

STATUTORY INSTRUMENTS

2009 No. 1348

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

PART 4

TRANSPORTABLE PRESSURE EQUIPMENT

**[^{F1}Obligations of Distributors [^{F2}after making pi marked TPE [^{F3}or Northern Ireland TPE]
available on the GB market]**

19D.—[

^{F4}(A1) This regulation applies to equipment bearing the pi marking [^{F5}, and Northern Ireland TPE,] that a distributor has made available on the GB market.]

[^{F6}(1) A distributor must ensure that the conditions in which equipment under the responsibility of the distributor is stored and transported do not jeopardise the equipment's compliance with the Directives.]

(2) Where a distributor knows or has reason to believe that equipment it made available on the market does not comply with the Directives, that distributor must—

- (a) take immediate corrective measures to ensure that the equipment complies with the Directives;
- (b) withdraw the equipment from the market; or
- (c) issue a recall of the equipment.

^{F7}(3)

(4) Where a distributor considers that equipment it has made available on the market presents a risk, that distributor must immediately inform—

- (a) the manufacturer or the importer; and
- (b) the TPED competent authority [^{F8}for any relevant territory on which the equipment has been made available],

of the risk, including details of any non-compliance with the Directives and any action taken in accordance with paragraph (2).

(5) A distributor must record each instance of non-compliance with the Directives and any corrective measure taken and must retain that record for at least 20 years from the date that the non-compliance is discovered.

(6) On receipt of a reasoned request from a TPED competent authority, a distributor must—

- (a) provide that authority, in a language that it easily understands, all information and documents necessary to show that the equipment meets the requirements of the Directives; and
- (b) cooperate with that authority in any action taken to eliminate risks posed by that equipment.]

Textual Amendments

- F1** Regs. 19A-19F inserted (24.10.2011) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011 (S.I. 2011/1885), regs. 1, **7(2)**
- F2** Words in reg. 19D heading inserted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **15(2)**
- F3** Words in reg. 19D heading inserted (1.1.2023) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1370), regs. 1(1), **13(a)**
- F4** Reg. 19D(A1) inserted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **15(3)**
- F5** Words in reg. 19D(A1) inserted (1.1.2023) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1370), regs. 1(1), **13(b)**
- F6** Reg. 19D(1) substituted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **15(4)**
- F7** Reg. 19D(3) omitted (31.12.2020) by virtue of The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **15(5)**
- F8** Words in reg. 19D(4)(b) substituted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **15(6)**

Changes to legislation:

There are currently no known outstanding effects for the The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009, Section 19D.