
STATUTORY INSTRUMENTS

2016 No. 1092

**HEALTH AND SAFETY
CONSUMER PROTECTION**

The Simple Pressure Vessels (Safety) Regulations 2016

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

THE SIMPLE PRESSURE VESSELS (SAFETY) REGULATIONS 2016

PART 1

1. Citation and commencement
2. Interpretation
- 2A Designated standard
3. Application

PART 2

Obligations of economic operators

Manufacturers

4. Design and manufacture in accordance with essential safety requirements and sound engineering practice
5. Technical documentation and conformity assessment for category A vessels
6. Declaration of conformity, UK marking and inscriptions for category A vessels
7. Inscriptions for category B vessels
8. Retention by manufacturer of technical documentation and EU declaration of conformity
9. Compliance procedures for series production
10. Monitoring of vessels made available on the market
11. Labelling of vessels
12. Provision of instructions and safety information

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

13. Duty of manufacturer to take action in respect of vessels placed on the market which are considered not to be in conformity
14. Provision of information and cooperation
15. Appointment by manufacturer of authorised representative
16. Obligations of authorised representative

Importers

17. Prohibition on placing on the market vessels which are not in conformity
18. Requirements which must be satisfied before an importer places a category A vessel on the market
19. Prohibition on an importer placing on the market a category A vessel considered not to be in conformity with the essential safety requirements
20. Requirements which must be satisfied before an importer places a category B vessel on the market
21. Information identifying importer
22. Instructions and safety information
23. Transport and storage conditions
24. Monitoring by importer of vessels made available on the market
25. Duty of importer to take action in respect of vessels placed on the market which are considered not to be in conformity
26. Retention by importer of technical documentation and EU declaration of conformity
27. Provision of information and cooperation

Distributors

28. Duty to act with due care
29. Requirements which must be satisfied before a distributor makes available on the market a category A vessel
30. Prohibition on a distributor making available on the market a category A vessel not considered to be in conformity with essential safety requirements
31. Requirements which must be satisfied before a distributor makes a category B vessel available on the market
32. Storage and transport conditions
33. Duty for distributor to take action in respect of vessels made available on the market which are not in conformity
34. Provision of information and cooperation

All economic operators

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

38D Qualifying Northern Ireland Goods

PART 3

Conformity of Category A Vessels

- 39. Presumption of conformity of category A vessels
- 40. Conformity assessment procedures prior to manufacture
- 41. Conformity assessment procedures prior to placing a vessel on the market
- 42. Records and correspondence language requirements
- 43. Declaration of conformity
- 44. Identification number
- 44A UK(NI) indication
- 44B Register of notified bodies established in the United Kingdom

PART 4

Approval of Conformity Assessment Bodies

- 45. Approved bodies
- 46. Approval of conformity assessment bodies
- 47. Presumption of conformity of approved bodies
- 48. Monitoring
- 49. Restriction, suspension or withdrawal of approval
- 50. Operational matters in relation to approved bodies
- 51. Subsidiaries and contractors
- 52. Register of approved bodies
- 53. UK national accreditation body

PART 5

Market surveillance and enforcement

- 54. Designation of market surveillance authority
- 55. Enforcement
- 56. Enforcement Powers
- 57. Exercise of enforcement powers
- 58. Evaluation of vessels presenting a risk
- 59. Enforcement action in respect of vessels which are not in conformity
- 60. EU safeguard procedure
- 61. Enforcement action in respect of vessels which are in conformity, but which present a risk
- 62. Enforcement action in respect of formal non-compliance
- 63. Restrictive measures
- 64. Offences
- 65. Penalties
- 66. Defence of due diligence
- 67. Liability of persons other than principal offender
- 68. Time limit for prosecution of offences
- 69. Service of documents
- 70. Recovery of expenses of enforcement
- 71. Action by enforcing authority
- 72. Appeals against notices
- 73. Appropriate court for appeals against notices
- 74. Compensation

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

PART 6

Miscellaneous

- 75. Review
 - 76. Transitional provision
 - 76A. Transitional provision in relation to EU Exit
 - 77. Revocations and savings
 - 78. Consequential Amendments
- Signature

SCHEDULE 1 — Essential Safety Requirements

PART 1 — Materials

- 1. Materials used in the manufacture of a vessel must be...
- 2. Pressurised parts
- 3. For steel vessels, the material must in addition meet the...
- 4. The materials must be accompanied by an inspection slip as...
- 5. Steel vessels
- 6. Aluminium vessels
- 7. Welding materials
- 8. Accessories contributing to the strength of the vessel
- 9. Non-pressurised parts
- 10. Symbols

PART 2 — Vessel Design

- 11. (1) A manufacturer must, when designing a vessel, define the...
- 12. A manufacturer must also take account of the following provisions—...
- 13. A manufacturer must take account of the fact that under...
- 14. Circumferential and longitudinal seams must be made using full penetration...
- 15. Wall thickness
- 16. Calculation method
- 17. Experimental method

PART 3 — Manufacturing processes

- 18. Vessels must be constructed and subjected to production checks in...
- 19. Preparation of the component parts
- 20. Welds on pressurised parts
- 21. (1) Welds must be performed by qualified welders or operators...
- 22. The manufacturer must also, during manufacture, ensure consistent weld quality...
- 23. Putting into service of the vessels

SCHEDULE 2 — Conformity Assessment Procedures

PART 1 — EU-Type Examination (Module B)

- 1. Type examination (Module B) is a conformity assessment procedure in...
- 2. (1) A manufacturer must lodge an application for Type examination...
- 3. (1) The technical documentation referred to in paragraph 2(2)(c) must—...
- 4. (1) The approved body must examine the technical documentation and...
- 5. The approved body must draw up an evaluation report that...
- 6. (1) Where the type meets the requirements of these Regulations,...
- 7. (1) An approved body must keep itself apprised of any...
- 8. (1) Each approved body must inform the Secretary of State...

9. A manufacturer must keep a copy of the Type examination...
PART 2 — Conformity to type based on internal production control plus supervised vessel testing (Module C1)
10. Conformity to type based on internal production control plus supervised...
11. Manufacturing
12. Vessel checks
13. UK marking and declaration of conformity
PART 3 — Conformity to type based on internal production control plus supervised vessel checks at random intervals (Module C2)
14. Conformity to type based on internal production control plus supervised...
15. Manufacturing
16. Vessel checks
17. UK marking and declaration of conformity
PART 4 — Conformity to type based on internal production control (Module C)
18. Conformity to type based on internal production control is a...
19. Manufacturing
20. UK marking and declaration of conformity
PART 5 — Interpretation
21. In this Schedule— (a) “design pressure” means the gauge pressure...

SCHEDULE 3 — EU Declaration of Conformity

1. EU 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 the vessel 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. The approved body (name, number) performed (description of intervention) and issued the...
8. Additional information: Signed for and on behalf of: (place and...

SCHEDULE 4 — Notified bodies

PART 1 — Notified Body Requirements

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

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

18. An approved body must carry out conformity assessments in a...
19. An approved body must perform its activities taking due account...
20. An approved body must respect the degree of rigour and...
21. Where an approved body finds that essential safety requirements or...
22. Where, in the course of the monitoring of conformity following...
23. Where the approved body has required a manufacturer to take...
24. Paragraph 25 applies where an approved body is minded to—...
25. Where this paragraph applies, the approved body must—
26. An approved body must inform the Secretary of State of—...
27. An approved body must make provision in its contracts with...
28. An approved body must provide other bodies approved under these...
29. An approved body must participate in the work of any...

SCHEDULE 5 — 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 6 — 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 7 — 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 8 — Compliance, withdrawal and enforcement notices

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

Explanatory Note

Changes to legislation:

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