

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 1

SCOPE, DEFINITIONS, PLACING ON THE MARKET AND FREE MOVEMENT

- Article 1 (1) This Directive shall apply to appliances and fittings.  
Appliances...
- Article 2 (1) Member States shall take all necessary steps to ensure...
- Article 3 Appliances and fittings shall satisfy the essential requirements applicable to...
- Article 4 (1) Member States may not prohibit, restrict or impede the...
- Article 5 (1) Member States shall presume compliance with the essential requirements...
- Article 6 (1) Where a Member State or the Commission considers that...
- Article 7 (1) Where a Member State finds that normally used appliances...

CHAPTER 2

MEANS OF CERTIFICATION OF CONFORMITY

- Article 8 (1) The means of certification of conformity of series-manufactured appliances...
- Article 9 (1) Member States shall notify the Commission and the other...

CHAPTER 3

CE MARKING

- Article 10 (1) The CE marking and the inscriptions set out in...
- Article 11 Without prejudice to Article 7: where a Member State establishes...

CHAPTER 4

FINAL PROVISIONS

- Article 12 Any decision taken pursuant to this Directive which includes restriction...
- Article 13 Member States shall communicate to the Commission the texts of...
- Article 14 Directive 90/396/EEC, as amended by the Directive listed in Annex...
- Article 15 This Directive shall enter into force on the twentieth day...
- Article 16 This Directive is addressed to the Member States.  
Signature

## ANNEX I

### ESSENTIAL REQUIREMENTS

#### PRELIMINARY REMARK

1. GENERAL CONDITIONS
  - 1.1. Appliances must be so designed and built as to operate...
  - 1.2. When placed on the market, all appliances must:
    - 1.2.1. The technical instructions intended for the installer must contain all...
    - 1.2.2. The instructions for use and servicing intended for the user...
    - 1.2.3. The warning notices on the appliance and its packaging must...
  - 1.3. Fittings intended to be part of an appliance must be...
2. MATERIALS
  - 2.1. Materials must be appropriate for their intended purpose and must...
  - 2.2. The properties of materials that are important for safety must...
3. DESIGN AND CONSTRUCTION
  - 3.1. General
    - 3.1.1. Appliances must be so constructed that, when used normally, no...
    - 3.1.2. Condensation produced at the start-up and/or during use must not...
    - 3.1.3. Appliances must be so designed and constructed as to minimise...
    - 3.1.4. Appliances must be so constructed that water and inappropriate air...
    - 3.1.5. In the event of a normal fluctuation of auxiliary energy,...
    - 3.1.6. Abnormal fluctuation or failure of auxiliary energy or its restoration...
    - 3.1.7. Appliances must be so designed and constructed as to obviate...
    - 3.1.8. All pressurised parts of an appliance must withstand the mechanical...
    - 3.1.9. Appliances must be so designed and constructed that failure of...
    - 3.1.10. If an appliance is equipped with safety and controlling devices,...
    - 3.1.11. All parts of appliances which are set or adjusted at...
    - 3.1.12. Levers and other controlling and setting devices must be clearly...
  - 3.2. Unburned gas release
    - 3.2.1. Appliances must be so constructed that the gas leakage rate...
    - 3.2.2. Appliances must be so constructed that gas release during ignition...
    - 3.2.3. Appliances intended to be used in indoor spaces and rooms...
  - 3.3. Ignition
  - 3.4. Combustion
    - 3.4.1. Appliances must be so constructed that, when used normally, flame...
    - 3.4.2. Appliances must be so constructed that, when used normally, there...
    - 3.4.3. Appliances connected to a flue for the dispersal of combustion...
    - 3.4.4. Independent flueless domestic heating appliances and flueless instantaneous water heaters...
  - 3.5. Rational use of energy
  - 3.6. Temperatures
    - 3.6.1. Parts of appliances which are intended to be placed in...
    - 3.6.2. The surface temperature of knobs and levers of appliances intended...
    - 3.6.3. The surface temperatures of external parts of appliances intended for...
  - 3.7. Foodstuffs and water used for sanitary purposes

## ANNEX II

### PROCEDURE FOR CERTIFICATION OF CONFORMITY

1. EC TYPE-EXAMINATION
  - 1.1. The EC type-examination is that part of the procedure by...
  - 1.2. The application for type-examination must be lodged by the manufacturer...
    - 1.2.1. The application must include:
    - 1.2.2. The manufacturer must place at the disposal of the notified...
  - 1.3. The notified body must:
  - 1.4. Where the type satisfies the provisions of this Directive, the...
  - 1.5. The notified body must inform the other notified bodies forthwith...
  - 1.6. A notified body which refuses to issue or withdraws an...
  - 1.7. The applicant must keep the notified body that has issued...
2. EC DECLARATION OF CONFORMITY TO TYPE
  - 2.1. The EC declaration of conformity to type is that part...
  - 2.2. The manufacturer must take all necessary measures to ensure that...
  - 2.3. On-site checks of appliances must be undertaken at random by...
3. EC DECLARATION OF CONFORMITY TO TYPE (guarantee of production quality)...
  - 3.1. The EC declaration of conformity to type (guarantee of production...
  - 3.2. The manufacturer shall apply a quality system that ensures conformity...
  - 3.3. Quality system
    - 3.3.1. The manufacturer must lodge an application for approval of his...
    - 3.3.2. All the elements, requirements and provisions adopted by the manufacturer...
    - 3.3.3. The notified body shall examine and evaluate the quality system...
    - 3.3.4. The manufacturer must keep the notified body that has approved...
    - 3.3.5. A notified body that withdraws approval of a quality system...
  - 3.4. EC surveillance
    - 3.4.1. The purpose of EC surveillance is to ensure that the...
    - 3.4.2. The manufacturer must allow the notified body access for inspection...
    - 3.4.3. The notified body must carry out a check at least...
    - 3.4.4. Furthermore, the notified body may make unannounced visits to the...
    - 3.4.5. The manufacturer may supply the notified body's report on request....
4. EC DECLARATION OF TYPE CONFORMITY (guarantee of product quality)
  - 4.1. The EC declaration of type conformity (guarantee of product quality)...
  - 4.2. The manufacturer shall apply an approved quality system for the...
  - 4.3. Quality system
    - 4.3.1. Under this procedure, the manufacturer must lodge an application for...
    - 4.3.2. As part of the quality system, each appliance must be...
    - 4.3.3. The notified body shall examine and evaluate the quality system...
    - 4.3.4. The manufacturer must keep the notified body which approved the...
    - 4.3.5. A notified body which withdraws approval of a quality system...
  - 4.4. EC surveillance
    - 4.4.1. The purpose of EC surveillance is to ensure that the...
    - 4.4.2. The manufacturer must allow the notified body access for inspection...
    - 4.4.3. The notified body must carry out a check at least...
    - 4.4.4. Furthermore, the notified body may make unannounced visits to the...
    - 4.4.5. The manufacturer may supply the notified body's report on request....

5. EC VERIFICATION
  - 5.1. EC verification is the procedure whereby the manufacturer or his...
  - 5.2. The manufacturer or his authorised representative established within the Community...
  - 5.3. The notified body must carry out the appropriate examinations and...
  - 5.4. Verification by checking and testing of each appliance
    - 5.4.1. All appliances must be individually examined and appropriate tests, as...
    - 5.4.2. The notified body must affix, or cause to be affixed,...
    - 5.4.3. The manufacturer or his authorised representative must ensure that he...
  - 5.5. Statistical verification
    - 5.5.1. Manufacturers must present the appliances manufactured in the form of...
    - 5.5.2. Statistical control is as follows:
    - 5.5.3. Where batches are accepted, the notified body must affix, or...
    - 5.5.4. The manufacturer or his authorised representative must ensure that he...
6. EC UNIT VERIFICATION
  - 6.1. EC unit verification is the procedure whereby the manufacturer or...
  - 6.2. The notified body must examine the appliance and carry out...
  - 6.3. The aim of the technical documentation relating to the design...
  - 6.4. If deemed necessary by the notified body, the examinations and...
  - 6.5. The manufacturer or his authorised representative must ensure that he...

### ANNEX III

#### CE MARKING AND INSCRIPTIONS

1. The CE marking consists of the initials 'CE' as shown...
2. The appliance or its data plate must bear the CE...
3. If the CE marking is reduced or enlarged the proportions...

### ANNEX IV

#### DESIGN DOCUMENTATION

The design documentation must contain the following information, in so...  
a general description of the appliance, conceptual designs and manufacturing...  
Where appropriate, the design documentation must contain the following elements:...  
attestations relating to the equipment incorporated in the appliance, attestations...

## ANNEX V

### MINIMUM CRITERIA FOR ASSESSMENT OF NOTIFIED BODIES

The notified bodies designated by the Member States must fulfil...  
availability of personnel and of the necessary means and equipment,...  
Fulfilment of the conditions in the first two indents must...

## ANNEX VI

### PART A

### PART B

## ANNEX VII

- (1) [OJ C 151, 17.6.2008, p. 12.](#)
- (2) Opinion of the European Parliament of 20 October 2009 (not yet published in the Official Journal) and Council Decision of 26 November 2009.
- (3) [OJ L 196, 26.7.1990, p. 15.](#)
- (4) See Annex VI, Part A.
- (5) [OJ C 91, 16.4.2003, p. 7.](#)
- (6) [OJ L 204, 21.7.1998, p. 37.](#)
- (7) [OJ C 136, 4.6.1985, p. 1.](#)
- (8) [OJ C 231, 8.9.1989, p. 3](#) and [OJ C 267, 19.10.1989, p. 3.](#)
- (9) [OJ C 10, 16.1.1990, p. 1.](#)