
STATUTORY INSTRUMENTS

2016 No. 1101

The Electrical Equipment (Safety) Regulations 2016

PART 3

Conformity assessment

Presumption of conformity on the basis of harmonised standards

36.—(1) Electrical equipment which is in conformity with a harmonised standard (or part of such a standard) the reference to which has been published in the Official Journal is to be presumed to be in conformity with the principal elements of the safety objectives covered by that standard (or that part of that standard).

(2) The presumption in paragraph (1) is rebuttable.

Conformity with other standards and requirements

37.—(1) Where there are no relevant harmonised standards, electrical equipment which satisfies safety provisions of international standards notified by the Commission is to be presumed to be in conformity with the principal elements of the safety objectives unless there are reasonable grounds for suspecting that the electrical equipment does not so comply.

(2) When there are no relevant harmonised standards and no relevant international safety provisions, electrical equipment is to be taken to comply with the principal elements of the safety objectives where—

- (a) the equipment has been manufactured in accordance with the national safety provisions applicable to that equipment in the member State of manufacture; and
- (b) as a result of its compliance with those national safety provisions, at the time when it is made available on the market it is at least as safe as it would be if it were in conformity with the principal elements of the safety objectives.

(3) In this regulation, “international standards notified by the Commission” means international standards set out by the International Electrotechnical Commission—

- (a) which have been notified by the European Commission to the member States; and
- (b) in respect of which no objection to their recognition has been made by a member State within three months of that notification.

EU declaration of conformity

38. The EU declaration of conformity for electrical equipment must—

- (a) state that the fulfilment of the principal elements of the safety objectives has been demonstrated in respect of the electrical equipment;
- (b) have the model structure set out in Schedule 8; and
- (c) contain the elements specified in Schedule 2 for Module A Internal production control.

CE marking

39.—(1) The CE marking must be affixed visibly, legibly and indelibly to the electrical equipment or to its data plate.

(2) Where it is not possible or warranted, on account of the nature of the electrical equipment, to affix the CE marking in accordance with paragraph (1), the CE marking must be affixed to—

- (a) the packaging; and
- (b) the accompanying documents.