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STATUTORY INSTRUMENTS

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**2004 No. 568**

**The Carriage of Dangerous Goods and Use of  
Transportable Pressure Equipment Regulations 2004**

**PART 4**

**TRANSPORTABLE PRESSURE EQUIPMENT**

**Reassessment of conformity**

- 40.**—(1) Transportable pressure equipment which is a—
- (a) cylinder tube or cryogenic receptacle which is manufactured prior to 1st July 2003 and does not bear the conformity marking; or
  - (b) pressure drum, bundle of cylinders or a tank which is manufactured prior to 1st July 2007 and does not bear the conformity marking from 1st July 2005,
- may be reassessed for conformity in accordance with paragraphs (2) to (4).
- (2) Subject to paragraph (6), the transportable pressure equipment shall—
- (a) comply with the requirements of regulations 21(7) and (8) and 22 which are applicable to the equipment in question;
  - (b) have been reassessed by a notified body, in accordance with the conformity reassessment procedure, to be in conformity with the relevant requirements referred to in regulations 21(7) and (8) and 22 which are applicable to the equipment in question; and
  - (c) bear the conformity marking and identification number of the notified body.
- (3) Where the transportable pressure equipment includes valves, those valves shall—
- (a) comply with—
    - (i) the requirements of regulations 21(7) and (8) and 22 which are applicable to the valves in question; or
    - (ii) where there is no standard for the design, manufacture or testing of such valves in the requirements referred to in regulations 21(7) and (8) and 22, the relevant requirements of the Pressure Equipment Regulations 1999; and
  - (b) meet the requirements of paragraph (5).
- (4) Where the transportable pressure equipment includes accessories, other than valves, which have a direct safety function, those accessories shall—
- (a) comply with the requirements of regulations 21(7) and (8) and 22 which are applicable to the accessories in question; and
  - (b) meet the requirements of paragraph (5).
- (5) Subject to paragraph (6), the requirements referred to in paragraphs (3) and (4) are that the valves or the accessories shall—

- (a) where relevant, have been reassessed by a notified body, in accordance with the conformity reassessment procedure, to be in conformity with the standards or requirements identified pursuant to paragraphs (3)(a), in the case of valves, or (4)(a) in the case of accessories; and
- (b) bear the conformity marking.

(6) Where the transportable pressure equipment, valve or accessory has been manufactured in series to a design type which has been reassessed by a notified body, in accordance with the conformity reassessment procedures to be in conformity with the requirements—

- (a) referred to in regulations 21(7) and (8) and 22 which are applicable to the equipment in question; or
- (b) where relevant, of the Pressure Equipment Regulations 1999,

the reassessment procedure referred to in paragraph (2)(b) and (5)(a) may be conducted by an approved body.

(7) For the purposes of paragraph (6) the references in Schedule 6 to “notified body” shall be read as if they were references to “approved body”.