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## STATUTORY INSTRUMENTS

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# 1999 No. 2001

## The Pressure Equipment Regulations 1999

### PART I

#### PRELIMINARY

#### Interpretation

2.—(1) In these Regulations—

- (a) the “Pressure Equipment Directive” means Directive [97/23/EC](#) of the European Parliament and of the Council on the approximation of the laws of the Member States relating to pressure equipment<sup>(1)</sup>;
- (b) except for the references to the European Communities in the definition of “the Commission” and in relation to the Official Journal, a reference to the Community includes a reference to the EEA, and a reference to a member State includes a reference to an EEA State: for this purpose—
  - (i) the “EEA” means the European Economic Area;
  - (ii) an “EEA State” means a State which is a Contracting Party to the EEA Agreement; and
  - (iii) the “EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993<sup>(2)</sup>; and
- (c) unless the context otherwise requires, a reference to a numbered regulation or Schedule is a reference to the regulation or Schedule so numbered in these Regulations and a reference—
  - (i) to a paragraph in a regulation is a reference to a paragraph in that regulation;
  - (ii) to an Annex is a reference to an Annex of the Pressure Equipment Directive: for the purposes of these Regulations, Annexes I, II, III, VI and VII are respectively set out in Schedules 2, 3, 4, 5, and 6;
  - (iii) to an Article in an Annex is a reference to the Article so numbered in the Pressure Equipment Directive and a reference to a section of an Article shall be construed accordingly;
  - (iv) to a section or a paragraph in an Annex is a reference to a section or a paragraph in that Annex as set out in the relevant Schedule; and
  - (v) to “the Directive” in an Annex is a reference to the Pressure Equipment Directive.

(2) In these Regulations, unless the context otherwise requires—

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(1) OJ No. L181, 9.7.97, p. 1.

(2) The application of the Pressure Equipment Directive was extended to the EEA from 26th September 1998 by virtue of Decision 82/98 of the EEA Joint Committee which inserted a reference to that Directive after point 6 in Chapter VIII of Annex II to the EEA Agreement.

“assembly” means several pieces of pressure equipment assembled by a manufacturer to constitute an integrated and functional whole;

“business” includes a profession and an undertaking;

“CE marking” means the CE marking referred to in regulation 16 consisting of the initials “CE” in the form shown in Schedule 5;

“the Commission” means the Commission of the European Communities;

“enforcement authority” means—

- (a) in the case of pressure equipment and assemblies for use in the workplace—
  - (i) in Great Britain, the Health and Safety Executive established under section 10 of the Health and Safety at Work etc. Act 1974<sup>(3)</sup> and
  - (ii) in Northern Ireland, the Health and Safety Executive for Northern Ireland established under Article 12 of the Health and Safety at Work (Northern Ireland) Order 1978<sup>(4)</sup>;
- (b) in the case of pressure equipment and assemblies for private use or consumption—
  - (i) in Great Britain, weights and measures authorities; and
  - (ii) in Northern Ireland, every district council;

“essential requirements” means the requirements set out in Schedule 2;

“European approval for materials” or “European approval for pressure equipment materials” means a technical document defining the characteristics of materials intended for repeated use in the manufacture of pressure equipment which are not covered by any harmonised standard as referred to in paragraph 4.2(b) of Schedule 2;

“fluid” means gases, liquids and vapours in pure phase as well as mixtures thereof; a fluid may contain a suspension of solids;

“fluid in Group 1” means a fluid being a dangerous fluid, that is to say a substance or preparation covered by the definitions of Article 2(2) of Council Directive 67/548/EEC of 27th June 1967 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances<sup>(5)</sup> as specified in that Article as:

- explosive,
- extremely flammable,
- highly flammable,
- flammable (where the maximum allowable temperature is above flashpoint),
- very toxic,
- toxic, or
- oxidising;

“fluid in Group 2” means a fluid which is not a fluid in Group 1;

“harmonised standard” means a technical specification adopted by the European Committee for Standardisation or the European Committee for Electrotechnical Standardisation or both, upon a mandate from the Commission in accordance with Directive 98/34/EC of 22nd June 1998 of the European Parliament and of the Council laying down a procedure for the provision

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(3) 1974 c. 37.

(4) S.I. 1978/1039 (N.I. 9); Article 12 was amended by S.I. 1998/2795 (N.I. 18) Article 6(1) and paragraph 8 of Schedule 1.

(5) OJ No. 196, 16.8.1967, p. 1. Directive as last amended by Commission Directive 94/69/EC (OJ No. L381, 31.12.1994, p. 1).

of information in the field of technical standards and regulations<sup>(6)</sup>, and of which the reference number is published in the Official Journal of the European Communities;

“maximum allowable pressure” or “PS” means the maximum pressure for which the equipment is designed, as specified by the manufacturer, defined at a location specified by the manufacturer, being the location of connection of protective or limiting devices or the top of equipment or, if either of the foregoing are not appropriate, any point specified by the manufacturer;

“maximum or minimum allowable temperature” or “TS” means the maximum or minimum temperatures, as the case may be, for which the equipment is designed, as specified by the manufacturer;

“nominal size” or “DN” means a numerical designation of size which is common to all components in a piping system other than components indicated by outside diameters or by thread size; that is to say a convenient round number for reference purposes which is only loosely related to manufacturing dimensions and designated by the letters “DN” followed by a number;

“notified body” shall be construed in accordance with regulation 18;

“permanent joints” means joints which cannot be disconnected except by destructive methods;

“piping” means piping components intended for the transport of fluids when connected together for integration into a pressure system, such components include in particular a pipe or system of pipes, tubing, fittings, expansion joints, hoses, other pressure-bearing components as appropriate or heat exchangers consisting of pipes for the purpose of cooling or heating air;

“pressure” means pressure relative to atmospheric pressure being gauge pressure; vacuum is designated by a negative value;

“pressure accessories” means devices with an operational function and having pressure-bearing housings;

“pressure equipment” means vessels, piping, safety accessories and pressure accessories; where applicable, pressure equipment include elements attached to pressurised parts, such as flanges, nozzles, couplings, supports, lifting lugs, and similar;

“recognised third-party organisation” shall be construed in accordance with regulation 19;

“relevant essential requirements” in relation to pressure equipment or an assembly, means those provisions of the essential requirements which are applicable to that particular pressure equipment or assembly, as the case may be;

“responsible person” means—

- (a) the manufacturer or his authorised representative established within the Community; or
- (b) where neither the manufacturer nor his authorised representative is established within the Community, the person who places the pressure equipment or assembly on the market or puts it into service as the case may be;

“safe” in relation to pressure equipment or an assembly, means that the pressure equipment or assembly when properly installed and maintained and used for its intended purpose is not liable to endanger the health or safety of persons and, where appropriate, domestic animals or property, and, where the context admits, cognate expressions shall be construed accordingly;

“safety accessories” means devices designed to protect pressure equipment against the allowable limits being exceeded; such devices include:

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(6) OJ No. L204, 21.7.98, p. 37. Directive 98/34/EC was amended by Directive 98/48/EC of the European Parliament and of the Council (OJ No. L217, 5.8.98, p. 18).

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*Status: Point in time view as at 01/04/2008. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the The Pressure Equipment Regulations 1999, Section 2. (See end of Document for details)*

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- devices for direct pressure limitation, such as safety valves, bursting disc safety devices, buckling rods, controlled safety pressure relief systems, and
- limiting devices, which either activate the means for correction or provide for shutdown or shutdown and lockout, such as pressure switches or temperature switches or fluid level switches and safety related measurement control and regulation devices;

“standard” means a technical specification approved by a recognised standardising body for repeated or continuous application, with which compliance is not compulsory: and, for the avoidance of doubt, includes a harmonised standard or a transposed harmonised standard;

“supply” includes offering to supply, agreeing to supply, exposing for supply and possessing for supply and cognate expressions shall be construed accordingly;

“transposed harmonised standard” means a national standard of a member State which transposes a harmonised standard;

“user inspectorate” shall be construed in accordance with regulation 22;

“vessel” means a housing designed and built to contain fluids under pressure including its direct attachments up to the coupling point connecting it to other equipment; a vessel may be composed of more than one chamber; and

“volume” or “V” means the internal volume of a chamber, including the volume of nozzles to the first connection or weld and excluding the volume of permanent internal parts.

(3) For the purposes of these Regulations, pressure equipment or assemblies shall not be regarded as having been put into service where a person—

- (a) being a manufacturer of pressure equipment or an assembly for his own use; or
- (b) having imported pressure equipment or an assembly from a country or territory outside the Community for his own use

puts that pressure equipment or assembly into service otherwise than in the course of business.

[<sup>F1</sup>(4) For the purposes of these Regulations, an item of pressure equipment or an assembly which is made available for the first time in the Community whether for reward or free of charge shall not be regarded as having been placed on the market where:—

- (a) it has been manufactured within the Community or imported from a country or territory outside the Community; and
- (b) prior to its being made so available it has been used otherwise than in the course of business at all times since its manufacture or import.]

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#### **Textual Amendments**

**F1** [Reg. 2\(4\)](#) inserted (30.5.2002) by [The Pressure Equipment \(Amendment\) Regulations 2002 \(S.I. 2002/1267\)](#), regs. 1, **2(1)**

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#### **Commencement Information**

**II** [Reg. 2](#) in force at 31.8.1999, see [reg. 1\(2\)](#)

**Status:**

Point in time view as at 01/04/2008. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Pressure Equipment Regulations 1999, Section 2.