
STATUTORY INSTRUMENTS

2016 No. 1105

The Pressure Equipment (Safety) Regulations 2016

PART 6

Miscellaneous

[^{F1}Transitional provision in relation to EU Exit

88A.—(1) In this regulation—

“pre-exit period” means the period beginning with the commencement date and ending immediately before IP completion day;

“product” means [^{F2}pressure equipment or an assembly required, under regulation 6 or 7, to satisfy the essential safety requirements set out in Schedule 2] to which these Regulations apply on or after IP completion day.

(2) Subject to paragraph (3), where a product was made available on the market during the pre-exit period, despite the amendments made by Schedule 24 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019, any obligation to which a person was subject under these Regulations as they had effect immediately before IP completion day, continues to have effect as it did immediately before IP completion day, in relation to that product.

(3) Paragraph (2) does not apply to—

- (a) any obligation of any enforcing authority to inform the European Commission or the member States of any matter; or
- (b) any obligation to take action outside of the United Kingdom in respect of that product.

(4) Where during the pre-exit period—

- (a) a product has not been placed on the market; and
- (b) a manufacturer has taken any action under regulation 42 as it had effect immediately before IP completion day in relation to that product

that action has effect as if it had been done under regulation 42 as it had effect on and after IP completion day.

[
^{F3}(5) Subject to paragraph (6), where before 11pm on 31st December 2024—

- (a) a product has not been placed on the market or put into service; and
- (b) a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 14 of the Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 41 or 42.

(6) Paragraph (5) does not apply—

- (a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and

Changes to legislation: The Pressure Equipment (Safety) Regulations 2016, Section 88A is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(b) in any event, after 31st December 2027.]]

Textual Amendments

- F1** Reg. 88A 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. 24 para. 41** (as amended by S.I. 2020/676, regs. 1(1), **2** and by S.I. 2020/852, reg. 4(2), **Sch. 1 para. 1(m)(viii)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F2** Words in reg. 88A(1) substituted (31.12.2022) by [The Product Safety and Metrology \(Amendment and Transitional Provisions\) Regulations 2022 \(S.I. 2022/1393\)](#), regs. 1(1), **15(2)(a)**
- F3** Reg. 88A(5)(6) inserted (31.12.2022) by [The Product Safety and Metrology \(Amendment and Transitional Provisions\) Regulations 2022 \(S.I. 2022/1393\)](#), regs. 1(1), **15(2)(b)**

Changes to legislation:

The Pressure Equipment (Safety) Regulations 2016, Section 88A is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- reg. 88A(4)-(6) omitted by [S.I. 2024/696 reg. 15\(4\)](#)