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STATUTORY INSTRUMENTS

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**2016 No. 1101**

**CONSUMER PROTECTION  
HEALTH AND SAFETY**

**The Electrical Equipment (Safety) Regulations 2016**

*Made* - - - - *15th November 2016*  
*Laid before Parliament* *16th November 2016*  
*Coming into force* *8th December 2016*

**THE ELECTRICAL EQUIPMENT (SAFETY) REGULATIONS 2016**

PART 1

Preliminary

1. Citation and commencement
2. Interpretation
- 2A Designated standard
3. Electrical equipment to which these Regulations apply

Part 2

Obligations of economic operators

Manufacturers

4. Design and manufacture in accordance with safety objectives
5. Technical documentation and conformity assessment
6. Declaration of conformity and UK marking
7. Retention of technical documentation and EU declaration of conformity
8. Labelling of electrical equipment
9. Instructions and safety information
10. Compliance procedures for series production
11. Monitoring
12. Duty to take action in respect of electrical equipment placed on the market which is considered not to be in conformity
13. Provision of information and cooperation

**Changes to legislation:** There are currently no known outstanding effects for the The Electrical Equipment (Safety) Regulations 2016. (See end of Document for details)

#### Authorised representatives

14. Manufacturer's authorised representatives

#### Importers

15. Prohibition on placing on the market electrical equipment which is not in conformity
16. Requirements which must be satisfied before an importer places electrical equipment on the market
17. Prohibition on placing on the market electrical equipment considered not to be in conformity with the safety objectives
18. Information identifying importer
19. Instructions and safety information
20. Storage and transport of electrical equipment
21. Retention of technical documentation and EU declaration of conformity
22. Monitoring
23. Duty to take action in respect of electrical equipment placed on the market which is considered not to be in conformity
24. Provision of information and cooperation

#### Distributors

25. Duty to act with due care
26. Requirements which must be satisfied before a distributor makes electrical equipment available on the market
27. Prohibition on making available on the market where electrical equipment considered not to be in conformity with safety objectives
28. Storage and transport of electrical equipment
29. Duty to take action in respect of electrical equipment made available on the market which is considered not to be in conformity
30. Provision of information and cooperation
31. Cases in which obligations of manufacturers apply to importers and distributors

#### All economic operators

32. Translation of declaration of conformity
33. Identification of economic operators
34. Prohibition on improper use of UK marking
- 34A Obligations which are met by complying with obligations in the Directive
- 34B Expiry of regulation 34A
- 34C Qualifying Northern Ireland Goods
35. Safe connection of electrical equipment intended for use in the United Kingdom

### PART 3

#### Conformity assessment

36. Presumption of conformity on the basis of designated standards
37. Conformity with other standards and requirements
38. Declaration of conformity
39. UK marking

### PART 4

#### Market surveillance and enforcement

40. Designation of market surveillance authority
41. Enforcement
42. Enforcement powers
43. Exercise of enforcement powers
44. Evaluation of electrical equipment presenting a risk
45. Enforcement action in respect of electrical equipment which is not in conformity and which presents a risk
46. Union safeguard procedure
47. Enforcement action in respect of electrical equipment which is in conformity, but presents a risk
48. Enforcement action in cases of formal non-compliance
49. Restrictive measures
50. Offences
51. Penalties
52. Defence of due diligence
53. Liability of persons other than principal offender
54. Time limit for prosecution of offences
55. Service of documents
56. Recovery of expenses of enforcement
57. Action by enforcing authority
58. Appeals against notices
59. Appropriate court for appeals against notices
60. Compensation

### PART 5

#### Miscellaneous

61. Review
  62. Transitional provisions and savings
  - 62A Transitional provision in relation to EU Exit
  63. Revocations and amendments
  64. Schedule 7 (consequential amendments) has effect.
- Signature

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#### SCHEDULE 1 — Principal elements of the safety objectives for electrical equipment designed for use within certain voltage limits

1. General conditions (a) The essential characteristics, the recognition and observance...
2. Protection against hazards arising from the electrical equipment

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3. Protection against hazards which may be caused by external influences...

SCHEDULE 2 — Conformity Assessment Procedure

1. Module A Internal production control
2. Technical documentation
3. Manufacturing
4. UK marking and EU declaration of conformity
5. Authorised representative

SCHEDULE 3 — Enforcement powers of weights and measures authorities, district councils and the Secretary of State under the 1987 Act

1. Enforcement powers under the 1987 Act
2. Modifications to the 1987 Act

SCHEDULE 4 — Enforcement powers of the Health and Safety Executive and the Office for Nuclear Regulation under the 1974 Act

1. Enforcement powers under the 1974 Act
2. Modifications to the 1974 Act

SCHEDULE 5 — Enforcement powers of the Health and Safety Executive for Northern Ireland under the 1978 Order

1. Enforcement powers under the 1978 Order
2. Modifications to the 1978 Order

SCHEDULE 6 — Compliance, withdrawal and recall notices

1. Compliance notice
2. Withdrawal notice
3. Recall notice
4. Interpretation

SCHEDULE 7 — Consequential amendments

1. Amendment of the Plugs and Sockets etc (Safety) Regulations 1994
2. Amendment of the Provision and Use of Work Equipment Regulations 1998
3. Amendment of the Provision and Use of Work Equipment Regulations (Northern Ireland) 1999
4. Amendment of the Radio Equipment and Telecommunications Terminal Equipment Regulations 2000
5. Amendment of the Merchant Shipping and Fishing Vessels (Provision and Use of Work Equipment) Regulations 2006
6. Amendment of the Legislative and Regulatory Reform (Regulatory Functions) Order 2007
7. Amendment of the Co-ordination of Regulatory Enforcement (Regulatory Functions in Scotland and Northern Ireland) Order 2009
8. Amendment of the Building Regulations 2010
9. Amendment of the Homelessness (Suitability of Accommodation) (England) Order 2012
10. Amendment of the Energy Act 2013 (Office for Nuclear Regulation) Consequential Amendments, Transitional Provisions and Savings) Order 2014
11. Amendment of the Consumer Rights Act 2015

SCHEDULE 8 — EU Declaration of Conformity

**Changes to legislation:** *There are currently no known outstanding effects for the The Electrical Equipment (Safety) Regulations 2016. (See end of Document for details)*

1. Declaration of conformity (No xxxx)
2. Name and address of manufacturer or his authorised representative:
3. This declaration of conformity is issued under the sole responsibility...
4. Object of the declaration (identification of electrical equipment allowing traceability;...
5. The object of the declaration described above is in conformity...
6. References to the relevant designated standards used or references to...
7. Additional information: Signed for and on behalf of: (place and...

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Electrical Equipment (Safety) Regulations 2016.