
STATUTORY INSTRUMENTS

2018 No. 816

The Cableway Installations Regulations 2018

PART 3

Authorisation Procedures and [F1 Approved] Bodies

[F1 Approval] of conformity assessment bodies

10.—^{F2}(1)

(2) A conformity assessment body qualifies for [F3 approval] if the conditions set out in paragraphs (3) and (4) are met.

(3) The first condition is that the conformity assessment body has submitted an application to the Secretary of State to be [F4 approved], in accordance with Article 29 of Regulation 2016/424/EU.

(4) The second condition is that the Secretary of State is satisfied that the conformity assessment body meets the requirements of Article 26 of Regulation 2016/424/EU.

(5) When deciding whether to [F5 approve] a conformity assessment body that qualifies for [F6 approval], the Secretary of State may—

- (a) have regard to any other matter that appears to the Secretary of State to be relevant; and
- (b) set conditions that the conformity assessment body must meet including such conditions that are to apply upon or following the restriction, suspension or withdrawal of its status as [F7 an approved body].

(6) Subject to paragraph (7), if at any time it appears to the Secretary of State—

- (a) that [F8 an approved body] no longer meets the requirements laid down in Article 26 of Regulation 2016/424/EU; or
- (b) that it is failing to meet its obligations,

the Secretary of State may by written notice to that body specify a date on which its status as [F8 an approved body] will be restricted, suspended or withdrawn, as appropriate depending on the seriousness of the failure to meet those requirements or obligations.

(7) Before the Secretary of State restricts, suspends or withdraws the status of a conformity assessment body as [F9 an approved body] under paragraph (6) the Secretary of State must—

- (a) give notice in writing to [F10 the approved body] that the Secretary of State intends to take such action;
- (b) give [F10 the approved body] the opportunity to make representations within a period of 14 days beginning with the day on which such notice is given; and
- (c) consider any representation made within that period by [F10 the approved body] before making a decision on whether to take such action.

(8) Where the Secretary of State has taken action in respect of [^{F11}an approved body] under paragraph (6), or where [^{F11}an approved body] has ceased its activity as a conformity assessment body, the body must—

- (a) on the request of the Secretary of State, transfer its files relating to the activities it has undertaken as [^{F11}an approved body] to [^{F12}another approved body], to the Secretary of State, or to the Executive;
- (b) in the absence of a request under sub-paragraph (a), ensure that its files relating to the activities it has undertaken as [^{F11}an approved body] are kept available for the Secretary of State and the Executive for a period of 10 years beginning on the day on which the relevant document was created.

Textual Amendments

- F1** Word in reg. 10 heading substituted (31.12.2020) by The Cableway Installations (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1347), regs. 1, **6(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Reg. 10(1) omitted (31.12.2020) by virtue of The Cableway Installations (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1347), regs. 1, **6(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Word in reg. 10(2) substituted (31.12.2020) by The Cableway Installations (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1347), regs. 1, **6(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in reg. 10(3) substituted (31.12.2020) by The Cableway Installations (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1347), regs. 1, **6(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Word in reg. 10(5) substituted (31.12.2020) by The Cableway Installations (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1347), regs. 1, **6(e)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Word in reg. 10(5) substituted (31.12.2020) by The Cableway Installations (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1347), regs. 1, **6(e)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in reg. 10(5) substituted (31.12.2020) by The Cableway Installations (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1347), regs. 1, **6(e)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in reg. 10(6) substituted (31.12.2020) by The Cableway Installations (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1347), regs. 1, **6(f)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in reg. 10(7) substituted (31.12.2020) by The Cableway Installations (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1347), regs. 1, **6(g)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in reg. 10(7) substituted (31.12.2020) by The Cableway Installations (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1347), regs. 1, **6(g)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in reg. 10(8) substituted (31.12.2020) by The Cableway Installations (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1347), regs. 1, **6(h)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in reg. 10(8) substituted (31.12.2020) by The Cableway Installations (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1347), regs. 1, **6(h)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Cableway Installations Regulations 2018, Section 10.