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STATUTORY INSTRUMENTS

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**1996 No. 192**

**The Equipment and Protective Systems Intended for Use  
in Potentially Explosive Atmospheres Regulations 1996**

*Supplementary provisions*

**Conditions for equipment, protective systems, devices and components being taken to  
comply with the provisions of the ATEX Directive**

- 14.—(1) Subject to paragraph (2) below,
- (a) equipment, a protective system or device—
    - (i) which is accompanied by an EC declaration of conformity—
      - (aa) issued in respect of it by the manufacturer or his authorized representative established in the Community; and
      - (bb) containing the elements set out in Schedule 13 hereto; and
    - (ii) to which the CE marking is affixed in accordance with regulation 6(2)(c) above; or
  - (b) a component which is accompanied by a certificate, which has been issued in accordance with regulation 8(2)(b) above,

shall be taken to comply with all the provisions of the ATEX Directive including the appropriate conformity assessment procedure specified in regulation 10 above, unless there are reasonable grounds for suspecting that it does not so comply.

- (2) Paragraph (1) above does not apply—
- (a) in relation to the enforcement authority where the responsible person fails or refuses to make available to the enforcement authority the documentation which he is required, by the conformity assessment procedure which applies to that equipment, protective system, device or component, to retain or a copy thereof; or
  - (b) in the case of equipment, a protective system or device
    - (i) which is supplied in the circumstances described in regulation 7(2)(b) above; and
    - (ii) to which the CE marking is indelibly affixed.