STATUTORY INSTRUMENTS

2016 No. 1101

CONSUMER PROTECTION HEALTH AND SAFETY

The Electrical Equipment (Safety) Regulations 2016

Made - - - - 15th November 2016
Laid before Parliament 16th November 2016
Coming into force 8th December 2016

THE ELECTRICAL EQUIPMENT (SAFETY) REGULATIONS 2016

PART 1

Preliminary

- 1. Citation and commencement
- 2. Interpretation
- 2A Designated standard
- 3. Electrical equipment to which these Regulations apply

Part 2

Obligations of economic operators

Manufacturers

- 4. Design and manufacture in accordance with safety objectives
- 5. Technical documentation and conformity assessment
- 6. Declaration of conformity and UK marking
- 7. Retention of technical documentation and EU declaration of conformity
- 8. Labelling of electrical equipment
- 9. Instructions and safety information
- 10. Compliance procedures for series production
- 11. Monitoring
- 12. Duty to take action in respect of electrical equipment placed on the market which is considered not to be in conformity
- 13. Provision of information and cooperation

Authorised representatives

14. Manufacturer's authorised representatives

Importers

- 15. Prohibition on placing on the market electrical equipment which is not in conformity
- 16. Requirements which must be satisfied before an importer places electrical equipment on the market
- 17. Prohibition on placing on the market electrical equipment considered not to be in conformity with the safety objectives
- 18. Information identifying importer
- 19. Instructions and safety information
- 20. Storage and transport of electrical equipment
- 21. Retention of technical documentation and EU declaration of conformity
- 22. Monitoring
- 23. Duty to take action in respect of electrical equipment placed on the market which is considered not to be in conformity
- 24. Provision of information and cooperation

Distributors

- 25. Duty to act with due care
- 26. Requirements which must be satisfied before a distributor makes electrical equipment available on the market
- 27. Prohibition on making available on the market where electrical equipment considered not to be in conformity with safety objectives
- 28. Storage and transport of electrical equipment
- 29. Duty to take action in respect of electrical equipment made available on the market which is considered not to be in conformity
- 30. Provision of information and cooperation
- 31. Cases in which obligations of manufacturers apply to importers and distributors

All economic operators

- 32. Translation of declaration of conformity
- 33. Identification of economic operators
- 34. Prohibition on improper use of UK marking
- 34A Obligations which are met by complying with obligations in the Directive
- 34B Expiry of regulation 34A
- 34C Qualifying Northern Ireland Goods
- 35. Safe connection of electrical equipment intended for use in the United Kingdom

PART 3

Conformity assessment

- 36. Presumption of conformity on the basis of designated standards
- 37. Conformity with other standards and requirements
- 38. Declaration of conformity
- 39. UK marking

PART 4

Market surveillance and enforcement

- 40. Designation of market surveillance authority
- 41. Enforcement
- 42. Enforcement powers
- 43. Exercise of enforcement powers
- 44. Evaluation of electrical equipment presenting a risk
- 45. Enforcement action in respect of electrical equipment which is not in conformity and which presents a risk
- 46. Union safeguard procedure
- 47. Enforcement action in respect of electrical equipment which is in conformity, but presents a risk
- 48. Enforcement action in cases of formal non-compliance
- 49. Restrictive measures
- 50. Offences
- 51. Penalties
- 52. Defence of due diligence
- 53. Liability of persons other than principal offender
- 54. Time limit for prosecution of offences
- 55. Service of documents
- 56. Recovery of expenses of enforcement
- 57. Action by enforcing authority
- 58. Appeals against notices
- 59. Appropriate court for appeals against notices
- 60. Compensation

PART 5

Miscellaneous

- 61. Review
- 62. Transitional provisions and savings
- 62A Transitional provision in relation to EU Exit
- 63. Revocations and amendments
- 64. Schedule 7 (consequential amendments) has effect. Signature

SCHEDULE 1 — Principal elements of the safety objectives for electrical equipment designed for use within certain voltage limits

- 1. General conditions (a) The essential characteristics, the recognition and observance...
- 2. Protection against hazards arising from the electrical equipment

3. Protection against hazards which may be caused by external influences...

SCHEDULE 2 — Conformity Assessment Procedure

- 1. Module A Internal production control
- 2. Technical documentation
- 3. Manufacturing
- 4. UK marking and EU declaration of conformity
- 5. Authorised representative

SCHEDULE 3 — Enforcement powers of weights and measures authorities, district councils and the Secretary of State under the 1987 Act

- 1. Enforcement powers under the 1987 Act
- 2. Modifications to the 1987 Act

SCHEDULE 4 — Enforcement powers of the Health and Safety Executive and the Office for Nuclear Regulation under the 1974 Act

- 1. Enforcement powers under the 1974 Act
- 2. Modifications to the 1974 Act

SCHEDULE 5 — Enforcement powers of the Health and Safety Executive for Northern Ireland under the 1978 Order

- 1. Enforcement powers under the 1978 Order
- 2. Modifications to the 1978 Order

SCHEDULE 6 — Compliance, withdrawal and recall notices

- Compliance notice
- 2. Withdrawal notice
- 3. Recall notice
- 4. Interpretation

SCHEDULE 7 — Consequential amendments

- 1. Amendment of the Plugs and Sockets etc (Safety) Regulations 1994
- 2. Amendment of the Provision and Use of Work Equipment Regulations 1998
- 3. Amendment of the Provision and Use of Work Equipment Regulations (Northern Ireland) 1999
- 4. Amendment of the Radio Equipment and Telecommunications Terminal Equipment Regulations 2000
- 5. Amendment of the Merchant Shipping and Fishing Vessels (Provision and Use of Work Equipment) Regulations 2006
- 6. Amendment of the Legislative and Regulatory Reform (Regulatory Functions) Order 2007
- 7. Amendment of the Co-ordination of Regulatory Enforcement (Regulatory Functions in Scotland and Northern Ireland) Order 2009
- 8. Amendment of the Building Regulations 2010
- 9. Amendment of the Homelessness (Suitability of Accommodation) (England) Order 2012
- Amendment of the Energy Act 2013 (Office for Nuclear Regulation)
 Consequential Amendments, Transitional Provisions and Savings) Order
 2014
- 11. Amendment of the Consumer Rights Act 2015

SCHEDULE 8 — EU Declaration of Conformity

Document Generated: 2024-04-13

Changes to legislation: There are currently no known outstanding effects for the The Electrical Equipment (Safety) Regulations 2016. (See end of Document for details)

- 1. Declaration of conformity (No xxxx)
- 2. Name and address of manufacturer or his authorised representative:
- 3. This declaration of conformity is issued under the sole responsibility...
- 4. Object of the declaration (identification of electrical equipment allowing traceability;...
- 5. The object of the declaration described above is in conformity...
- 6. References to the relevant designated standards used or references to...
- 7. Additional information: Signed for and on behalf of: (place and...

Explanatory Note

Changes to legislation:There are currently no known outstanding effects for the The Electrical Equipment (Safety) Regulations 2016.