes to the status of retained EU regulation, could make it harder for standards to facilitate low-friction trade within the UK. Although where differences are not great, standards can be used even where regulation differs, such as to support different building regulations in England, Wales and Scotland, or to support elements of the Northern Ireland protocol, where the same international standards can be used to support the different regulations in Great Britain and Northern Ireland.

14. Basing as many regulatory choices as possible on international standards is consistent with the UK's World Trade Organization membership and its goals of reducing and avoiding unnecessary obstacles to international trade. This can maintain the UK's position as an attractive and innovation-friendly destination without lowering standards and with no "race to the bottom". BSI's international standards are adopted as British Standards because of the systematic representation and participation of UK experts. Many of these standards are global; a number are also produced at a European regional level by 34 countries through a process that is independent of the EU. All support trade.

We have limited our evidence to considering where the Bill would affect standards, but if at any stage you wish us to furnish any further evidence or if you require any additional information, please use the contact details below.

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