
STATUTORY INSTRUMENTS

2008 No. 1597

The Supply of Machinery (Safety) Regulations 2008

PART 3

General prohibitions and obligations

Supply of machinery: general obligations and prohibition **E+W+S**

7.—(1) No responsible person shall place machinery on the market or put it into service unless it is safe.

(2) Before machinery is placed on the market or put into service, the responsible person must—

- (a) ensure that the applicable essential health and safety requirements are satisfied in respect of it;
- (b) ensure that the technical file is compiled and made available in accordance with the requirements of Annex VII (Part 7 of Schedule 2), part A;
- (c) provide, in particular, the information necessary to operate it safely, such as instructions;
- (d) follow, as appropriate—
 - (i) the conformity assessment procedure prescribed by regulation 10;
 - (ii) one of the conformity assessment procedures prescribed by regulation 11; or
 - (iii) one of the conformity assessment procedures prescribed by regulation 12;
- (e) draw up the ^{F1}... declaration of conformity in accordance with the requirements of Annex II (Part 2 of Schedule 2), section A, part 1, and ensure that—
 - (i) a copy of it accompanies the machinery; and
 - (ii) the original is retained in accordance with the requirements of Annex II, part 2, first paragraph; and
- (f) affix the [^{F2}UK] marking to the machinery [^{F3}or where paragraph (2A) applies, or on a label affixed to, or document accompanying, the machinery] —
 - (i) visibly, legibly and indelibly; and
 - (ii) as prescribed in Annex III (Part 3 of Schedule 2).

[^{F4}(2A) For a period of [^{F5}seven years] beginning with IP completion day, the UK marking may be affixed to—

- (a) a label affixed to the machinery; or
- (b) a document accompanying the machinery.]

(3) In order to comply with the requirements of paragraphs (1) and (2), a responsible person must carry out, or procure the carrying out of, all the necessary research and tests on components, fittings or the completed machinery to determine whether, by its design and construction, it is capable of being assembled and put into service safely.

*Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent **Changes to legislation:** There are currently no known outstanding effects for the *The Supply of Machinery (Safety) Regulations 2008, Section 7.* (See end of Document for details)*

(4) For the purposes of paragraph (2)(a), machinery which is manufactured in conformity with a [^{F6}designated] standard, ^{F7}... shall be presumed to comply with the essential health and safety requirements covered by that standard.

(5) Where—

(a) the conformity assessment procedure specified in regulations 11(2)(b) and 12(2)(a) has been followed; and

(b) a type-examination certificate has been issued,

in respect of machinery, the manufacturer must comply with the ongoing obligations of manufacturers prescribed in Annex IX (Part 9 of Schedule 2), point 9, in respect of that machinery.

(6) Where—

(a) the conformity assessment procedure specified in regulations 11(2)(c) and 12(2)(b) has been followed; and

(b) a quality system has been approved,

in respect of machinery, the manufacturer must comply with the ongoing obligations of manufacturers prescribed in Annex X (Part 10 of Schedule 2) in respect of that machinery.

Extent Information

E1 This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

Textual Amendments

F1 Word in reg. 7(2)(e) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, [Sch. 12 para. 6\(a\)](#) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

F2 Word in reg. 7(2)(f) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, [Sch. 12 para. 6\(b\)\(i\)](#) (as substituted by [S.I. 2020/1460](#), reg. 1(4), [Sch. 3 para. 7\(4\)\(a\)](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

F3 Words in reg. 7(2)(f) inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, [Sch. 12 para. 6\(b\)\(ii\)](#) (as substituted by [S.I. 2020/1460](#), reg. 1(4), [Sch. 3 para. 7\(4\)\(a\)](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

F4 Reg. 7(2A) inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, [Sch. 12 para. 6\(ba\)](#) (as inserted by [S.I. 2020/1460](#), reg. 1(4), [Sch. 3 para. 7\(4\)\(b\)](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

F5 Words in reg. 7(2A) substituted (E.W.S.) (31.12.2022) by [The Product Safety and Metrology \(Amendment and Transitional Provisions\) Regulations 2022 \(S.I. 2022/1393\)](#), regs. 1(1), 3, [Sch. 2 para. \(c\)](#)

F6 Word in reg. 7(4) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, [Sch. 12 para. 6\(c\)\(i\)](#) (with [Sch. 12 para. 22](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

F7 Words in reg. 7(4) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, [Sch. 12 para. 6\(c\)\(ii\)](#) (with [Sch. 12 para. 22](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Supply of machinery: general obligations and prohibition **N.I.**

7.—(1) No responsible person shall place machinery on the market or put it into service unless it is safe.

(2) Before machinery is placed on the market or put into service, the responsible person must—

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent
Changes to legislation: There are currently no known outstanding effects for the The Supply of Machinery (Safety) Regulations 2008, Section 7. (See end of Document for details)

- (a) ensure that the applicable essential health and safety requirements are satisfied in respect of it;
- (b) ensure that the technical file is compiled and made available in accordance with the requirements of Annex VII (Part 7 of Schedule 2), part A;
- (c) provide, in particular, the information necessary to operate it safely, such as instructions;
- (d) follow, as appropriate—
 - (i) the conformity assessment procedure prescribed by regulation 10;
 - (ii) one of the conformity assessment procedures prescribed by regulation 11; or
 - (iii) one of the conformity assessment procedures prescribed by regulation 12;
- (e) draw up the EC declaration of conformity in accordance with the requirements of Annex II (Part 2 of Schedule 2), section A, part 1, and ensure that—
 - (i) a copy of it accompanies the machinery; and
 - (ii) the original is retained in accordance with the requirements of Annex II, part 2, first paragraph; and
- (f) affix the UK marking to the machinery—
 - (i) visibly, legibly and indelibly; and
 - (ii) as prescribed in Annex III (Part 3 of Schedule 2).

[^{F8}(2A) Where a UK notified body carries out the functions of notified bodies specified in Annexes IX and X the CE marking must be accompanied by the UK(NI) indication affixed in accordance with paragraph (2B).

(2B) The UK(NI) indication must be affixed—

- (a) in a visible, legible and indelible form to the machinery; and
- (b) before the machinery is placed on the market in Northern Ireland.

(2C) Where paragraph (2A) applies, the reference to the identification number of the notified body in Schedule 2, Part 3 Annex III, is a reference to the identification number assigned to the UK notified body by the Secretary of State pursuant to regulation 19A.]

(3) In order to comply with the requirements of paragraphs (1) and (2), a responsible person must carry out, or procure the carrying out of, all the necessary research and tests on components, fittings or the completed machinery to determine whether, by its design and construction, it is capable of being assembled and put into service safely.

(4) For the purposes of paragraph (2)(a), machinery which is manufactured in conformity with a harmonised standard, the references to which have been published in the *Official Journal of the European Union* (a “published harmonised standard”) shall be presumed to comply with the essential health and safety requirements covered by that standard.

(5) Where—

- (a) the conformity assessment procedure specified in regulations 11(2)(b) and 12(2)(a) has been followed; and
- (b) a type-examination certificate has been issued,

in respect of machinery, the manufacturer must comply with the ongoing obligations of manufacturers prescribed in Annex IX (Part 9 of Schedule 2), point 9, in respect of that machinery.

(6) Where—

- (a) the conformity assessment procedure specified in regulations 11(2)(c) and 12(2)(b) has been followed; and
- (b) a quality system has been approved,

Status: *There are multiple versions of this provision on screen. These apply to different geographical extents.***Skip to:** *E+W+S - England, Wales and Scotland extent***N.I. - Northern Ireland extent**
Changes to legislation: *There are currently no known outstanding effects for the* **The Supply of Machinery (Safety) Regulations 2008, Section 7.** *(See end of Document for details)*

in respect of machinery, the manufacturer must comply with the ongoing obligations of manufacturers prescribed in Annex X (Part 10 of Schedule 2) in respect of that machinery.

Extent Information

- E2** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

Textual Amendments

- F8** [Reg. 7\(2A\)-\(2C\)](#) inserted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(UK\(NI\) Indication\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1460\)](#), reg. 1(2), **Sch. 2 para. 3(3)**

Status:

There are multiple versions of this provision on screen. These apply to different geographical extents.

Skip to:

- E+W+S - England, Wales and Scotland extent
- N.I. - Northern Ireland extent

Changes to legislation:

There are currently no known outstanding effects for the The Supply of Machinery (Safety) Regulations 2008, Section 7.