

## STATUTORY INSTRUMENTS

# 2016 No. 1105

## The Pressure Equipment (Safety) Regulations 2016

### PART 2

#### Obligations of economic operators

All economic operators

#### Prohibition on improper use of [<sup>F1</sup>UK] marking **E+W+S**

**39.**—(1) An economic operator must not affix the [<sup>F2</sup>UK] marking to pressure equipment or an assembly unless—

- (a) that economic operator is the manufacturer of the pressure equipment or assembly; and
- (b) the conformity of the pressure equipment or assembly with the essential safety requirements has been demonstrated by a relevant conformity assessment procedure.

(2) An economic operator must not affix the [<sup>F2</sup>UK] marking to pressure equipment or an assembly where—

- (a) the conformity assessment procedure followed in accordance with regulation 41 is either module A2, C2, F or G; and
- (b) the conformity assessment procedure has been carried out by a user inspectorate.

(3) An economic operator must not affix to pressure equipment or an assembly a marking which—

- (a) is not the [<sup>F2</sup>UK] marking; but
- (b) purports to attest that the pressure equipment or assembly is in conformity with the essential safety requirements.

(4) An economic operator must not affix to pressure equipment or an assembly a marking, sign or inscription which is likely to mislead any other person as to the meaning or form of the [<sup>F2</sup>UK] marking.

(5) An economic operator must not affix to pressure equipment or an assembly any other marking if the visibility, legibility and meaning of the [<sup>F2</sup>UK] marking would be impaired as a result.

#### Extent Information

- E1** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only
- F1** Word in [reg. 39](#) heading substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), [reg. 1](#), [Sch. 24 para. 24](#) (with [Sch. 24 para. 41](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F2** Word in [reg. 39](#) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), [reg. 1](#), [Sch. 24 para. 24](#) (with [Sch. 24 para. 41](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

---

**Status:** There are multiple versions of this provision on screen. These apply to different geographical extents.**Skip to:** E+W+S - England, Wales and Scotland extentN.I. - Northern Ireland extent  
**Changes to legislation:** There are currently no known outstanding effects for the The Pressure Equipment (Safety) Regulations 2016, Section 39. (See end of Document for details)

---

## Prohibition on improper use of CE marking **N.I.**

**39.**—(1) An economic operator must not affix the CE marking to pressure equipment or an assembly unless—

- (a) that economic operator is the manufacturer of the pressure equipment or assembly; and
- (b) the conformity of the pressure equipment or assembly with the essential safety requirements has been demonstrated by a relevant conformity assessment procedure.

(2) An economic operator must not affix the CE marking to pressure equipment or an assembly where—

- (a) the conformity assessment procedure followed in accordance with regulation 41 is either module A2, C2, F or G; and
- (b) the conformity assessment procedure has been carried out by a user inspectorate.

(3) An economic operator must not affix to pressure equipment or an assembly a marking which—

- (a) is not the CE marking; but
- (b) purports to attest that the pressure equipment or assembly is in conformity with the essential safety requirements.

(4) An economic operator must not affix to pressure equipment or an assembly a marking, sign or inscription which is likely to mislead any other person as to the meaning or form of the CE marking.

(5) An economic operator must not affix to pressure equipment or an assembly any other marking if the visibility, legibility and meaning of the CE marking would be impaired as a result.

---

### Extent Information

**E2** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

**Status:**

There are multiple versions of this provision on screen. These apply to different geographical extents.

**Skip to:**

- E+W+S - England, Wales and Scotland extent
- N.I. - Northern Ireland extent

**Changes to legislation:**

There are currently no known outstanding effects for the The Pressure Equipment (Safety) Regulations 2016, Section 39.