
STATUTORY INSTRUMENTS

2016 No. 1105

**CONSUMER PROTECTION
HEALTH AND SAFETY**

The Pressure Equipment (Safety) Regulations 2016

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

THE PRESSURE EQUIPMENT (SAFETY) REGULATIONS 2016

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8. Requirement for pressure equipment and assemblies to comply with sound engineering practice
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9. Design and manufacture in accordance with essential safety requirements
10. Technical documentation and conformity assessment
11. Declaration of conformity and UK marking
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13. Labelling of pressure equipment and assemblies

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

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15. Compliance procedures for series production
16. Monitoring
17. Duty to take action in respect of pressure equipment or assemblies placed on the market which are considered not to be in conformity
18. Provision of information and cooperation
19. Manufacturer's authorised representatives

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20. Prohibition on placing on the market pressure equipment or assemblies which are not in conformity
21. Requirements which must be satisfied before an importer places pressure equipment or assemblies on the market
22. Prohibition on placing on the market pressure equipment or assemblies considered not to be in conformity with the essential safety requirements
23. Information identifying importer
24. Instructions and safety information
25. Storage and transport
26. Monitoring
27. Duty to take action in respect of pressure equipment or assemblies placed on the market considered not to be in conformity
28. Retention of technical documentation and EU declaration of conformity
29. Provision of information and cooperation

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30. Duty to act with due care
31. Requirements which must be satisfied before a distributor makes pressure equipment or assemblies available on the market)
32. Storage and transport
33. Prohibition on making available on the market where pressure equipment or assemblies are not considered to be in conformity with essential safety requirements
34. Duty to take action in respect of pressure equipment made available on the market which are not in conformity
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All economic operators

36. Cases in which obligations of manufacturers apply to importers and distributors
37. Translation of ... declaration of conformity
38. Identification of economic operators
39. Prohibition on improper use of UK marking
- 39A Obligations which are met by complying with the obligations in the Directive
- 39B Conformity assessment procedure obligation which is met by complying with the Directive.
- 39C Expiry of regulations 39A and 39B

39D Qualifying Northern Ireland Goods

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- 41. Conformity assessment procedures
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- 42A Power to amend applicable module
- 43. (1) The notified body or user inspectorate must, when performing...
- 44. In the case of one-off production of vessels and pressure...
- 45. For the assessment of conformity of assemblies referred to in...
- 46. Regulations 41 to 45 do not apply to pressure equipment...
- 47. The records and correspondence relating to conformity assessment must be...
- 48. EU Declaration of conformity
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- 49A UK(NI) indication
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- 50. European approval for materials

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- 51. Approved bodies
- 52. Recognised third party organisations
- 53. User inspectorates
- 54. Approval of conformity assessment bodies
- 55. Approval of approved bodies
- 56. Approval of recognised third party organisations
- 57. Approval of user inspectorates
- 58. Presumption of conformity of conformity assessment bodies
- 59. Monitoring
- 60. Restriction, suspension or withdrawal of approval (approved bodies and recognised third party organisations)
- 61. Restriction, suspension or withdrawal of approval (user inspectorates)
- 62. Operational matters in relation to approved bodies, recognised third party organisations and user inspectorates
- 63. Subsidiaries and contractors
- 64. Register of approved bodies
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- 67. Enforcement
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- 69. Exercise of enforcement powers
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- 72. EU safeguard procedure

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73. Pressure equipment or assemblies which are in conformity, but present a risk
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76. Offences
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78. Defence of due diligence
79. Liability of persons other than principal offender
80. Time limit for prosecution of offences
81. Service of documents
82. Recovery of expenses of enforcement
83. Action by enforcing authority
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86. Compensation

PART 6

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87. Review
88. Transitional provisions
- 88A. Transitional provision in relation to EU Exit
89. For the purposes of these Regulations, a certificate issued, or...
90. Revocations, amendments and savings
91. Schedule 12 (Consequential amendments and revocations) has effect.
Signature

SCHEDULE 1 — Excluded Pressure Equipment and Assemblies

1. These Regulations do not apply to— (a) pipelines comprising piping...

SCHEDULE 1A — Conformity Assessment Procedures for Pressure Equipment and Assemblies

PART 1 — Module A: Internal Production Control

1. General
2. Technical documentation
3. Manufacturing
4. UK marking and declaration of conformity
5. Authorised representative

PART 2 — Module A2: Internal production control plus supervised pressure equipment checks at random

6. General
7. Technical documentation
8. Manufacturing
9. Final assessment and pressure equipment, assembly, checks
10. UK marking and declaration of conformity
11. Authorised representative

PART 3 — Module B: Type examination

Type examination–production type

12. Type examination–production type is the part of a conformity assessment...

13. Type examination–production type shall consist of an assessment of the...
14. The manufacturer shall lodge an application with a single approved...
15. The approved body shall— (a) examine the technical documentation and...
16. Where the type meets the requirements of these Regulations, the...
17. The Type examination–production type certificate shall— (a) include—
18. Where the type does not satisfy the applicable requirements of...
19. Provision shall be made for an appeals procedure.
20. The approved body shall keep itself appraised of any changes...
21. The manufacturer shall inform the approved body that holds the...
22. Each approved body shall inform the Secretary of State concerning...
23. Each approved body shall inform the other approved bodies concerning...
24. Other approved bodies may, on request, obtain a copy of...
25. The approved body shall keep a copy of the Type...
26. The manufacturer shall keep a copy of the Type examination–production...
27. The manufacturer's authorised representative may lodge the application referred to...

Type examination–design type

28. Type examination–design type is the part of a conformity assessment...
29. Type examination–design type shall consist of an assessment of the...
30. The experimental design method provided for at paragraph 6 of...
31. The manufacturer shall lodge an application with a single approved...
32. The application may cover several versions of the pressure equipment,...
33. The approved body shall— (a) examine the technical documentation and...
34. Where the design meets the requirements of these Regulations, the...
35. The Type examination–design certificate type shall— (a) include—
36. Where the design does not satisfy the applicable requirements of...
37. The approved body shall keep itself appraised of any changes...
38. The manufacturer shall inform the approved body that holds the...
39. Each approved body shall inform its approved authority concerning Type...
40. Each approved body shall inform the other approved bodies concerning...
41. Other approved bodies may, on request, obtain a copy of...
42. The approved body shall keep a copy of the Type...
43. The manufacturer shall keep a copy of the Type examination–design...
44. The manufacturer's authorised representative may lodge the application referred to...

PART 4 — Module C2: Conformity to type based on internal production control plus supervised pressure equipment checks at random intervals

45. General
46. Manufacturing
47. Final assessment and pressure equipment check
48. UK marking and declaration of conformity
49. Authorised representative

PART 5 — Module D: Conformity to type based on quality assurance in the production process

50. General
51. Manufacturing
52. Quality system
53. Surveillance under the responsibility of the approved body
54. UK marking and declaration of conformity
55. Authorised representative

PART 6 — Module D1: Quality assurance of the production process

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- 56. General
- 57. Technical documentation
- 58. Manufacturing
- 59. Quality system
- 60. Surveillance under the responsibility of the approved body
- 61. UK marking and declaration of conformity
- 62. Authorised representative
 - PART 7 — Module E: Conformity to type based on pressure equipment quality assurance
- 63. General
- 64. Manufacturing
- 65. Quality system
- 66. Surveillance under the responsibility of the approved body
- 67. UK marking and declaration of conformity
- 68. Authorised representative
 - PART 8 — Module E1: Quality assurance of final pressure equipment inspection and testing
- 69. General
- 70. Technical documentation
- 71. Manufacturing
- 72. Quality system
- 73. Surveillance under the responsibility of the approved body
- 74. UK marking and declaration of conformity
- 75. Authorised representative
 - PART 9 — Module F: Conformity to type based on pressure equipment verification
- 76. General
- 77. Manufacturing
- 78. Verification
- 79. Verification of conformity by examination and testing of every item of pressure equipment or assembly
- 80. UK marking and declaration of conformity
- 81. Authorised representative
 - PART 10 — Module G: Conformity based on unit verification
- 82. General
- 83. Technical documentation
- 84. Manufacturing
- 85. Verification
- 86. UK marking and declaration of conformity
- 87. Authorised representative
 - PART 11 — Module H: Conformity based on full quality assurance
- 88. General
- 89. Manufacturing
- 90. Quality system
- 91. Surveillance under the responsibility of the approved body
- 92. UK marking and declaration of conformity
- 93. Authorised representative
 - PART 12 — Module H1: Conformity based on full quality assurance plus design examination
- 94. General
- 95. Manufacturing
- 96. Quality system
- 97. Design examination

98. Surveillance under the responsibility of the approved body
99. UK marking and declaration of conformity
100. Authorised representative

SCHEDULE 1B — Conformity Assessment Tables

1. The references in the tables to categories of modules are...
- 1A (1) Where in order to mitigate the effects of very...
2. The safety accessories defined in paragraph 5, are classified in...
3. (1) The pressure accessories defined in paragraph 6, are classified...
4. (1) The demarcation lines in the following conformity assessment tables...
5. In this Schedule “safety accessories” are defined as follows—
6. In this Schedule “pressure accessories” are defined as follows—

SCHEDULE 2 — Essential Safety Requirements

PART 1 — GENERAL

1. (1) The obligations arising from the essential safety requirements listed...
2. (1) Pressure equipment must be designed, manufactured and checked, and...

PART 2 — DESIGN

3. General
4. Design for adequate strength
5. Calculation method
6. Experimental design methods
7. Provisions to ensure safe handling and operation
8. Means of examination
9. Means of draining and venting
10. Corrosion or other chemical attack
11. Wear
12. Assemblies
13. Provisions for filling and discharge
14. Protection against exceeding the allowable limits of pressure equipment
15. Safety accessories
16. Pressure limiting devices
17. Temperature monitoring devices
18. External fire

PART 3 — MANUFACTURING

19. Manufacturing procedures
20. Preparation of the component parts
21. Permanent joining
22. Non-destructive tests
23. Heat treatment
24. Traceability
25. Final assessment
26. Final inspection
27. Proof test
28. Inspection of safety devices
29. Marking and labelling
30. Operating instructions

PART 4 — MATERIALS

31. (1) Materials used for the manufacture of pressure equipment must...

PART 5 — SPECIFIC PRESSURE EQUIPMENT REQUIREMENTS

32. In addition to the applicable requirements of Parts 1 to...
33. Fired or otherwise heated pressure equipment with a risk of overheating as referred to in regulation 6

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34. Piping as referred to in regulation 6(c)
PART 6 — SPECIFIC QUANTITATIVE REQUIREMENTS FOR CERTAIN PRESSURE EQUIPMENT
35. (1) The following provisions apply as a general rule, but...
36. Allowable stresses
37. The permissible general membrane stress for predominantly static loads and...
38. Joint coefficients
39. Pressure limiting devices, particularly for pressure vessels
40. Hydrostatic test pressure
41. Material characteristics

SCHEDULE 3 —

PART 1 — Classification of pressure equipment before IP completion day

1. Pressure equipment referred to in regulation 6 must be classified...
2. (1) In order to determine the appropriate category for classification...
3. For the purposes of the classification referred to in paragraph...
4. In this Schedule, “the CLP Regulation” means Regulation (EC) No...
PART 2 — Classification of pressure equipment immediately on or after IP completion day
5. Pressure equipment referred to in regulation 6 (pressure equipment and...
6. (1) In order to determine the appropriate category for classification...
7. For the purposes of the classification referred to in paragraph...
8. Where a vessel is composed of a number of chambers,...

SCHEDULE 4 — Approved body requirements

1. An approved body or recognised third party organisation must meet...
2. A conformity assessment body must be established in the United...
3. A conformity assessment body must be a third party body...
4. (1) A conformity assessment body, its top level management and...
5. A conformity assessment body, its top level management and the...
6. A conformity assessment body, its top level management and the...
7. A conformity assessment body must ensure that the activities of...
8. A conformity assessment body and its personnel must carry out...
9. A conformity assessment body must be capable of carrying out...
10. A conformity assessment body must have at its disposal—
11. A conformity assessment body must have the means necessary to...
12. The personnel responsible for carrying out conformity assessment activities must...
13. A conformity assessment body must be able to demonstrate the...
14. The remuneration of the top level management and the personnel...
15. A conformity assessment body must have, and must satisfy the...
16. A conformity assessment body must ensure that its personnel observe...
17. Paragraph 16 does not prevent the personnel from providing information...
18. A conformity assessment body must participate in, or ensure that...

SCHEDULE 5 — User inspectorate requirements

1. A user inspectorate must be established in the United Kingdom...
2. A user inspectorate must be organisationally identifiable and have reporting...
3. (1) A user inspectorate, its top level management and the...
4. A user inspectorate, its top level management and the personnel...
5. A user inspectorate, its top level management and the personnel...

6. A user inspectorate and its personnel must carry out the...
7. A user inspectorate must be capable of carrying out all...
8. A user inspectorate must have at its disposal at all...
9. A user inspectorate must have the means necessary to perform...
10. The personnel responsible for carrying out conformity assessment tasks must...
11. A user inspectorate must be able to demonstrate the impartiality...
12. The remuneration of the top level management and the personnel...
13. Unless liability is assumed by the group of which it...
14. A user inspectorate must ensure that its personnel observe professional...
15. Paragraph 14 does not prevent the personnel from providing information...
16. A user inspectorate must participate in, or ensure that its...

SCHEDULE 6 — Operational obligations of approved bodies, recognised third party organisations and user inspectorates

1. An approved body, recognised third party organisation or user inspectorate...
2. An approved body, recognised third party organisation or user inspectorate...
3. An approved body, recognised third party organisation or user inspectorate...
4. An approved body, recognised third party organisation or user inspectorate...
5. Where an approved body, recognised third party organisation or user...
6. Where, in the course of the monitoring of conformity following...
7. Where the approved body, recognised third party organisation or user...
8. Paragraph 9 applies where an approved body, recognised third party...
9. Where this paragraph applies, the approved body, recognised third party...
10. An approved body, recognised third party organisation or user inspectorate...
11. An approved body, recognised third party organisation or user inspectorate...
12. An approved body, recognised third party organisation or user inspectorate...
13. An approved body, recognised third party organisation or user inspectorate...

SCHEDULE 7 — 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 8 — 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 9 — 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 10 — Compliance, withdrawal and recall notices

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

SCHEDULE 11 — EU Declaration of Conformity

1. ... Declaration of conformity (No xxxx)
2. Name and address of the manufacturer and, where applicable, his...
3. This declaration of conformity is issued under the sole responsibility...
4. Object of the declaration (identification of pressure equipment or assembly...
5. The object of the declaration described above is in conformity...
6. References to the relevant designated standards used or references to...
7. Where appropriate, the name, address and number of the approved...
8. Additional information: Signed for and on behalf of: (place and...

SCHEDULE 12 — Consequential amendments and revocations

1. Amendment of the Provision and Use of Work Equipment Regulations 1998
2. Amendment of the Provision and Use of Equipment at Work Regulations (Northern Ireland) 1999
3. Amendment of the Pressure Systems Safety Regulations 2000
4. Amendment of the Pressure Systems Safety Regulations (Northern Ireland) 2004
5. Amendment of the Enterprise Act 2002 (Part 9 Restrictions on Disclosure of Information)(Specification) Order 2004
6. Amendment of the Legislative and Regulatory Reform (Regulatory Functions) Order 2007
7. Amendment of the Legislative Reform (Health and Safety Executive) Order 2008
8. Amendment of the Supply of Machinery (Safety) Regulations 2008
9. Amendment of the Co-ordination of Regulatory Enforcement (Regulatory Functions in Scotland and Northern Ireland) Order 2009
10. Amendment of the Fluorinated Greenhouse Gases Regulations 2015
11. Amendment of the Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2015
12. Amendment of the Consumer Rights Act 2015

Explanatory Note

Changes to legislation:

There are currently no known outstanding effects for the The Pressure Equipment (Safety) Regulations 2016.