

Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC (Text with EEA relevance)

CHAPTER VII

STATEMENT OF CONFORMITY AND MARKINGS

Article 31

Statement of conformity

1 The manufacturer, in its capacity as the holder of an engine type or engine family EU type-approval, shall deliver a statement of conformity ('statement of conformity') to accompany engines which are placed on the market, on the basis of:

- a an exemption referred to in Article 34(2), (4), (5), (6), (7) or (8), Article 35(4); or
- b a transitional provision referred to in Article 58(9), (10) or (11).

The statement of conformity shall specify the particular features and restrictions that are to apply to the engine, shall be delivered free of charge together with the engine and shall, where applicable, accompany the non-road mobile machine in which the engine is installed. Its delivery shall not be made dependent on an explicit request or on the submission of additional information to the manufacturer. The statement of conformity may also be delivered in the form of a secure electronic file.

For a period of 10 years after the engine production date, the manufacturer shall, at the request of the end-user, issue a duplicate of the statement of conformity in return for payment of an amount not exceeding the cost of issuing it. The word 'duplicate' shall be clearly visible on any such duplicate statement of conformity.

2 The statement of conformity shall be drawn up in at least one of the official languages of the institutions of the Union.

Any Member State may request from the manufacturer that the statement of conformity be translated into its official language or languages.

3 The person(s) authorised to sign statements of conformity shall belong to the manufacturer's organisation and shall be duly authorised by the management of that organisation to fully engage the legal responsibility of the manufacturer with respect to the design and construction, or with respect to the conformity of production, of the engine.

4 The statement of conformity shall be completed in its entirety and shall not contain any restrictions as regards the use of the engine other than those provided for in this Regulation.

5 The Commission may adopt implementing acts laying down the template for the statement of conformity, including the features aimed at preventing forgery and allowing verification of the secure electronic file. To that end, the implementing acts shall provide the security features used for protecting the statement of conformity. Those implementing acts shall

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2016/1628 of the European Parliament and of the Council, CHAPTER VII. (See end of Document for details)

be adopted, by 31 December 2016, in accordance with the examination procedure referred to in Article 56(2).

Article 32

Statutory marking of engines

1 The manufacturer shall affix a marking to each engine manufactured in conformity with the approved type ('the statutory marking').

2 In respect of the following engines, the statutory marking shall include supplementary information indicating that the engine is subject to the relevant exemption or transitional provision:

- a engines for export to third countries referred to in Article 34(1) that are manufactured either in the Union or outside the Union and subsequently installed in non-road mobile machinery in the Union;
- b engines placed on the market in accordance with Article 34(2), (5), (6) or (8);
- c engines temporarily placed on the market in accordance with Article 34(4);
- d transition engines placed on the market in accordance with Article 58(5);
- e replacement engines placed on the market in accordance with Article 34(7), Article 58(10) or (11).

3 The Commission may adopt implementing acts laying down the template for the statutory marking, including the mandatory essential information required when the engine leaves the production line, the mandatory essential information required before the engine is placed on the market and, where applicable, the supplementary information referred to in paragraph 2 of this Article. Those implementing acts shall be adopted, by 31 December 2016, in accordance with the examination procedure referred to in Article 56(2).

Article 33

Temporary marking of engines

1 The manufacturer shall affix a temporary marking to each engine that is manufactured in conformity with the approved type and that is placed on the market on the basis of Article 34(3).

2 An engine that is not yet in conformity with the approved type and that is being delivered to the manufacturer of that engine shall only bear a temporary marking.

3 The Commission may adopt implementing acts laying down the template for the temporary markings referred to in paragraphs 1 and 2 of this Article, including the mandatory essential information that is to be indicated thereon. Those implementing acts shall be adopted, by 31 December 2016, in accordance with the examination procedure referred to in Article 56(2).

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) 2016/1628 of the European Parliament and of the Council, CHAPTER VII.