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STATUTORY INSTRUMENTS

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**1992 No. 2372**

**The Electromagnetic Compatibility Regulations 1992**

**PART II**

**APPLICATION**

*General exclusions*

**Apparatus for export to a third country**

**12.**—(1) Subject to paragraph (2) below, these Regulations do not apply to any apparatus which the supplier believes (with reasonable cause) will not be used either in the United Kingdom or in another member State.

(2) Subject to regulation 33(6) below, paragraph (1) above shall not apply if the CE mark or any inscription liable to be confused therewith is affixed to the apparatus.

**Excluded installations**

**13.**—(1) These Regulations do not apply to excluded installations; provided however that the extent to which any apparatus or system comprised or to be comprised therein is relevant apparatus shall be determined in accordance with the provisions of this Part.

(2) In this regulation “excluded installation ” means two or more combined items of relevant apparatus or systems put together at a given place (whether or not in combination with any other item) to fulfil a specific objective but not designed by the manufacturer (or manufacturers, where the items are made by different manufacturers) for supply as a single functional unit.

**Spare parts**

**14.**—(1) Subject to paragraph (2), these Regulations do not apply to spare parts.

(2) Nothing in this regulation shall be taken to affect the application of these Regulations to apparatus into which a spare part has been incorporated.

(3) In this regulation, “spare part” means a component or combination of components intended for use in replacing parts of electrical apparatus.

**Supply to the authorised representative**

**15.** These Regulations do not apply to the supply of apparatus by the manufacturer thereof to his authorised representative.

**Second-hand apparatus**

**16.**—(1) Subject to paragraph (2) below, these Regulations do not apply to second-hand apparatus.

- (2) Nothing in paragraph (1) above shall be taken to disapply these Regulations to—
- (a) the supply of second-hand apparatus which has, since it was last used, been subjected to further manufacture within the meaning of sub-paragraphs (c) or (d) of the definition of manufacture in regulation 3(2) above;
  - (b) the supply or taking into service of such apparatus following such further manufacture; or
  - (c) the supply or taking into service in the Community of apparatus which has previously been supplied or used in a country or territory outside the Community.
- (3) In this regulation, “second-hand apparatus” means apparatus which has previously been used by an end user.

### **Electromagnetically benign apparatus**

**17.** These Regulations do not apply to apparatus the inherent qualities of which are such that neither is it liable to cause, nor is its performance liable to be degraded by, electromagnetic disturbance.