

Product Risk Radar

Evaluation of the New Legislative Framework

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What is the New Legislative Framework?

The New Legislative Framework (“NLF”) is a framework of general principles and rules first adopted in 2008, which aims to make legislation for the EU's single market for goods clearer, more consistent and more effective by establishing a common legal framework for products that come within scope of 23 directives and regulations aligned with the NLF (for example, establishing a framework for the accreditation of notified bodies and reinforcing rules on CE marking). On 4 November 2020, the European Commission set out plans for evaluation of certain aspects of the NLF, which was followed by a public consultation period, noting that since the adoption of the NLF, industry and products have undergone a digital and green transformation and the COVID-19 crisis put to the test the resilience of EU product legislation based in the provisions of the NFL. Market surveillance was not covered by the consultation as the EU rules on market surveillance were updated recently with Regulation 2019/1020.

What is the purpose of the evaluation?

The European Commission's evaluation aims to assess the NLF's effectiveness, efficiency, its relevance in particular given the technological development, the coherence with similar initiatives, and the overall EU added value. In particular, the review's focus is on:

- elements introduced by the NLF, such as the common structure of conformity assessment modules, and the accreditation framework for notified bodies;
- the broader performance of the NLF as well as its ongoing relevance and fitness for the purpose given the digital and green transition (i.e., the circular economy); and
- the extent to which the NLF has been able to accommodate recent market trends and other developments, such as frequent changes to products post-market placement; for example, due to software updates and upgrades, AI and machine learning, and refurbishment and remanufacturing.

What's next?

The European Commission's consultation on the New Legislative Framework closed on 7 March 2022. 125 instances of feedback were received and are summarised in the Commissions' factual summary report, available

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[here](#). Watch this space for further updates on the outcome of the NLF evaluation and what changes may be proposed.

Why is this development important?

The NLF applies to manufacturers, authorised representatives, importers, and distributors of products covered by the 23 pieces of legislation aligned with the NLF. The NLF is also relevant to market surveillance authorities, customs authorities, and conformity assessment bodies. In short, it is applicable to a very wide range of products stakeholders and therefore any changes to the NLF are likely to be felt widely.

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