STATUTORY INSTRUMENTS

2008 No. 1597

The Supply of Machinery (Safety) Regulations 2008

PART 1

Preliminary

Placing on the market and putting into service; supplies outside the EEA and showing at trade fairs not covered

3.—(1) In these Regulations, subject to paragraph (2)—

(a) references to placing machinery or partly completed machinery on the market are references to making it available in an EEA state—

(i) for the first time;

(ii) with a view to distribution or use, whether by the person making it available or another; and

(iii) whether for reward or free of charge; and

(b) references to putting any machinery or partly completed machinery into service are references to the first time that it is used for its intended purpose in an EEA state.

(2) For the purposes of these Regulations, machinery or partly completed machinery shall not be regarded as being placed on the market or put into service where—

(a) it does not have affixed to it either the CE marking, or any inscription likely to be confused with the CE marking, and—

(i) it will not be put into service in an EEA state;

(ii) it is imported into an EEA state for re-export to a country which is not an EEA state; or

(iii) it is imported into an EEA state other than in the course of a business by a person who intends to use it other than in the course of a business; or

(b) it is shown at a trade fair, exhibition or other similar demonstration; provided that, where any machinery or partly completed machinery which does not comply with the requirements of these Regulations which would apply to it but for this paragraph is shown at a trade fair, exhibition or other similar demonstration, the responsible person—

(i) displays a notice in relation to it, stating that—

(aa) it does not comply with the requirements of these Regulations; and

(bb) it will not be made available until it does comply with those requirements; and

(ii) takes adequate safety measures to ensure that it does not kill or injure any person.