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STATUTORY INSTRUMENTS

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**2016 No. 1105**

**The Pressure Equipment (Safety) Regulations 2016**

**PART 2**

**Obligations of economic operators**

All economic operators

**Prohibition on improper use of CE marking**

**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.