
STATUTORY INSTRUMENTS

2016 No. 1107

The Equipment and Protective Systems Intended for Use
in Potentially Explosive Atmospheres Regulations 2016

PART 2

Obligations of economic operators

Chapter 5

All economic operators

[^{F1}Expiry of regulations 36A and 36B

36C.—(1) Subject to paragraph (2), regulation 36A ceases to have effect at the end of the period of [^{F2}four years] beginning with IP completion day.

(2) Notwithstanding the expiry of regulation 36A—

- (a) any product which was placed on the market pursuant to regulation 36A may continue to be made available on the market on or after the expiry of regulation 36A;
- (b) any obligation to which a person was subject under regulation 36A in respect of any product placed on the market pursuant to regulation 36A continues to have effect after the expiry of regulation 36A, in respect of that product.

(3) Subject to paragraph (4), regulation 36B ceases to have effect at the end of the period of [^{F3}four years] beginning with IP completion day.

(4) Where a conformity assessment procedure has been completed pursuant to regulation 36B in relation to a product prior to the expiry of regulation 36B, regulation 36B continues to apply in respect of that pressure equipment or assembly where—

- (a) the manufacturer arranges for the EU-Type examination certificate and any annexes to be transferred to an approved body;
- (b) the approved body referred to in sub-paragraph (a) accepts responsibility for the EU-Type examination certificate; and
- (c) the approved body issues a Type-examination certificate relying, or relying in part, on any examinations or tests undertaken prior to the issue of the EU-Type examination certificate.

(5) In paragraph (4) “EU-Type examination certificate” means a certificate issued after the conformity assessment referred to in regulation 36B(2) has been carried out.]

Textual Amendments

- F1** Regs. 36A-36D inserted (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 25 para. 21** (with Sch. 25 para. 34) (as amended by [S.I. 2020/676](#), regs. 1(1), 2) (as amended by [The Product Safety and Metrology](#)

Changes to legislation: There are currently no known outstanding effects for the The Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016, Section 36C. (See end of Document for details)

etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020 (S.I. 2020/1460), reg. 1(4), Sch. 3 para. 17(3)); 2020 c. 1, **Sch. 5 para. 1(1)**

F2 Words in reg. 36C(1) substituted (31.12.2022) by The Product Safety and Metrology (Amendment and Transitional Provisions) Regulations 2022 (S.I. 2022/1393), regs. 1(1), 2, **Sch. 1**

F3 Words in reg. 36C(3) substituted (31.12.2022) by The Product Safety and Metrology (Amendment and Transitional Provisions) Regulations 2022 (S.I. 2022/1393), regs. 1(1), 2, **Sch. 1**

Changes to legislation:

There are currently no known outstanding effects for the The Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016, Section 36C.