
STATUTORY INSTRUMENTS

1990 No. 13

The Electrical Equipment for Explosive Atmospheres (Certification) Regulations 1990

Access to place of manufacture

11.—(1) Where a certificate of conformity or an inspection certificate relating to electrical equipment is in force, the manufacturer of that equipment may affix to it the appropriate distinctive Community mark that is to say, —

- (a) for electrical equipment to which the Framework Directive applies, that specified in Annex II to the First Specific Directive and such mark shall have effect as described in paragraph 1 of Article 10 of that Directive;
- (b) for electrical equipment to which the Gassy Mines Directive applies, that specified in Annex C to the Gassy Mines Directive and such mark shall attest in accordance with paragraph 1 of Article 11 of that Directive.

(2) Where required by the certificate of conformity or inspection certificate, the manufacturer shall ensure that when equipment is supplied, it is accompanied by instructions defining the special conditions governing its use.

(3) The manufacturer shall not affix to electrical equipment the appropriate distinctive Community mark unless there is in force the appropriate certificate of conformity or the appropriate inspection certificate in relation to that equipment and the equipment complies in all respects with the terms of the relevant certificate.

(4) No person shall affix to electrical equipment any mark which is liable to be confused with the appropriate distinctive Community mark.

(5) Paragraphs (3) and (4) shall have effect as if they were health and safety regulations made under section 15 of the Health and Safety at Work etc. Act 1974⁽¹⁾ and the provisions of that Act as regards enforcement and offences shall apply to those paragraphs.

(1) 1974 c. 37; section 15 was amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraph 6.