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STATUTORY INSTRUMENTS

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**1992 No. 3073**

**The Supply of Machinery (Safety) Regulations 1992**

**PART III**

**GENERAL REQUIREMENTS**

*Supplementary provisions*

**Conditions for relevant machinery being taken to comply with the relevant essential health and safety requirements**

**26.**—(1) Subject to paragraph (2) below, relevant machinery which is accompanied by an EC declaration of conformity and to which the EC mark is affixed shall be taken to comply with the relevant essential health and safety requirements, unless there are reasonable grounds for suspecting that it does not so comply.

(2) Paragraph (1) above does not apply—

- (a) in relation to an enforcement authority where the responsible person fails or refuses to make available to the enforcement authority the technical file or a copy thereof pursuant to regulation 24(1) above; or
- (b) in the case of relevant machinery—
  - (i) which is resupplied in the circumstances described in regulation 11(3) above; and
  - (ii) to which the EC mark is indelibly affixed.

**Judicial review of decisions of approved bodies**

**27.**—(1) A person aggrieved by a decision of an approved body under regulation 20(3)(b), 20(4)(b), 21(6)(c) or 21(7)(b) shall, at the same time as he is notified of the decision, be given information about the judicial remedies available to him.

(2) That information shall include—

- (a) a brief statement of the procedure by which judicial review may be applied for in accordance with Rules of Court (or, in Northern Ireland, with rules of court made, or having effect as if made, under section 55 of the Judicature (Northern Ireland) Act 1978(1)); and
- (b) the information that in England and Wales or in Northern Ireland, an application for leave to apply to the Court for judicial review shall be made promptly and in any event within three months from the date when grounds for the application first arose unless the court considers that there is good reason for extending the period within which the application shall be made.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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