

PRESSURE EQUIPMENT (SAFETY) REGULATIONS 2016 (SI 2016 NO. 1105)

These Regulations transpose **Directive 2014/68/EU** dated 15 May 2014 on the harmonisation of the laws of Member States relating to the making available on the market of pressure equipment.

The Directive repeals and replaces **Directive 1997/23/EC** dated 29 May 1997 relating to pressure equipment, which was implemented in the UK by the **Pressure Equipment Regulations 1999 (SI 1999 No. 2001) (as amended)**. These Regulations revoke and replace **SI 1999 No. 2001**.

Article 13 of the Directive (classification of pressure equipment) was required to be implemented by 28 February 2015 and was transposed by the **Pressure Equipment (Amendment) Regulations 2015 (SI 2015 No. 399)** which amended **SI 1999 No. 2001**. That amendment has been incorporated into these Regulations.

There are 91 regulations arranged over 6 Parts, supported by 12 schedules. A summary of these regulations follows.

Part 1: Preliminary

Regulation 3 sets out the application of the Regulations to pressure equipment and assemblies as defined in **Regulation 2**.

Regulation 4 introduces **Schedule 1** which sets out exceptions to the application of the Regulations for certain types of equipment and for equipment covered by certain other EU legislation.

Regulation 5 sets out an exception for the showing of pressure equipment at trade fairs, exhibitions and demonstrations.

Regulations 6 and 7 detail the types of pressure equipment and assemblies of pressure equipment which must comply with the essential safety requirements of the Directive, and **regulation 8** details the pressure equipment and assemblies, generally for lower temperatures or pressures, which must comply with sound engineering practice.

Part 2: Obligations of Economic Operators

Manufacturers

Regulations 9 to 19 set out the obligations that are specific to manufacturers.

Manufacturers must ensure that pressure equipment or assemblies coming within **regulation 6 or 7** comply with the essential safety requirements of the Directive set out in **Schedule 2**, and must classify the equipment and carry out the relevant conformity assessment procedure before the vessel is placed on the market, affixing the CE marking, labelling the equipment and ensuring it is accompanied by instructions and safety information. More limited obligations apply to pressure equipment and assemblies coming within regulation 8. Manufacturers must also monitor pressure equipment and assemblies and take corrective action if it is found not to be in conformity with the requirements of these Regulations.

Regulation 19 refers to authorised representatives who may be appointed by manufacturers to perform certain tasks on their behalf.

Importers

Regulations 20 to 29 set out the obligations that are specific to importers.

These obligations include ensuring that they are not placing on the market pressure equipment or assemblies which are not in conformity with the essential safety requirements, checking that the manufacturer has carried out a relevant conformity assessment procedure and labelled the equipment correctly and indicating on the equipment the name and address of the importer.

Distributors

Regulations 30 to 36 set out the obligations that are specific to distributors.

These obligations include acting with due care to ensure that pressure equipment and assemblies are in conformity with Part 2 and checking that the equipment bears the CE marking and is labelled correctly. They also include an obligation to ensure that, while it is the distributor's responsibility, the storage and transport of pressure equipment does not jeopardise its conformity with the essential safety requirements.

All Economic Operators

Regulations 37 to 39 set out obligations which apply to all economic operators.

These obligations include making sure, before making pressure equipment or assemblies available on the market, that the EU declaration of conformity is in English. They also include an obligation to identify other economic operators in the supply chain, and a prohibition on the improper use of the CE marking.

Part 3: Conformity Assessment

Part 3 sets out provisions concerning the conformity assessment procedure, declaration of conformity and CE marking for pressure equipment and assemblies coming within **regulation 6 or 7**. It also sets out provisions for the issuing of European approval for materials.

Part 4: Notification of Conformity Assessment Bodies

Part 4 sets out provisions concerning notification and monitoring of the bodies which carry out conformity assessment procedures under the Regulations.

Part 5: Market Surveillance and Enforcement

Regulation 66 identifies the market surveillance authority which has an obligation to enforce the Regulations.

Regulation 68 and **Schedules 7 to 9** provide for the enforcement powers which the enforcing authorities are to have.

Regulation 76 provides for the contravention of certain provisions of these Regulations to be an offence.

Regulation 77 sets out the penalties that are to apply for offences under these Regulations.

Regulation 84 sets out provision for appeals against notices served under these Regulations.

Part 6: Miscellaneous

Part 6 sets out a review provision, transitional provisions, revocations and savings and introduces **Schedule 12** (consequential amendments).