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DRAFT STATUTORY INSTRUMENTS

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**2024 No.**

**The Product Safety and Metrology  
etc. (Amendment) Regulations 2024**

**Amendment to the Pressure Equipment (Safety) Regulations 2016**

- 15.**—(1) The Pressure Equipment (Safety) Regulations 2016<sup>(1)</sup> are amended as follows.
- (2) In regulation 2(1), in the definition of “the Directive” omit “(as it has effect immediately before IP completion day)”.
- (3) For regulation 39C substitute—

**“Further use of the UK marking**

**39C.**—(1) In this regulation—

- (a) any reference to an Article or an Annex is a reference to an Article of or an Annex to the Directive;
- (b) “pressure equipment or assembly” means the pressure equipment or assembly referred to in Article 4(1) and (2);
- (c) “harmonised standard” has the meaning given in Article 2(24).

(2) Paragraph (3) applies where, before placing pressure equipment or assembly on the market, the manufacturer—

- (a) ensures that the pressure equipment or assembly has been manufactured in accordance with the essential safety requirements set out in Annex I;
- (b) ensures that the relevant conformity assessment procedures that apply to that pressure equipment or assembly referred to in Article 14 have been carried out;
- (c) draws up the technical documentation referred to in Annex III; and
- (d) ensures that the technical documentation and other records and correspondence relating to the conformity assessment procedures are prepared in or translated into English.

(3) Where this paragraph applies—

- (a) regulations 9(1) and 10 are to be treated as being satisfied;
- (b) except for regulations 48 and 49(1) to (5), Part 3 does not apply;
- (c) regulations 2(2)(a), 12, 15, 21(1)(a) and (b), 22, 25, 31, 32, 33 and 39 apply subject to the modifications in paragraph (4);
- (d) regulations 11, 14, 24, 48 and 49(2) and Schedule 11 are subject to the modifications in paragraphs (4) and (5).

(4) The modifications referred to in paragraph (3)(c) and (d) are that—

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<sup>(1)</sup> [S.I. 2016/1105](#); they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by [S.I. 2019/696](#), [S.I. 2021/1273](#) and [S.I. 2022/1393](#); there are other amending instruments but none is relevant.

- (a) any reference to “essential safety requirements” is to be read as a reference to the essential safety requirements set out in Annex I;
  - (b) any reference to “designated standard” is to be read as a reference to a harmonised standard;
  - (c) any reference to “conformity assessment procedure” is to be read as a reference to the relevant conformity assessment procedure referred to in Article 14;
  - (d) any reference to “technical documentation” is to be read as a reference to the technical documentation referred to in Annex III;
  - (e) any reference to “pressure equipment or an assembly referred to in regulation 6 or 7” is to be read as a reference to pressure equipment or assembly referred to in Article 4(1) or (2).
- (5) The modifications referred to in paragraph (3)(d) are that—
- (a) in regulation 11—
    - (i) paragraph (1) is to be read as if sub-paragraph (c) were omitted;
    - (ii) in paragraph (4) the reference to “enactment” is to be read as including the Directive;
  - (b) in regulations 14 and 24 any reference to paragraphs 29 and 30 of Schedule 2 is to be read as a reference to paragraphs 3.3 and 3.4 of Annex I;
  - (c) in regulation 48 the reference to “Schedule 1A to these Regulations” is to be read as a reference to Annex III;
  - (d) in regulation 49(2)—
    - (i) the reference to “regulation 42” is to be read as a reference to Article 14;
    - (ii) the reference to “user inspectorate” is to be read as a reference to any body designated in accordance with Article 16;
  - (e) in Schedule 11—
    - (i) in paragraph 5 the reference to “statutory requirements” is to be read as including a reference to the Directive;
    - (ii) paragraph 7 is to be read as requiring the manufacturer to include the details set out in paragraph 7 of Annex IV.”.
- (4) In regulation 88A, omit paragraphs (4) to (6).