

## STATUTORY INSTRUMENTS

# 2009 No. 1348

## The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009

### PART 4

#### TRANSPORTABLE PRESSURE EQUIPMENT

##### [<sup>F1</sup>Scope of Obligations]

[<sup>F1</sup>19.—(1) Regulations 19A to 19F apply to transportable pressure equipment within the scope of the Transportable Pressure Equipment Directive by virtue of article 1(2)(a) of that Directive [<sup>F2</sup>, subject to the modification in paragraph (1A)].

[<sup>F3</sup>(1A) The modification referred to in paragraph (1) is that the reference to “making it available on the market” in that article is to be read as a reference to making it available on the GB market, as defined by these Regulations.]

(2) For the avoidance of doubt, any reference in those regulations to a manufacturer, importer, distributor, owner or operator as “it” is not to be construed as excluding a natural person.

[<sup>F4</sup>(3) Where transportable pressure equipment has been—

- (a) placed on the GB market by an importer; or
- (b) made available on the GB market by a distributor

prior to IP completion day, references to those economic operators in the regulations identified in paragraph (4) include such economic operators established in a relevant territory.

(4) The regulations referred to in paragraph (3) are—

- (a) in respect of an importer—
  - (i) regulation 19CA(1)(b) and (2)(a),
  - (ii) regulation 19D(3)(a) and (4)(a), and
  - (iii) regulation 19E(2)(a), and
- (b) in respect of a distributor, regulation 19E(2)(a).]]

##### Textual Amendments

- F1** Reg. 19 substituted (24.10.2011) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) Regulations 2011 \(S.I. 2011/1885\)](#), regs. 1, **7(1)**
- F2** Words in [reg. 19\(1\)](#) inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **8(2)**
- F3** [Reg. 19\(1A\)](#) inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **8(3)**

**F4** Reg. 19(3)(4) inserted (31.12.2020) by *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020* (S.I. 2020/1111), regs. 1, **8(4)**

### **[<sup>F5</sup>General Obligations**

**19A.**—(1) A manufacturer, importer, distributor, owner or operator may only place or make available on the market, put into service or use equipment if it ensures that the equipment meets the requirements of the Dangerous Goods Directive.

(2) On receipt of a request from the Health and Safety Executive, a manufacturer, importer, distributor, owner or operator must identify to the Executive any manufacturer, importer, distributor or owner who has supplied it with, or to whom it has supplied, equipment over at least the previous 10 years.

(3) A request made pursuant to paragraph (2) must—

- (a) be in writing; and
- (b) contain a date by which a response is to be provided with that date being reasonable in all the circumstances.

(4) Paragraph (5) applies where a manufacturer, importer, distributor or owner provides to an operator information about equipment it has placed or made available on the market, or put into service.

[<sup>F6</sup>(5) The information must comply with—

- (a) the Annexes in respect of UK TPE; or
- (b) the Directives in respect of pi marked TPE [<sup>F7</sup>and Northern Ireland TPE].]

(6) This regulation does not apply to an owner who is a private individual using or intending to use equipment in the circumstances set out in article 8(4) of the Transportable Pressure Equipment Directive.]

### **Textual Amendments**

- F5** Regs. 19A-19F inserted (24.10.2011) by *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011* (S.I. 2011/1885), regs. 1, **7(2)**
- F6** Reg. 19A(5) substituted (31.12.2020) by *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020* (S.I. 2020/1111), regs. 1, **9**
- F7** Words in reg. 19A(5)(b) inserted (1.1.2023) by *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2021* (S.I. 2021/1370), regs. 1(1), **4**

### **[<sup>F8</sup>Prohibition on placing or making available certain transportable pressure equipment on the GB market on or after 1st January 2023**

**19AZA.**—(1) A manufacturer, importer, or distributor may only place equipment on the GB market on or after 1st January 2023 if the equipment is UK TPE or Northern Ireland TPE.

(2) Subject to paragraph (3), a manufacturer, importer, or distributor may only make equipment available on the GB market on or after 1st January 2023 if the equipment—

- (a) is UK TPE or Northern Ireland TPE; or
- (b) is pi marked TPE which was placed on the market prior to 1st January 2023.

(3) Where a conformity assessment has been carried out in relation to equipment by a notified body prior to IP completion day, a manufacturer, importer or distributor may only place the equipment on the market where—

- (a) the manufacturer arranges for the notified body conformity assessment and any technical documentation to be transferred to an appointed body;
- (b) the appointed body referred to in sub-paragraph (a) accepts responsibility for the notified body conformity assessment; and
- (c) the appointed body issues a certificate of conformity relying, or relying in part, on any examinations or tests undertaken prior to the issue of the notified body conformity assessment.]

#### Textual Amendments

**F8** Reg. 19AZA inserted (1.1.2023) by *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1370)*, regs. 1(1), **5**

#### [<sup>F9</sup>Obligations of Manufacturers prior to placing equipment on the GB market

**19AA.**—(1) A manufacturer of equipment to be placed on the GB market must comply with paragraph (2) or (3).

(2) Where it is intended that the equipment becomes UK TPE, the manufacturer must—

- (a) ensure a conformity assessment is carried out by an appointed body;
- (b) mark equipment in accordance with regulation 22B; and
- (c) keep the technical documentation specified in—
  - (i) section 1.8.7 of ADR; or
  - (ii) section 1.8.7 of RID,for the period specified in those Agreements.

(3) Where it is intended that the equipment becomes [<sup>F10</sup>Northern Ireland TPE], the manufacturer must—

- (a) ensure a conformity assessment is carried out by a notified body;
- (b) mark equipment in accordance with articles 14 and 15 of the Transportable Pressure Equipment Directive; and
- (c) keep the technical documentation specified in the Dangerous Goods Directive for the period specified in that Directive.

#### Textual Amendments

**F9** Regs. 19AA, 19AB inserted (31.12.2020) by *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111)*, regs. 1, **10**

**F10** Words in reg. 19AA(3) substituted (1.1.2023) by *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1370)*, regs. 1(1), **6**

### **Obligations of Manufacturers after placing UK TPE [<sup>F11</sup>or Northern Ireland TPE] on the GB market**

**19AB.**—(1) This regulation applies to equipment bearing the UK TPE marking [<sup>F12</sup>and Northern Ireland TPE] that a manufacturer has placed on the GB market.

(2) Where a manufacturer knows or has reason to believe that the equipment does not comply with regulation 19AA(2) or the Annexes [<sup>F13</sup>or with regulation 19AA(3) (as applicable)] , that manufacturer must—

- (a) take immediate corrective measures to ensure that the equipment complies with—
  - [<sup>F14</sup>(i) regulation 19AA(2) and the Annexes, in respect of UK TPE; or
  - (ii) regulation 19AA(3) and the Annexes, in respect of Northern Ireland TPE;]
- (b) withdraw the equipment from the market; or
- (c) issue a recall of the equipment.

(3) Where a manufacturer considers that the equipment presents a risk, that manufacturer must immediately inform the GB competent authority and Northern Ireland competent authority of—

- [<sup>F15</sup>(a) the risk, including providing details of any non-compliance with—
  - (i) regulation 19AA(2) or the Annexes, in respect of UK TPE; and
  - (ii) regulation 19AA(3) or the Annexes, in respect of Northern Ireland TPE;”.]
- (b) any action taken in accordance with paragraph (2).

(4) A manufacturer must record—

- [<sup>F16</sup>(a) each instance of non-compliance with—
  - (i) regulation 19AA(2) or the Annexes, in respect of UK TPE; and
  - (ii) regulation 19AA(3) or the Annexes, in respect of Northern Ireland TPE;”.]
- (b) any corrective measure taken,

and must retain that record for at least 20 years from the date that the non-compliance is discovered.

(5) On receipt of a reasoned request from the GB competent authority, a manufacturer must—

- (a) provide that authority with all information and documents necessary to show that the equipment meets the requirements of—
  - [<sup>F17</sup>(i) regulation 19AA(2) and the Annexes, in respect of UK TPE; or
  - (ii) regulation 19AA(3) and the Annexes, in respect of Northern Ireland TPE;”.]
- (b) cooperate with that authority in any action it takes to eliminate risks posed by that equipment.]

#### **Textual Amendments**

- F9** Regs. 19AA, 19AB inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **10**
- F11** Words in reg. 19AB heading inserted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **7(a)**
- F12** Words in reg. 19AB(1) inserted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **7(b)**

- F13** Words in reg. 19AB(2) inserted (1.1.2023) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1370), regs. 1(1), **7(c)(i)**
- F14** Reg. 19AB(2)(a)(i)(ii) substituted (1.1.2023) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1370), regs. 1(1), **7(c)(ii)**
- F15** Reg. 19AB(3)(a) substituted (1.1.2023) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1370), regs. 1(1), **7(d)**
- F16** Reg. 19AB(4)(a) substituted (1.1.2023) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1370), regs. 1(1), **7(e)**
- F17** Reg. 19AB(5)(a)(i)(ii) substituted (1.1.2023) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1370), regs. 1(1), **7(f)**

**[<sup>F5</sup>Obligations of Manufacturers [<sup>F18</sup>after placing pi marked TPE on the GB market]**

**19B.**—[<sup>F19</sup>(1) This regulation applies to equipment bearing the pi marking that a manufacturer has placed on the GB market [<sup>F20</sup>prior to 1st January 2023] .]

(2) Where a manufacturer knows or has reason to believe that equipment [<sup>F21</sup>bearing the pi marking that] it has placed on the market does not comply with the Directives, that manufacturer must—

- (a) take immediate corrective measures to ensure that the equipment complies with the Directives;
- (b) withdraw the equipment from the market; or
- (c) issue a recall of the equipment.

(3) Where a manufacturer considers that equipment it has placed on the market presents a risk, that manufacturer must immediately inform the TPED competent authority [<sup>F22</sup>for any relevant territory on which the equipment has been placed] of the risk, including providing details of any non-compliance with the Directives and any action taken in accordance with paragraph (2).

(4) A manufacturer must record each instance of non-compliance with the Directives and any corrective measure taken and must retain that record for at least 20 years from the date that the non-compliance is discovered.

(5) On receipt of a reasoned request from a TPED competent authority, a manufacturer must—

- (a) provide that authority, in a language that it easily understands, all information and documents necessary to show that the equipment meets the requirements of the Directives; and
- (b) cooperate with that authority in any action it takes to eliminate risks posed by that equipment.

<sup>F23</sup>(6) .....]

**Textual Amendments**

- F5** Regs. 19A-19F inserted (24.10.2011) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011 (S.I. 2011/1885), regs. 1, **7(2)**

- F18** Words in reg. 19B heading inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **11(2)**
- F19** Reg. 19B(1) substituted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **11(3)**
- F20** Words in reg. 19B(1) inserted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **8**
- F21** Words in reg. 19B(2) inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **11(4)**
- F22** Words in reg. 19B(3) substituted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **11(5)**
- F23** Reg. 19B(6) omitted (31.12.2020) by virtue of [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **11(6)**

#### **[<sup>F24</sup>Application of regulations 19AA to 19B to Importers or Distributors**

**19BA.** Regulations 19AA to 19B apply to an importer or a distributor as if that person were a manufacturer where the importer or distributor—

- (a) places equipment on the GB market under the importer or distributor’s own name or trademark; or
- (b) modifies equipment already placed on the GB market in such a way that it may affect compliance—
  - (i) of UK TPE with these Regulations or the Annexes; or
  - (ii) of pi marked TPE [<sup>F25</sup>or Northern Ireland TPE] with the Directives.

#### **Textual Amendments**

- F24** Regs. 19BA-19BC inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **12**
- F25** Words in reg. 19BA(b)(ii) inserted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **9**

#### **Obligations of Importers prior to placing equipment on the GB market**

**19BB.**—(1) Before placing equipment on the GB market, an importer must ensure that—

- (a) the equipment has been marked in accordance with—
  - (i) regulation 22B [<sup>F26</sup>, in respect of equipment which an importer intends to place on the GB market as UK TPE]; or
  - (ii) articles 14 and 15 of the Transportable Pressure Equipment Directive [<sup>F27</sup>, in respect of equipment which an importer intends to place on the GB market as Northern Ireland TPE];

- (b) the manufacturer has complied with conformity assessment and drawn up the technical documentation in accordance with—
    - (i) the Annexes, in respect of UK TPE; or
    - (ii) the Dangerous Goods Directive, in respect of [<sup>F28</sup>Northern Ireland TPE]; and
  - (c) the certificate of conformity for the equipment either contains the name and address of the importer or has this information attached to it.
- (2) Where an importer considers that equipment presents a risk before it has been placed on the GB market, that importer must inform the manufacturer and the Health and Safety Executive of the risk.

#### Textual Amendments

- F24** Regs. 19BA-19BC inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **12**
- F26** Words in [reg. 19BB\(1\)\(a\)\(i\)](#) inserted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **10(a)(i)**
- F27** Words in [reg. 19BB\(1\)\(a\)\(ii\)](#) inserted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **10(a)(ii)**
- F28** Words in [reg. 19BB\(1\)\(b\)\(ii\)](#) substituted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **10(b)**

#### Obligations of Importers after placing UK TPE on the GB market

**19BC.**—(1) This regulation applies to equipment bearing the UK TPE marking that an importer has placed on the GB market.

- (2) The importer must ensure that—
- (a) the conditions in which equipment under the responsibility of the importer is stored and transported do not jeopardise the equipment’s compliance with the Annexes; and
  - (b) the technical documentation specified in the Annexes is kept for the period set out in that Directive.
- (3) Where an importer knows or has reason to believe that equipment it has placed on the GB market does not comply with—
- (a) this regulation;
  - (b) regulation 19BB(1)(a)(i), (b)(i) or (c); or
  - (c) the Annexes,

that importer must act as required by paragraph (4).

- (4) The actions required by paragraph (3) are to—
- (a) take immediate corrective measures to ensure that the equipment complies with—
    - (i) this regulation;
    - (ii) regulation 19BB(1)(a)(i), (b)(i) or (c); and
    - (iii) the Annexes;
  - (b) withdraw the equipment from the market; or

(c) issue a recall of the equipment.

(5) Where an importer considers that equipment it has placed on the GB market presents a risk, that importer must immediately inform the manufacturer, the GB competent authority and Northern Ireland competent authority of the risk, including details of any non-compliance with—

- (a) this regulation;
- (b) regulation 19BB(1)(a)(i), (b)(i) or (c); or
- (c) the Annexes,

and any action taken in accordance with paragraph (4).

(6) An importer must record each instance of non-compliance with—

- (a) this regulation;
- (b) regulation 19BB(1)(a)(i), (b)(i) or (c); or
- (c) the Annexes,

and any corrective measure taken and must retain that record for at least 20 years from the date that the non-compliance is discovered.

(7) On receipt of a reasoned request from the GB competent authority, an importer must—

- (a) provide that authority with all information and documents necessary to show that the equipment meets the requirements of—
  - (i) this regulation;
  - (ii) regulation 19BB(1)(a)(i), (b)(i) or (c); and
  - (iii) the Annexes;
- (b) cooperate with that authority in any action taken to eliminate risks posed by that equipment.]

**Textual Amendments**

**F24** Regs. 19BA-19BC inserted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, 12

**[<sup>F5</sup>Obligations of Importers [<sup>F29</sup>after placing pi marked TPE on the GB market]**

**19C.—[**

<sup>F30</sup>(A1) This regulation applies to equipment bearing the pi marking that a manufacturer has placed on the GB market [<sup>F31</sup>prior to 1st January 2023].]

(1) An importer must ensure that—

- <sup>F32</sup>(a) .....
- <sup>F32</sup>(b) .....
- <sup>F32</sup>(c) .....

(d) the conditions in which equipment under the responsibility of the importer is stored and transported do not jeopardise the equipment’s compliance with the Dangerous Goods Directive; and

(e) the technical documentation specified in the Dangerous Goods Directive is kept for the period set out in that Directive.

(2) Where an importer knows or has reason to believe that equipment it has placed on the market does not comply with the Directives, that importer must—

- (a) take immediate corrective measures to ensure that the equipment complies with the Directives;
- (b) withdraw the equipment from the market; or
- (c) issue a recall of the equipment.

<sup>F33</sup>(3) .....

(4) Where an importer considers that equipment it has placed on the market presents a risk, that importer must immediately inform the manufacturer and the TPED competent authority [<sup>F34</sup>for any relevant territory on which the equipment has been placed] of the risk, including details of any non-compliance with the Directives and any action taken in accordance with paragraph (2).

(5) An importer must record each instance of non-compliance with the Directives and any corrective measure taken and must retain that record for at least 20 years from the date that the non-compliance is discovered.

(6) On receipt of a reasoned request from a TPED competent authority, an importer must—

- (a) provide that authority, in a language that it easily understands, all information and documents necessary to show that the equipment meets the requirements of the Directives; and
- (b) cooperate with that authority in any action taken to eliminate risks posed by that equipment.]

**Textual Amendments**

- F5** Regs. 19A-19F inserted (24.10.2011) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011 (S.I. 2011/1885), regs. 1, **7(2)**
- F29** Words in reg. 19C heading inserted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **13(2)**
- F30** Reg. 19C(A1) inserted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **13(3)**
- F31** Words in reg. 19C(A1) inserted (1.1.2023) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1370), regs. 1(1), **11**
- F32** Reg. 19C(1)(a)-(c) omitted (31.12.2020) by virtue of The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **13(4)**
- F33** Reg. 19C(3) omitted (31.12.2020) by virtue of The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **13(5)**
- F34** Words in reg. 19C(4) substituted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **13(6)**

**[<sup>F35</sup>Obligations of Distributors prior to making equipment available on the GB market**

**19CA.**—(1) Before making transportable pressure equipment available on the GB market, a distributor must ensure that—

- (a) the equipment has been marked in accordance with—

- (i) regulation 22B [<sup>F36</sup>, in respect of equipment which a distributor intends to make available on the GB market as UK TPE]; or
  - (ii) articles 14 and 15 of the Transportable Pressure Equipment Directive [<sup>F37</sup>, in respect of equipment which a distributor intends to make available on the GB market as pi marked TPE and which was placed on the GB market prior to 1st January 2023, and in respect of equipment which a distributor intends to make available on the GB market as Northern Ireland TPE]; and
- (b) the certificate of conformity for the equipment either contains the name and address of the importer or has this information attached to it.
- (2) Where a distributor considers that equipment presents a risk before it has been made available on the GB market, that distributor must inform—
- (a) the manufacturer or the importer; and
  - (b) the Health and Safety Executive
- of the risk.

#### Textual Amendments

- F35** Regs. 19CA, 19CB inserted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, 14
- F36** Words in reg. 19CA(1)(a)(i) inserted (1.1.2023) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1370), regs. 1(1), 12(a)
- F37** Words in reg. 19CA(1)(a)(ii) inserted (1.1.2023) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1370), regs. 1(1), 12(b)

#### Obligations of Distributors after making UK TPE available on the GB market

**19CB.**—(1) This regulation applies to equipment bearing the UK TPE marking that a distributor has made available on the GB market.

(2) The distributor must ensure that the conditions in which equipment under the responsibility of the distributor is stored and transported do not jeopardise the equipment's compliance with the Annexes.

- (3) Where a distributor knows or has reason to believe that equipment does not comply with—
- (a) this regulation;
  - (b) regulation 19CA(1)(a)(i) or (b); or
  - (c) the Annexes,

that distributor must act as required by paragraph (4).

- (4) The actions required by paragraph (3) are to—
- (a) take immediate corrective measures to ensure that the equipment complies with—
    - (i) this regulation;
    - (ii) regulation 19CA(1)(a)(i) or (b); and
    - (iii) the Annexes;
  - (b) withdraw the equipment from the market; or

(c) issue a recall of the equipment.

(5) Where a distributor considers that equipment it has made available on the GB market presents a risk, that distributor must immediately inform the manufacturer, the GB competent authority and Northern Ireland competent authority of the risk, including details of any non-compliance with—

- (a) this regulation;
- (b) regulation 19CA(1)(a)(i) or (b); or
- (c) the Annexes,

and any action taken in accordance with paragraph (4).

(6) A distributor must record each instance of non-compliance with—

- (a) this regulation;
- (b) regulation 19CA(1)(a)(i) or (b); or
- (c) the Annexes,

and any corrective measure taken and must retain that record for at least 20 years from the date that the non-compliance is discovered.

(7) On receipt of a reasoned request from the GB competent authority, a distributor must—

- (a) provide that authority with all information and documents necessary to show that the equipment meets the requirements of—
  - (i) this regulation;
  - (ii) regulation 19CA(1)(a)(i) or (b); and
  - (iii) the Annexes;
- (b) cooperate with that authority in any action taken to eliminate risks posed by that equipment.]

#### Textual Amendments

**F35** Regs. 19CA, 19CB inserted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, 14

**[<sup>F5</sup>Obligations of Distributors [<sup>F38</sup>after making pi marked TPE [<sup>F39</sup>or Northern Ireland TPE] available on the GB market]**

**19D.—[**

<sup>F40</sup>(A1) This regulation applies to equipment bearing the pi marking [<sup>F41</sup>, and Northern Ireland TPE,] that a distributor has made available on the GB market.]

[<sup>F42</sup>(1) A distributor must ensure that the conditions in which equipment under the responsibility of the distributor is stored and transported do not jeopardise the equipment's compliance with the Directives.]

(2) Where a distributor knows or has reason to believe that equipment it made available on the market does not comply with the Directives, that distributor must—

- (a) take immediate corrective measures to ensure that the equipment complies with the Directives;
- (b) withdraw the equipment from the market; or
- (c) issue a recall of the equipment.

<sup>F43</sup>(3) .....

(4) Where a distributor considers that equipment it has made available on the market presents a risk, that distributor must immediately inform—

- (a) the manufacturer or the importer; and
- (b) the TPED competent authority [<sup>F44</sup>for any relevant territory on which the equipment has been made available],

of the risk, including details of any non-compliance with the Directives and any action taken in accordance with paragraph (2).

(5) A distributor must record each instance of non-compliance with the Directives and any corrective measure taken and must retain that record for at least 20 years from the date that the non-compliance is discovered.

(6) On receipt of a reasoned request from a TPED competent authority, a distributor must—

- (a) provide that authority, in a language that it easily understands, all information and documents necessary to show that the equipment meets the requirements of the Directives; and
- (b) cooperate with that authority in any action taken to eliminate risks posed by that equipment.]

#### Textual Amendments

- F5** Regs. 19A-19F inserted (24.10.2011) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) Regulations 2011 \(S.I. 2011/1885\)](#), regs. 1, **7(2)**
- F38** Words in [reg. 19D heading](#) inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **15(2)**
- F39** Words in [reg. 19D heading](#) inserted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **13(a)**
- F40** [Reg. 19D\(A1\)](#) inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **15(3)**
- F41** Words in [reg. 19D\(A1\)](#) inserted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **13(b)**
- F42** [Reg. 19D\(1\)](#) substituted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **15(4)**
- F43** [Reg. 19D\(3\)](#) omitted (31.12.2020) by virtue of [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **15(5)**
- F44** Words in [reg. 19D\(4\)\(b\)](#) substituted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **15(6)**

#### [<sup>F5</sup>Obligations of Owners

**19E.—(1)** An owner must ensure that equipment for which it is responsible is stored and transported in conditions that do not jeopardise the compliance of that equipment with the Dangerous Goods Directive.

(2) Where an owner considers that the owner’s equipment presents a risk, it must inform—

- (a) the manufacturer, importer or distributor; and
  - (b) the Health and Safety Executive,
- of the risk.

- [
- <sup>F45</sup>(2A) An owner of UK TPE must record each instance of non-compliance with—
- (a) this regulation;
  - (b) regulation 21A; or
  - (c) the Annexes,

and any corrective measure taken and must retain that record for at least 20 years from the date that the non-compliance is discovered.]

(3) An owner [<sup>F46</sup>of pi marked TPE][<sup>F47</sup>, or Northern Ireland TPE,] must record each instance of non-compliance with the Directives and any corrective measure taken and must retain that record for at least 20 years from the date that the non-compliance is discovered.

(4) This regulation does not apply to private individuals using or intending to use equipment in the circumstances set out in article 8(4) of the Transportable Pressure Equipment Directive.]

#### Textual Amendments

- F5** Regs. 19A-19F inserted (24.10.2011) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) Regulations 2011 \(S.I. 2011/1885\)](#), regs. 1, **7(2)**
- F45** Reg. 19E(2A) inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **16(2)**
- F46** Words in reg. 19E(3) inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **16(3)**
- F47** Words in reg. 19E(3) inserted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **14**

#### [<sup>F5</sup>Obligations of Operators

**19F.** Where an operator considers that equipment presents a risk, that operator must inform the owner and the Health and Safety Executive of the risk.]

#### Textual Amendments

- F5** Regs. 19A-19F inserted (24.10.2011) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) Regulations 2011 \(S.I. 2011/1885\)](#), regs. 1, **7(2)**

#### [<sup>F48</sup>Authorised Representatives]

[<sup>F48</sup>**20.**—[<sup>F49</sup>(1) Subject to paragraph (3), a manufacturer may appoint in writing a person established in a relevant territory (“an authorised representative”) to carry out some or all of the duties imposed on the manufacturer by—

- (a) regulations 19A, 19AA and 19AB in respect of equipment that bears, or will bear, the UK TPE marking [<sup>F50</sup>and equipment that is, or will become, Northern Ireland TPE]; or

- (b) regulations 19A, 19AA and 19B in respect of equipment that bears, or will bear, the pi marking.]
- (2) An appointment made in accordance with paragraph (1) must include at least the following duties—
- (a) keeping technical documentation;
- [<sup>F51</sup>(b) in respect of UK TPE—
- (i) providing to the GB competent authority or Northern Ireland competent authority, in response to a reasoned request, the information and documents necessary to show that the equipment meets the requirements of these Regulations and the Annexes; and
- (ii) cooperating with those competent authorities in any action they take to eliminate risks posed by the equipment; and
- (c) in respect of pi marked TPE [<sup>F52</sup>and Northern Ireland TPE]—
- (i) providing to a TPED competent authority, in response to a reasoned request and in a language that it easily understands, the information and documents necessary to show that the equipment meets the requirements of the Directives; and
- (ii) cooperating with that competent authority in any action they take to eliminate risks posed by the equipment.]
- (3) An authorised representative must not be appointed to carry out duties imposed by regulation 19A(2), [<sup>F53</sup>19AA(2)(a), (2)(b), (3)(a) or (3)(b)].
- (4) The name and address of the authorised representative must be included on the certificate of conformity.
- [<sup>F54</sup>(5) An authorised representative must only provide information to an operator that complies with the requirements of—
- (a) the Annexes in respect of UK TPE; or
- (b) the Directives in respect of pi marked TPE [<sup>F55</sup>and Northern Ireland TPE].]

#### Textual Amendments

- F48** Reg. 20 substituted (24.10.2011) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) Regulations 2011 \(S.I. 2011/1885\)](#), regs. 1, **8**
- F49** Reg. 20(1) substituted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **17(2)**
- F50** Words in reg. 20(1)(a) inserted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **15(a)**
- F51** Reg. 20(2)(b)(c) substituted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **17(3)**
- F52** Words in reg. 20(2)(c) inserted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **15(b)**
- F53** Words in reg. 20(3) substituted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **17(4)**
- F54** Reg. 20(5) substituted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **17(5)**

**F55** Words in reg. 20(5)(b) inserted (1.1.2023) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1370), regs. 1(1), 15(c)

#### [<sup>F56</sup>Reassessment of conformity – UK TPE

**20A.**—(1) This regulation applies to transportable pressure equipment which does not bear the conformity markings provided for in—

- (a) regulation 22B;
- (b) the Transportable Pressure Equipment Directive; or
- (c) Council [Directive 1999/36/EC](#) of 29 April 1999 on transportable pressure equipment,

for the purposes of reassessment of conformity.

(2) Equipment may be reassessed for conformity in accordance with this regulation.

(3) The equipment is to be—

- (a) reassessed by a type A appointed body in accordance with the procedure set out in Annex III to the Transportable Pressure Equipment Directive, subject to the modifications in paragraph (6); and
- (b) inspected by an appointed body appointed for periodic inspection of that equipment and marked in accordance with the requirements of regulation 22B.

(4) If a pressure receptacle has been manufactured in series to a design type for which a—

- (a) type A notified body notified for; or
- (b) type A appointed body appointed for

reassessment of conformity has issued a certificate of type reassessment, the reassessment of conformity may be undertaken by an appointed body appointed for periodic inspection of that pressure receptacle.

(5) In this regulation—

- (a) “certificate of type reassessment” means a certificate issued in accordance with paragraph 6 of Annex III to the Transportable Pressure Equipment Directive, subject to the modifications in paragraph (6); and
- (b) “type A appointed body” means an appointed body conforming to standard EN ISO/IEC 17020 type A as revised or reissued from time to time.

(6) The modifications referred to in paragraphs (3)(a) and (5)(a) apply to Annex III to the Transportable Pressure Equipment Directive and are that—

- (a) any reference to “a notified body” is to be read as a reference to an appointed body;
- (b) any reference to a “type A notified body” is to be read as a reference to a type A appointed body;
- (c) any reference to “notified” is to be read as a reference to appointed;
- (d) any reference to the “pi marking” is to be read as a reference to the UK TPE marking; and
- (e) any reference to “Member States” is to be read as a reference to the GB competent authority.]

### Textual Amendments

- F56** Reg. 20A inserted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **18**

### Reassessment of conformity [<sup>F57</sup> - pi marked TPE]

**21.**—(1) This regulation applies to [<sup>F58</sup>pi marked TPE] within the scope of the Transportable Pressure Equipment Directive by virtue of article 1(2) [<sup>F59</sup>(c)] of that Directive.

(2) Equipment may be reassessed for conformity in accordance with this regulation.

(3) The equipment is to be—

- (a) reassessed by a [<sup>F60</sup>type A] notified body in accordance with the procedure set out in [<sup>F61</sup>Annex III] to the Transportable Pressure Equipment Directive; and
- [<sup>F62</sup>(b) inspected by a notified body notified for periodic inspection of that equipment and marked in accordance with the requirements of articles 14 and 15 of that Directive.]

[<sup>F63</sup>(4) But if a pressure receptacle has been manufactured in series to a design type for which a type A notified body notified for reassessment of conformity has issued a certificate of type reassessment, the reassessment of conformity may be undertaken by a notified body notified for periodic inspection of that pressure receptacle.]

[<sup>F64</sup>(5) In this regulation—

- (a) “certificate of type reassessment” means a certificate issued in accordance with paragraph 7 of Annex III to the Transportable Pressure Equipment Directive; and
- (b) “type A notified body” means a notified body conforming to standard EN ISO/IEC 17020 type A as revised or reissued from time to time.]

### Textual Amendments

- F57** Words in reg. 21 heading inserted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **19(2)**
- F58** Words in reg. 21(1) substituted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **19(3)**
- F59** Word in reg. 21(1) substituted (24.10.2011) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011 (S.I. 2011/1885), regs. 1, **9(2)**
- F60** Words in reg. 21(3)(a) inserted (24.10.2011) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011 (S.I. 2011/1885), regs. 1, **9(3)(a)**
- F61** Words in reg. 21(3)(a) substituted (24.10.2011) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011 (S.I. 2011/1885), regs. 1, **9(3)(b)**
- F62** Reg. 21(3)(b) substituted (24.10.2011) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011 (S.I. 2011/1885), regs. 1, **9(4)**
- F63** Reg. 21(4) substituted (24.10.2011) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011 (S.I. 2011/1885), regs. 1, **9(5)**
- F64** Reg. 21(5) inserted (24.10.2011) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011 (S.I. 2011/1885), regs. 1, **9(6)**

**[<sup>F65</sup>UK TPE - Periodic inspection and repeated use**

**21A.**—(1) This regulation applies to UK TPE, for the purposes of its periodic inspections, intermediate inspections, exceptional checks and use.

- (2) If the equipment bears the marking provided for in regulation 22B, it is to be subject to—
- (a) periodic inspection; and
  - (b) if required by ADR or RID, intermediate inspection,

in accordance with the frequency identified as being applicable to that type of equipment in Chapter 6.2 of ADR or Chapter 6.2 of RID.

(3) The periodic inspection or, where necessary, intermediate inspection must be conducted by an appointed body.

(4) The date of the periodic inspection or intermediate inspection, must be marked on the equipment along with the identification number of the appointed body responsible for the inspection.]

**Textual Amendments**

**F65** Reg. 21A inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **20**

**Periodic inspection [<sup>F66</sup>- pi marked TPE][<sup>F67</sup>and Northern Ireland TPE] and repeated use**

**22.**—(1) This regulation applies to [<sup>F68</sup>pi marked TPE][<sup>F69</sup>and Northern Ireland TPE] within the scope of the Transportable Pressure Equipment Directive by virtue of article 1(2) [<sup>F70</sup>(b)] of that Directive.

(2) [<sup>F71</sup>The equipment] is to be subject to periodic inspection in accordance with the requirements of [<sup>F72</sup>the Dangerous Goods Directive].

<sup>F73</sup>(3) .....

(4) The marking requirements applicable to periodic inspections [<sup>F74</sup>of pi marked TPE][<sup>F75</sup>and Northern Ireland TPE] set out in [<sup>F76</sup>articles 14 and 15] of the Transportable Pressure Equipment Directive are to be complied with in relation to the equipment.

**Textual Amendments**

**F66** Words in [reg. 22](#) heading inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **21(2)**

**F67** Words in [reg. 22](#) heading inserted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **16(a)**

**F68** Words in [reg. 22\(1\)](#) substituted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **21(3)**

**F69** Words in [reg. 22\(1\)](#) inserted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **16(b)**

**F70** Word in [reg. 22\(1\)](#) substituted (24.10.2011) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) Regulations 2011 \(S.I. 2011/1885\)](#), regs. 1, **10(2)**

- F71** Words in reg. 22(2) substituted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **16(c)**
- F72** Words in reg. 22(2) substituted (24.10.2011) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) Regulations 2011 \(S.I. 2011/1885\)](#), regs. 1, **10(3)(c)**
- F73** Reg. 22(3) omitted (24.10.2011) by virtue of [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) Regulations 2011 \(S.I. 2011/1885\)](#), regs. 1, **10(4)**
- F74** Words in reg. 22(4) inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **21(4)**
- F75** Words in reg. 22(4) inserted (1.1.2023) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1370\)](#), regs. 1(1), **16(d)**
- F76** Words in reg. 22(4) substituted (24.10.2011) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) Regulations 2011 \(S.I. 2011/1885\)](#), regs. 1, **10(5)**

### [<sup>F77</sup>C] Conversion of pi marked TPE to UK TPE

- 22A.**—(1) This regulation applies to equipment bearing the pi marking—
- (a) that is due to be subject to a periodic or intermediate inspection in accordance with the requirements of the Dangerous Goods Directive;
  - (b) that will, following the inspection, not be used for carriage within the territory of an EU member State other than for the transport of dangerous goods between EU member States and non-member States, where that carriage—
    - (i) complies with the requirements of the ADR or RID, and
    - (ii) is not prohibited within the Annexes; and
  - (c) whose owner wishes it to be marked with the UK TPE marking.
- (2) The inspection must be conducted by an appointed body.
- (3) The equipment must be marked in accordance with regulation 22B and, adjacent to that marking, be marked with—
- (a) the date of the periodic inspection or, where appropriate, the intermediate inspection, and
  - (b) the identification number of the appointed body responsible for the periodic or intermediate inspection.

#### Textual Amendments

- F77** [Regs. 22A, 22B](#) inserted (31.12.2020) by [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1111\)](#), regs. 1, **22(1)**

### UK TPE marking

- 22B.**—(1) The Secretary of State must publish the form of the UK TPE marking as set out in Schedule 1A on the Gov.uk website ([www.gov.uk](http://www.gov.uk)).
- (2) Schedule 1A (UK TPE marking) has effect.
- (3) The UK TPE marking may not be affixed to a product unless these Regulations provide for its affixing.]

**Textual Amendments**

**F77** Regs. 22A, 22B inserted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **22(1)**

**Misleading and other markings**

[<sup>F78</sup>**23.**—(1) No person is to affix a marking on transportable pressure equipment which is likely to mislead third parties with regard to the meaning of the graphics of—

- (a) the UK TPE marking; or
- (b) the pi marking.

(2) Any other marking may be affixed to transportable pressure equipment provided that the visibility and legibility of—

- (a) the UK TPE marking; or
- (b) the pi marking

is not reduced.]

**Textual Amendments**

**F78** Reg. 23 substituted (31.12.2020) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1111), regs. 1, **23**

**Changes to legislation:**

There are currently no known outstanding effects for the The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009, PART 4.