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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations implement as regards Great Britain Council Directive [1999/36/EC](#) of 29 April 1999 (OJ No. L 138, 1.6.1999, p. 20) on transportable pressure equipment. The principal provisions are as follows.

2. Regulation 3 and Schedule 1 provide for the application of these Regulations.

3. Regulation 4 sets out requirements relating to the placing on the market and use at work of transportable pressure vessels. Regulation 5 provides for different requirements in respect of transportable pressure vessels which are placed on the market or used at work exclusively within Great Britain. (The terms “placing on the market” and “transportable pressure vessel” are defined in regulation 2(1).)

4. Regulation 6 permits the reassessment for conformity of transportable pressure vessels manufactured prior to 1st July 2003 which do not bear the conformity marking. In such cases similar requirements apply to those contained in regulation 4. Regulation 7 requires the owner of a transportable pressure vessel to ensure that periodic inspections of that vessel are carried out in accordance with the procedures in Schedule 6.

5. Regulations 8 and 9 define, respectively, a notified body and an approved body in terms of the procedures which that body has been appointed to undertake. Such bodies must be appointed by the Health and Safety Executive (regulation 10) or by another member State.

6. Regulation 11 sets out provisions relating to the conformity marking.

7. Provision is made for the charging of fees (regulation 12) and for a limited defence where the commission of an offence was due to the act or default of another person, not being the employee of the person charged (regulation 13).

8. Copies of relevant documents may be obtained as follows—

- (a) the current edition of the European Agreement concerning the International Carriage of Dangerous Goods by Road (“ADR”) Current edition (2001): ISBN 92 1 1390699 and the Convention concerning International Carriage by Rail (“COTIF”) [Cmnd 5897] from Her Majesty’s Stationery Office;
- (b) the current edition of the International Maritime Dangerous Goods Code [Volumes I to IV ISBN 92 801 5090 1; Supplement ISBN 92 801 5093 6] may be obtained from the International Maritime Organization, 4 Albert Embankment, London SE1 7SR;
- (c) the current edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air and Supplement 2001-2002 Doc 9284-AN/905 may be obtained from the Civil Aviation Authority, Printing and Publishing Services, Greville House, 37 Gratton Road, Cheltenham, Gloucestershire, GL50 2BN; and
- (d) EN standards from BSI Standards, 389 Chiswick High Road, London, W4 4AL.

9. A copy of the regulatory impact assessment prepared in respect of these Regulations may be obtained from the Economic Adviser’s Unit, Health and Safety Executive, Rose Court, 2 Southwark Bridge, London, SE1 9HS. Copies have been placed in the Library of each House of Parliament.