

Directive 2009/142/EC of the European Parliament and of the Council of 30 November 2009 relating to appliances burning gaseous fuels (codified version) (Text with EEA relevance)

CHAPTER 2

MEANS OF CERTIFICATION OF CONFORMITY

Article 8

- 1 The means of certification of conformity of series-manufactured appliances shall be:
- a the EC type-examination as referred to in point 1 of Annex II; and
 - b prior to their being placed on the market, at the choice of the manufacturer:
 - (i) the EC declaration of conformity to type referred to in point 2 of Annex II, or
 - (ii) the EC declaration of conformity to type (guarantee of production quality) referred to in point 3 of Annex II, or
 - (iii) the EC declaration of conformity to type (guarantee of product quality) referred to in point 4 of Annex II, or
 - (iv) EC verification as referred to in point 5 of Annex II.

2 In the case of production of an appliance as a single unit or in small quantities, EC verification by single unit, as referred to in point 6 of Annex II, may be chosen by the manufacturer.

3 After completion of the procedures referred to in paragraphs 1(b) and 2, the CE marking shall be affixed to conforming appliances in accordance with Article 10.

4 The means of certification of conformity referred to in paragraph 1 shall be applied in respect of fittings with the exception of the affixing of the CE marking and, where appropriate, the drawing-up of the declaration of conformity.

A certificate shall be issued declaring the conformity of the fittings with the provisions of this Directive which apply to them and stating their characteristics and how they must be incorporated into an appliance or assembled to assist compliance with the essential requirements applicable to finished appliances set out in Annex I.

The certificate shall be supplied with the fitting.

5 Where the appliances are covered by other Directives dealing with other aspects and specifying the affixing of the CE marking, the latter shall indicate that the appliances are also presumed to conform to the provisions of those Directives.

However, where one or more of these Directives allow the manufacturer, during a transitional period, to choose which arrangements to apply, the CE marking shall indicate conformity to the provisions only of those Directives applied by the manufacturer. In this case, particulars of the Directives applied, as published in the *Official Journal of the European Union*, must be given in the documents, notices or instructions required by the Directives and accompanying such devices.

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

6 Records and correspondence relating to the means of certification of conformity shall be drawn up in the official language(s) of the Member State where the body responsible for carrying out these procedures is established or in a language accepted by it.

Article 9

1 Member States shall notify the Commission and the other Member States of the bodies which they have appointed to carry out the procedures referred to in Article 8 together with the specific tasks which these bodies have been appointed to carry out and the identification numbers assigned to them beforehand by the Commission.

The Commission shall, for information, publish in the *Official Journal of the European Union*, a list of those bodies, and the identification numbers it has assigned to them and shall ensure that the list is kept up to date.

2 Member States shall apply the criteria set out in Annex V for assessing the bodies to be notified.

Bodies which satisfy the assessment criteria laid down in the applicable harmonised standards shall be presumed to satisfy the criteria set out in that Annex.

3 A Member State which has notified a body must withdraw approval if it finds that the body no longer meets the criteria set out in Annex V. It shall immediately inform the Commission and the other Member States accordingly.