
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations transpose [Directive 2014/35/EU](#) of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (recast) (OJ No L 96, 29.3.2014, p.357) (“the Directive”).

The Directive repeals and replaces [Directive 2006/95/EC](#) of the European Parliament and of the Council of 12 December 2006 relating to electrical equipment designed for use within certain voltage limits (OJ No L 374, 27.12.2006, p.10) which was implemented in the United Kingdom by the Electrical Equipment (Safety) Regulations 1994 ([S.I. 1994/3260](#)). These Regulations revoke and replace those Regulations.

Regulation 3 sets out the application of the Regulations to certain electrical equipment designed for use within certain voltage limits and also sets out exceptions to the application of the Regulations for electrical equipment for use in an explosive atmosphere, for radiology and medical purposes, for lifts, electricity meters, plugs and socket outlets for domestic use and certain other equipment.

Part 2 sets out the obligations of economic operators. The general requirement in the Directive that electrical equipment made available on the market must be safe is fully covered by the requirements on economic operators to ensure that the equipment is in conformity with the principal elements of the safety objectives.

Regulations 4 to 13 set out the obligations that are specific to manufacturers. Electrical equipment must undergo a conformity assessment to demonstrate compliance with the essential requirements of the Regulations. Manufacturers must ensure that electrical equipment has been designed and manufactured in accordance with the principal elements of the safety objectives set out in Schedule 1, having a conformity assessment procedure carried out before the equipment is placed on the market, affixing the CE marking and labelling the equipment. Regulation 14 refers to authorised representatives who may be appointed by manufacturers to perform certain tasks on their behalf.

Regulations 15 to 24 set out the obligations that are specific to importers. These obligations include ensuring that they are not placing on the market electrical equipment which is not in conformity with the principal elements of the safety objectives, checking that the manufacturer has carried out a conformity assessment procedure and labelled the electrical equipment correctly and indicating on the electrical equipment the name and address of the importer.

Regulations 25 to 31 set out the obligations that are specific to distributors. These obligations include acting with due care to ensure that electrical equipment is in conformity with Part 2 and checking that the equipment bears the CE marking and is labelled correctly. They also include an obligation to ensure that, while it is the distributor’s responsibility, the storage and transport of the equipment does not jeopardise its conformity with the essential safety requirements.

Regulations 32 to 35 set out obligations that all economic operators have. These obligations include making sure, before making electrical equipment available on the United Kingdom market, that the EU declaration of conformity is in English. They also include an obligation to identify other economic operators in the supply chain, and a prohibition on the improper use of the CE marking. Regulation 35 sets out a requirement for a safe connection where electrical equipment is intended for use in the United Kingdom.

Part 3 sets out provisions concerning conformity with harmonised and other standards, declarations of conformity and CE marking for low voltage electrical equipment.

Status: This is the original version (as it was originally made).

Part 4 sets out provisions for market surveillance and enforcement. Regulation 40 identifies the market surveillance authorities which have an obligation to enforce the Regulations. Regulation 42 and Schedules 3 to 5 provide for the enforcement powers which the enforcing authorities are to have. Regulation 50 provides for the contravention of provisions of these Regulations to be an offence. Regulation 51 sets out the penalties that are to apply for offences under these Regulations.

Part 5 covers transitional provisions and consequential amendments. The 1994 Regulations will continue to apply to electrical equipment placed on the market before the commencement date. Regulation 64 introduces Schedule 7 which makes consequential amendments.

A transposition note and full impact assessment of the impact that these Regulations will have on the costs of business, the voluntary sector and the public sector are available from the Single Market Product Safety Team, Department for Business, Energy and Industrial Strategy, 1 Victoria Street, London SW1H 0ET and are also published with the Explanatory Memorandum alongside these Regulations on www.legislation.gov.uk.