
STATUTORY INSTRUMENTS

1999 No. 2550

**The Electrical Equipment for Explosive Atmospheres
(Certification) (Amendment) Regulations 1999**

Amendment of the principal Regulations

2.—(1) The principal Regulations shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 2(1), in the definition of “the Gassy Mines Directive” for the words “Commission Directive” where they appear for the third time there shall be substituted the words “ Commission Directives ” and at the end of the said definition there shall be added “ and 98/65/EC^{M1} ”.

(3) For regulation 12^{M2} there shall be substituted the following:—

“ Transitional provisions in respect of electrical equipment to which the Gassy Mines Directive applies

12.—(1) The provisions of the following paragraphs of this regulation shall apply to electrical equipment to which the Gassy Mines Directive applies.

(2) Subject to paragraph (4) below, on or after the coming into force date of the Electrical Equipment for Explosive Atmospheres (Certification) (Amendment) Regulations 1999 (in this regulation referred to as “the effective date”), a manufacturer of electrical equipment may apply to a certification body (which has been appointed for the purpose set out in regulation 3(1)(a) of the unamended Regulations in respect of the electrical equipment for which the application is made) for a certificate of conformity attesting that the electrical equipment which is the subject of the application conforms to the harmonised standards prescribed for that equipment in the unamended Regulations; and in that case the provisions of the unamended Regulations, as appropriate, shall apply as if the application had been made under regulation 4 of those Regulations.

(3) Subject to paragraph (4) below, an application for a certificate of conformity made under regulation 4 or for review under regulation 7 of the unamended Regulations before the effective date shall continue to be dealt with under the unamended Regulations.

(4) No certificate of conformity shall be issued by a certification body under paragraphs (2) or (3) above in respect of electrical equipment after 30th June 2003.

(5) Subject to regulation 6 and without prejudice to paragraph (6) below, a certificate of conformity issued in accordance with the unamended Regulations before 1st July 2003, in respect of electrical equipment irrespective of whether such certificate was issued before, on or after the effective date, shall be regarded as in force for the purposes of regulation 11 (use of the distinctive Community mark) up to and including 30th June 2003.

(6) Subject to regulation 6 a certificate of conformity issued—

- (a) before 1st January 1993 in accordance with regulation 12 of these Regulations as amended by the Electrical Equipment for Explosive Atmospheres (Certification) (Amendment) (No. 2) Regulations 1991^{M3} applying the harmonised standards in force immediately before 31st December 1991, or,

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- (b) before 1st January 1997 in accordance with regulation 12 of the principal Regulations applying the harmonised standards in force immediately before 26th May 1995,

shall be regarded as in force for the purposes of regulation 11 up to and including 30th June 2003.

(7) In this regulation “the unamended Regulations” means these Regulations as in force immediately before the effective date.”.

Marginal Citations

M1 O.J. L257, 19.9.1998, p. 29.

M2 [Regulation 12](#) was inserted into the principal Regulations by regulation 2(3) of [S.I. 1991/2826](#), subsequently substituted by regulation 2(3) of [S.I. 1995/1186](#) and amended by regulation 2(3) of [S.I. 1998/81](#).

M3 [S.I. 1991/2826](#).

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