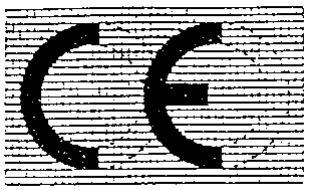
SCHEDULE 1

Regulation 2(1)

SPECIMEN FORM OF EC MARK

1.—(1) The conformity marking shall consist of the initials "CE" taking the following form:



and the last two figures of the year in which the mark was affixed.

(2) If the EC mark is reduced or enlarged, the proportions given in the above graduated drawing must be respected.

(3) The various components of the EC mark must have substantially the same vertical dimension, which may not be less than 5mm.

2. Before 1st January 1995, paragraph 1 shall have effect as if sub-paragraphs (2) and (3) were omitted.

SCHEDULE 2

Regulation 2(1)

THE EFFICIENCY REQUIREMENTS

Boilers must comply with the useful efficiency requirements set out in the Table below —

(a) at rated output, that is, operating at rated output Pn expressed in kW, at an average boiler-water temperature of 70°C, and

(b) at part load, that is, operating at 30% part load, at an average boiler-water temperature which varies according to the type of the boiler.

Table

Type of boiler	*Range of power output kW*	*Efficiency at rated output*		*Efficiency at part load*	
		Average boiler-water temperature expressed in °C	*Efficiency requirement expressed in %*	*Average boiler-water temperature expressed in °C*	*Efficiency requirement expressed in %*
Standard boilers	4 to 400	70	≥84 + 2 log Pn	≥50	≥80 + 3 log Pn

* Including condensing boilers using liquid fuels.

** Temperature of boiler water supply.

Type of boiler	*Range of power output kW*	*Efficiency at rated output*		*Efficiency at part load*	
		Average boiler-water temperature expressed in °C	*Efficiency requirement expressed in %*	*Average boiler-water temperature expressed in °C*	*Efficiency requirement expressed in %*
Low temperature boilers*	4 to 400	70	≥87.5 + 1.5 log Pn	40	≥87.5 + 1.5 log Pn
Gas condensing boilers	4 to 400	70	≥91 + 1 log Pn	30**	≥97.1 + 1 log Pn

* Including condensing boilers using liquid fuels.

** Temperature of boiler water supply.

SCHEDULE 3 Regulation 3

BOILERS AND APPLIANCES TO WHICH THESE REGULATIONS DO NOT APPLY

Part I

DESCRIPTION OF BOILERS ETC.

1. A hot-water boiler which is capable of being fired by different fuels where one or more of those fuels is solid fuel.

2. Equipment for the instantaneous preparation of hot water.

3. A boiler designed to be fired by industrial waste gas, biogas or by any other fuel the properties of which differ appreciably from the properties of the liquid or gaseous fuels commonly marketed.

4. A cooker or other appliance which is designed mainly to heat the premises in which it is installed, and, as a subsidiary function, to supply hot water for central heating and sanitary hot water.

5. A device with an effective rated output of less than 6 kW which uses gravity circulation and is designed solely for the production of stored, sanitary hot water.

6. A boiler manufactured on a one-off basis.

7. A back boiler or boiler designed to be installed in the living space where—

(a) the efficiency of such a boiler at effective rated output and at 30 per cent part load is equal to or greater than the efficiency requirements for standard boilers minus 4 per cent;

(b) in the case of a boiler designed to be installed in the living space, it bears on its casing the explicit indication that it must be installed in a living space.

8. An appliance intended to form part of any product specified in paragraphs 1 to 7.

Part II

INTERPRETATION OF SCHEDULE 3

9. In Part I of this Schedule "back boiler" means a boiler designed to supply hot water for central heating and to be installed in a fireplace recess as part of a back boiler/gas fire combination;

"boiler to be installed in the living space" means a boiler with an effective rate of output of less than 37 kW which —

(a) is designed to provide heat to that part of the living space in which it is installed by the emission of heat from the casing,

(b) has an open expansion chamber,

(c) is capable of heating water using gravity circulation.

SCHEDULE 4

Regulation 5(2)(b), 6(2)(c)

EC TYPE-EXAMINATION

1. This Schedule describes that part of the procedure by which a notified body ascertains and attests that an example, representative of the production envisaged, meets the relevant provisions of these Regulations.

2.—(1) The application for EC type-examination shall be lodged by the manufacturer or his authorised representative established within the Community with a notified body of his choice.

(2) The application shall include—

(a) the name and address of the manufacturer and, if the application is lodged by the authorised representative, the name and address in addition,

(b) a written declaration that the same application has not been lodged with any other notified body,

(c) the technical documents as described in paragraph 3.

(3) The applicant shall place at the disposal of the notified body an example representative of the production envisaged, hereinafter called 'type'.The notified body may request further examples if needed for carrying out the test programme.

3. The technical documents shall enable the conformity of the product with the requirements of these Regulations to be assessed.They shall, as far as is relevant for such assessment, cover the design, manufacture and operation of the product and contain as far as is relevant for assessment —

(a) a general type-description,

(b) conceptual design and manufacturing drawings and diagrams of components, sub-assemblies, circuits, etc.,

(c) descriptions and explanations necessary for the understanding of the drawings and diagrams and the operation of the product,

(d) a list of the harmonised standards applied in full or in part, and descriptions of the solutions adopted to meet the efficiency requirements where the harmonised standards have not been applied,

(e) results of design calculations made, examinations carried out, etc.,

(f) test reports.

4. The notified body shall—

(a) examine the technical documents, verify that the type has been manufactured in conformity with those documents and identify the elements which have been designed in accordance with the relevant provisions of the harmonised standards as well as the components which have been designed without applying the relevant provisions of those standards;

(b) perform or have performed the appropriate examinations and necessary tests to check whether, where the harmonised standards have not been applied, the solutions adopted by the manufacturer meet the essential requirements;

(c) perform or have performed the appropriate examinations and necessary tests to check whether, where the manufacturer has chosen to apply the relevant standards, these have actually been applied;

(d) agree with the applicant the location where the examinations and necessary tests are to be carried out.

5.—(1) Where the type meets the relevant provisions of these Regulations, the notified body shall issue an EC type-examination certificate to the applicant. The certificate shall contain the name and address of the manufacturer, the conclusion of the examination and necessary data for identification of the approved type.

(2) A list of the relevant parts of the technical documents shall be annexed to the certificate and a copy kept by the notified body.

(3) If the manufacturer or his authorised representative established in the Community is refused a type certificate, the notified body shall provide detailed reasons for such refusal.

(4) The notified body shall have in place a procedure for considering appeals against refusal of a type certificate given by it, and give details of that procedure to any person refused a type certificate.

6. The applicant shall inform the notified body which holds the technical documents concerning the EC type-examination certificate of all modifications to the approved appliance which must receive additional approval where such changes may affect the conformity with the essential requirements or the prescribed conditions for use of the product.This additional approval shall be given in the form of an addition to the original EC type-examination certificate.

7. Each notified body shall communicate to the other notified bodies the relevant information concerning the EC type-examination certificates and additions issued and withdrawn.

8. The other notified bodies may receive copies of the EC type-examination certificates and their additions.The Annexes to the certificates must be kept at the disposal of the other notified bodies.

SCHEDULE 5

Regulation 5(2)(c), 6(2)(c)

CONFORMITY TO TYPE AND QUALITY ASSURANCE

Part I

Conformity to type

1.—(1) This Part of the Schedule describes that part of the procedure whereby the manufacturer or his authorised representative established within the Community ensures and declares that the products concerned are in conformity with the type as described in the EC type-examination certificate and satisfy the requirements of these Regulations that apply to them.

(2) The manufacturer or his authorised representative established in the Community shall affix the EC mark to each product and draw up a written declaration of conformity.

(3) Before 1st January 1995 sub-paragraph (2) above shall have effect as if the words "or his authorised representative established in the Community"were omitted.

2. The manufacturer shall take all measures necessary to ensure that the manufacturing process assures the conformity of the manufactured appliances with the type as described in the EC type-examination certificate and with the efficiency requirements of these Regulations.

3. A notified body chosen by the manufacturer shall perform or have performed examinations of the product at random intervals.A suitable sample of the finished products, taken on the spot by the notified body, shall be examined and appropriate tests, defined in any applicable harmonised standard or equivalent tests, shall be carried out to check the conformity of the product with the requirements of these Regulations.In the event of one or more samples of the products examined not conforming, the notified body must take the appropriate measures.

Part II

Production quality assurance

4.—(1) This Part of the Schedule describes the procedure whereby the manufacturer who satisfies the obligations of paragraph 5 of this Schedule ensures and declares that the products concerned are in conformity with the type as described in the EC type-examination certificate and satisfy the requirements of these Regulations.

(2) The manufacturer or his authorised representative established within the Community shall affix the EC mark to each product and draw up a written declaration of conformity.

(3) The EC mark shall be accompanied by the identification number of the notified body responsible for the checks referred to in paragraph 7.

(4) Before 1st January 1995—

(a) sub-paragraph (2) shall have effect with the omission of the words "or his authorised representative established within the Community"were omitted; and

(b) sub-paragraph (3) shall have effect with the substitution for the word "number" of the word "symbol".

5. The manufacturer shall operate an approved quality system for production, final product inspection and testing as specified in paragraph 6. He shall be subject to the checks referred to in paragraph 7.

Quality system

6.—(1) The manufacturer shall lodge an application for assessment of his quality system with a notified body of his choice, for the products concerned.

(2) The application shall include—

(a) all relevant information for the product category envisaged,

(b) the documents concerning the quality system,

(c) the technical documents pertaining to the approved type and a copy of the EC type-examination certificate.

(3) The quality system shall ensure conformity of appliances with the type as described in the EC type-examination certificate and with the requirements of these Regulations that apply to them.

(4) All the elements, requirements and provisions adopted by the manufacturer shall be documented in a systematic and orderly manner in the form of written policies, procedures and instructions.The quality system documents shall permit a consistent interpretation of the quality programmes, plans, manuals and quality records.

(5) The quality system shall contain in particular an adequate description of —

(a) the quality objectives and the organisational structure, responsibilities and powers of the management with regard to appliance quality,

(b) the manufacturing, quality control and quality assurance techniques, processes and systematic actions that will be used,

(c) the examinations and tests that will be carried out before, during and after manufacture, and the frequency with which they will be carried out,

(d) the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc., and

(e) the means of monitoring the achievement of the required product quality and the effective operation of the quality system.

(6) The notified body shall assess the quality system to determine whether it satisfies the requirements referred to in sub-paragraphs (3) to (5) of this paragraph. It shall presume conformity with those requirements in respect of quality systems that implement the relevant harmonised standard. The auditing team shall have at least one member with experience of assessing the relevant product technology. The assessment procedure shall include an inspection visit to the manufacturer's premises.

(7) The decision shall be notified to the manufacturer. The notification shall contain the conclusions of the examination and the duly substantiated assessment decision.

(8) The manufacturer shall undertake to fulfil the obligations arising out of the quality system as approved and maintain it at an adequate and efficient level.

(9) The manufacturer or his authorised representative shall keep the notified body that has approved the quality system informed of any proposed change in the quality system.

(10) The notified body shall assess the changes proposed and decide whether the altered quality system will still satisfy the requirements referred to in sub-paragraph (3) to (5) of this paragraph or whether reassessment is required. (11) The notified body shall notify the manufacturer of its decision. The notification shall contain the conclusions of the examination and the substantiated assessment decision.

Monitoring under the responsibility of the notified body

7.—(1) The purpose of monitoring is to make sure that the manufacturer duly fulfils the obligations arising out of the approved quality system.

(2) The manufacturer shall allow the notified body access for inspection purposes to the manufacturing, inspection, testing and storage premises and provide it with all necessary information, in particular —

(a) the quality system documents,

(b) the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.

(3) The notified body shall periodically carry out audits to ensure that the manufacturer maintains and applies the quality system and provides an audit report to the manufacturer.

(4) Additionally the notified body may pay unannounced visits to the manufacturer. During such visits the notified body may carry out tests or have them carried out to verify that the quality system

is functioning correctly; if necessary, the notified body must provide the manufacturer with a visit report and, if a test has taken place, with a test report.

8. Each notified body shall give the other notified bodies the relevant information concerning the quality system approvals issued and withdrawn.

Part III

Product quality assurance

9.—(1) This Part of the Schedule describes the procedure whereby the manufacturer who satisfies the obligations of sub-paragraph (4) ensures and declares that the boilers and appliances are in conformity with the type as described in the EC type-examination certificate.

(2) The manufacturer or his authorised representative established within the Community shall affix the EC mark to each boiler and appliance and draw up a written declaration of conformity.

(3) The EC mark shall be accompanied by the identification number of the notified body responsible for the checks referred to in paragraph 12.

(4) The manufacturer shall operate an approved quality system for final boiler and appliance inspection and testing as specified in paragraph 10. He shall be subject to the checks referred to in paragraph 12.

(5) Before 1st January 1995—

(a) sub-paragraph (2) shall have effect with the omission of the words "or his authorised representative established in the Community"; and

(b) sub-paragraph (3) shall have effect with the substitution for the word "number" of the word "symbol".

Quality system

10.—(1) The manufacturer shall lodge an application with a notified body of his choice for the assessment of the quality system for his boilers and appliances.

(2) The application shall include—

(a) all relevant information for the boiler or appliance category envisaged,

(b) the quality system's documentation,

(c) the technical documents pertaining to the approved type and a copy of the EC type-examination certificate.

11.—(1) Under the quality system, each boiler or appliance shall be examined and appropriate tests as defined in the relevant harmonised standards or equivalent tests shall be carried out in order to verify its conformity with the relevant requirements of these Regulations. All the elements, requirements and provisions adopted by the manufacturer shall be documented in a systematic and orderly manner in the form of written policies, procedures and instructions. This quality system documentation shall enable the quality programmes, plans, manuals and records to be interpreted in a uniform manner.

(2) The quality system documentation shall in particular contain an adequate description of —

(a) the quality objectives and the organisational structure, responsibilities and powers of the management with regard to product quality,

(b) the examination and tests that will be carried out after manufacture,

(c) the means of monitoring the effective operation of the quality system,

(d) quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.

(3) The notified body shall assess the quality system to determine whether it satisfies the requirements specified in sub-paragraphs (1) and (2) of this paragraph. It shall presume conformity with these requirements in respect of quality systems that implement the relevant harmonised standard.

(4) The auditing team shall have at least one member with experience of assessing the relevant product technology. The assessment procedure shall include an inspection visit to the manufacturer's premises.

(5) The manufacturer shall be notified of the decision. The notification shall contain the conclusions of the examination and the substantiated assessment decision.

(6) The manufacturer shall undertake to fulfil the obligations arising out of the quality system as approved and maintain it at an adequate and efficient level.

(7) The manufacturer or his authorised representative shall keep the notified body which has approved the quality system informed of any proposed change in the quality system.

(8) The notified body shall assess the changes proposed and decide whether the altered quality system will still satisfy the requirements referred to in sub-paragraphs (1) and (2) of this paragraph or whether a reassessment is required.

(9) The notified body shall notify the manufacturer of its decision. The notification shall contain the conclusions of the examination and the substantiated assessment decision.

Monitoring under the responsibility of the notified body

12.—(1) The purpose of monitoring is to make sure that the manufacturer duly fulfils the obligations arising out of the approved quality system.

(2) The manufacturer shall allow the notified body access for inspection purposes to the inspection, testing and storage premises and provide it with all necessary information, in particular —

(a) the quality system documentation,

(b) the technical documents,

(c) the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.

(3) The notified body shall periodically carry out audits to ensure that the manufacturer maintains and applies the quality system and shall provide an audit report to the manufacturer.

(4) Additionally, the notified body may pay unannounced visits to the manufacturer. During such visits the notified body may carry out tests or have them carried out to verify that the quality system is functioning correctly; if necessary, the notified body must provide the manufacturer with a visit report and, if a test has been carried out, with a test report.

(5) Each notified body shall forward to the other notified bodies the relevant information concerning the quality system approvals issued and withdrawn.

SCHEDULE 6 Regulation 8

NOTIFIED BODIES

Part I

Requirements for approval of a notified body

1. The body has at its disposal the necessary staff and possesses the necessary facilities to enable it to perform properly the administrative and technical tasks connected with verification.

2. The body has access to the equipment required for special verification.

3. The staff responsible for inspection have—

(a) sound technical and professional training,

(b) satisfactory knowledge of the requirements of the tests they carry out and adequate experience of such tests,

(c) the ability to draw up the certificates, records and reports required to authenticate the performance of the tests.

Part II

Requirements to be imposed on notified bodies

4. The body, its director and the staff responsible for carrying out the verification test may not be the designer, manufacturer, supplier or installer of appliances which they inspect, nor the authorised representative of any of those parties. They may not become either involved directly or as authorised representatives in the design, construction, marketing or maintenance of such boilers and appliances. This does not preclude the possibility of exchanges of technical information between the manufacturer and the body.

5. The body and its staff shall carry out the verification tests with the highest degree of professional integrity and technical competence and shall be free from all pressures and inducements, particularly financial, which might influence their judgement of the results of the inspection, especially from persons or groups of persons with an interest in the results of verifications.

6. The impartiality of inspection staff shall be guaranteed. Their remuneration shall not depend on the number of tests carried out or on the results of such tests.

7. The body shall take out liability insurance.

8. The staff of the body shall be required by the body to observe professional secrecy (except as respects the Secretary of State or his authorised agent and any weights and measures authority) in relation to information acquired by the staff in performance of functions under these Regulations.

SCHEDULE 7 Regulation 10

LABELLING INDICATING ENERGY PERFORMANCE

Part I

1. If the efficiency of a boiler at rated output and its efficiency at part load are equal to or greater than the relevant values for standard boilers, the boiler may be labelled with a single star as set out in Part II of this Schedule.

2. If the efficiency of a boiler at rated output and its efficiency at part load are three or more points higher than the relevant value for standard boilers, the boiler may be labelled with two stars as set out in Part III of this Schedule.

3. Every extra step of efficiency of three points at rated output and at part load will allow the attribution of an extra star as set out in Part III of this Schedule.

Part II

The energy performance label awarded under regulation 10 consists of the following symbol:

PART III

Efficiency requirements to be met both at nominal output and at part load of 0.3 Pn

Label	*Efficiency requirement at nominal output Pn and at an average boiler-water temperature of 70°C* %	*Efficiency requirement at part load of 0.3 Pn and at an average boiler-water temperature of ⩾ 50°C* %
★	⩾ 84 + 2 log Pn	⩾ 80 + 3 log Pn
★★	⩾ 87 + 2 log Pn	⩾ 83 + 3 log Pn
★★★	⩾ 90 + 2 log Pn	⩾ 86 + 3 log Pn
★★★★	⩾ 93 + 2 log Pn	⩾ 89 + 3 log Pn

Part III

Efficiency requirements to be met both at nominal output and at part load 0.3 Pn

Label	*Efficiency requirement at nominal output Pn and at an average boiler-water temperature of 70°C %*	*Efficiency requirement at part load of 0.3 Pn and at an average boiler-water temperature of ≥50°C %*
*	≥84 + 2 log Pn	≥80 + 3 log Pn
**	≥87 + 2 log Pn	≥83 + 3 log Pn
***	≥90 + 2 log Pn	≥86 + 3 log Pn
****	≥93 + 2 log Pn	≥89 + 3 log Pn