

IET feedback on the Retained EU Law (REUL)

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The IET recently canvassed its Members about the [Retained EU Law](#) bill (REUL). This was due to Member concerns that the bill could have significant implications across the full range of engineering and technology disciplines. The key areas mentioned are as follows:

1. Concerns over the implications around deregulating engineering and technology legislation;
2. Increased UK industry costs due to compatibility issues with the EU;
3. Harm to UK-EU trade, innovation, investment and competitiveness;
4. The potential for inadvertent legal loopholes;
5. A lack of clarity and little time for industry preparation and compliance;
6. The absence of opportunity for legislative scrutiny by industry specialists.

Fuller details are included in the attachment.

The IET asked its Members the four questions below. Summary details are given here, with fuller feedback in the attachment:

- 1. Does the prospect of losing EU law have direct / indirect implications for your engineering and technology sector?**
Changes will affect safety, clients, supply chains and innovation across all sectors. This will lead to market access, competition, compliance and certification issues.
- 2. If so, in which areas, to what extent and who will it impact?**
Amongst others, beneficial construction legislation could be detrimentally affected. The speed of legislation and lack of clarity and consultation may lead to loopholes with negative consequences for industry, the economy and society.
- 3. Would you welcome the deregulation of engineering and technology safety practices?**
Harmonisation with EU legislation is essential. There's no appetite for deregulating safety.
- 4. What are your suggestions on the best way forward?**
Time is needed to allow for in-depth technical specialist reviews of all in-scope legislation before regulatory decisions are taken.

We recognise that it's the prerogative of Parliament to make and review legislation to provide for the safety, security and economic prosperity of the UK and its population. The key concern raised by IET Members is that REUL does not allow sufficient time for scrutiny by experts to ensure that any legislative changes are in the best interests of the country and to avoid creating unintended negative consequences. With that in mind, we recommend the following:

1. That retained EU law is not repealed until there has been consultation and review by technical specialists to ensure that any legislative changes are not detrimental to the UK and its interests;
2. That deadlines, such as the sunset clause relating to 31 December 2023, are removed from REUL. Deadlines for any changes should be set after tailored, robust reviews of legislation have taken place;
3. That each law under consideration is assessed on its own merits, and that there is no wholesale removal of legislation

We would be happy to discuss these points with you and your colleagues, and to respond to any queries.

S Baxter

Stephanie Baxter

Senior Policy Lead - Innovation and Skills



sbaxter@theiet.org

T: +44 (0) 1438 767208

M: +44 (0) 7702 332303

Summary of engineering and technology feedback from IET Members

1. **Concerns over the implications around deregulating engineering and technology legislation.** There's political will to reduce 'red tape' and some scope for rationalizing current legislation, though much regulation stems from the UK's legal process not the EU's. Appropriate measures will need to be put in place to protect public safety, industry and the environment. It would be better to retain regulations unless scrutiny by technical specialists deemed particular changes to be appropriate. This would be a far safer and more effective approach than repealing legislation en masse on 31 December 2023 without allowing time for due scrutiny.
2. **Increased UK industry costs due to compatibility issues with the EU.** The law will cause unnecessary and ongoing harmonisation issues for industry, requiring additional cost, time, effort, skilling and retraining, without adding value, to ensure compatibility with both UK and EU legislation and ongoing competitiveness. This is at a time when industry profitability and growth are already facing economic pressures.
3. **Harm to UK-EU trade, innovation, investment and competitiveness.** A unilateral change in UK standards may lead to additional bureaucracy for industry when trading with the EU, the UK's biggest market. This could lead to barriers, UK-EU trade disputes and counter-regulation, which would damage innovation and investment in the UK engineering and technology sectors.
4. **The potential for inadvertent legal loopholes.** The use of a sunset clause may create loopholes which have unintended health and safety consequences (eg working at height, asbestos, working hours regulations etc). There was no appetite to cut health and safety standards.
5. **A lack of clarity and little time for industry preparation and compliance.** The unclear status and scope of the laws under consideration raised concerns and confusion. Industry will have little time to preview the upcoming changes and to make the necessary adjustments.
6. **The absence of opportunity for legislative scrutiny by industry specialists.** The need for industry consultation and technical input into the legislation review process was deemed essential. The legislative process was judged to be opaque and going forward at an unduly quick pace. There was a concern that an uninformed approach could lead to poor decision-making, which would damage industry.

Summary responses from IET Members to key questions

We asked IET Members the four questions below:

1. Does the prospect of losing EU law have direct / indirect implications for your engineering / technology sector?
2. If so, in which particular areas, to what extent and who will it impact?
3. Would you welcome the deregulation of engineering and technology safety practices?
4. What are your suggestions on the best way forward with the legislation?

Their responses have been summarized below:

1. Does the prospect of losing EU law have direct / indirect implications for your engineering / technology sector?

- 1.1. Changes will negatively affect SMEs, their clients, markets, supply chains and sectors.
- 1.2. Losing the Medical Devices Regulations 2002/618 (which govern design, manufacture and distribution) would have serious implications. Companies would need to ensure compliance with any new regulations for certification purposes, resulting in additional costs, changing practices and additional administration. Changes to product design and development requirements could result in the UK facing trade barriers and reduced access to the EU's single market for medical devices. This will affect industry competitiveness, innovation and economic success.

2. If so, in which particular areas, to what extent and who will it impact?

- 2.1. Most legislative changes in the built environment sectors have had a positive impact. Many laws have complex implications and connections; repealing one may impact others. It isn't clear whether [CDM 2015](#) will be affected by REUL. CDM underpins modern safety in construction and if removed, there could be repercussions for the [Building Safety Act 2022](#), which was enacted in the aftermath of Grenfell. It could also affect other construction working practices such as working at height or with asbestos.
- 2.2. The lack of clarity over what will be affected is due to the speed with which legislation is progressing and a lack of robust consultation with industry over which statutes we need to keep and which could be adapted over time. Setting an arbitrary deadline for the repeal of legislation will leave loopholes and could cause future tragedies.

3. Would you welcome the deregulation of engineering and technology safety practices?

- 3.1. The UK needs to ensure the ongoing harmonisation of its legislation with EU regulations as the EU is our biggest trading partner. Industry compliance with different regulatory regimes would raise costs. It would result in delays and admin burdens that add little real value and could damage market access.
- 3.2. Responses were against any deregulation of safety practices, which could have negative consequences for public safety, the environment and the reputation of the engineering and technology sector.
- 3.3. Much legislation stems from the UK's legal process and would be unaffected.

4. What are your suggestions on the best way forward with the legislation?

- 4.1. REUL should be put on hold - it's unclear what REUL is intended to achieve. Complex problems cannot be simplified without creating a higher risk that things will go wrong.

- 4.2. Time is needed for technical specialists to review each item of legislation under consideration so that informed decisions of the impact of changes can be made before implementation. There does not appear to have been sufficient consultation with industry to date.
- 4.3. The following principles should be considered:
 - 4.3.1. **Evidence-based decision making:** The legislation should be based on robust and up-to-date scientific and technical information, including a thorough assessment of the potential benefits and risks.
 - 4.3.2. **Stakeholder engagement:** The legislation should be developed with the balanced input of a wide range of stakeholders, including industry, consumers, the environment and public health, to ensure that all perspectives are taken into account.
 - 4.3.3. **Transparency and accountability:** The legislation should be transparent, accessible, and easily understood. There should be clear mechanisms for accountability and enforcement.
 - 4.3.4. **Flexibility and adaptability:** The legislation should be flexible enough to accommodate technological advances and changes in circumstances. It should allow for regular review and adaptation as needed.