
STATUTORY INSTRUMENTS

2009 No. 1348

**The Carriage of Dangerous Goods and Use of
Transportable Pressure Equipment Regulations 2009**

PART 4

TRANSPORTABLE PRESSURE EQUIPMENT

Conformity assessment

19.—(1) This regulation applies to transportable pressure equipment within the scope of the Transportable Pressure Equipment Directive by virtue of article 1(2)(a) of that Directive.

(2) Subject to regulation 20, equipment may only be placed on the market or put into service if the four obligations set out in this regulation are all satisfied.

(3) The first obligation is that the equipment meets the requirements of—

(a) the Dangerous Goods Directive; or

(b) if applicable, article 3(4) of the Transportable Pressure Equipment Directive.

(4) The second obligation is that the fact that the equipment satisfies the first obligation is demonstrated by the conformity assessment procedures mentioned in article 3(1) and (2) of the Transportable Pressure Equipment Directive.

(5) The third obligation is that those conformity assessment procedures are carried out by a notified body.

(6) The fourth obligation is that the marking requirements set out in article 10 of the Transportable Pressure Equipment Directive that are applicable to conformity assessment are complied with in relation to that equipment.

(7) For the purposes of these Regulations, a reference in Part I of Annex IV to the Transportable Pressure Equipment Directive to “national authorities” is to be treated as if it were a reference to “competent authority”.

Conformity assessment – national carriage

20.—(1) Transportable pressure equipment to which regulation 19 applies may be—

(a) placed on the market; or

(b) put into service,

for use in national carriage if the three obligations set out in this regulation are all satisfied.

(2) The first obligation is that the equipment satisfies the conformity assessment referred to in article 4(4) of the Transportable Pressure Equipment Directive.

(3) The second obligation is that the assessment is carried out by an approved body.

(4) The third obligation is that the marking requirements set out in article 10 of the Directive as read with article 4(2) that are applicable to conformity assessment are complied with.

Reassessment of conformity

21.—(1) This regulation applies to transportable pressure equipment within the scope of the Transportable Pressure Equipment Directive by virtue of article 1(2)(b) of that Directive.

(2) Equipment may be reassessed for conformity in accordance with this regulation.

(3) The equipment is to be—

(a) reassessed by a notified body in accordance with the procedure set out in Part II of Annex IV to the Transportable Pressure Equipment Directive; and

(b) marked in accordance with the requirements of article 10 of that Directive that are applicable to the reassessment of conformity.

(4) But if the equipment has been manufactured in series to a design type which has been reassessed by a notified body in accordance with paragraph (3)(a), the procedure set out in Part II of Annex IV may be undertaken by an approved body and references in that Part to “notified body” are to be treated as references to “approved body”.

Periodic inspection and repeated use

22.—(1) This regulation applies to transportable pressure equipment within the scope of the Transportable Pressure Equipment Directive by virtue of article 1(2)(c) of that Directive.

(2) If the equipment bears a marking referred to in article 10(1) or (2) of the Transportable Pressure Equipment Directive or the marking for gas cylinders referred to in the second indent of article 1(2)(c) of that Directive, it is to be subject to periodic inspection in accordance with the requirements of article 6(1) of the Directive.

(3) Periodic inspections of tanks are permitted in the manner described in the second paragraph of article 6(1).

(4) The marking requirements applicable to periodic inspections set out in article 10 of the Transportable Pressure Equipment Directive are to be complied with in relation to the equipment.

Misleading and other markings

23.—(1) No person is to affix a marking on transportable pressure equipment which is likely to mislead third parties with regard to the meaning or the graphics of the conformity mark.

(2) Any other marking may be affixed to transportable pressure equipment provided that the visibility and legibility of the conformity mark is not reduced.