
STATUTORY INSTRUMENTS

2017 No. 737

The Recreational Craft Regulations 2017

PART 3

**CONFORMITY OF THE PRODUCT AND
CONFORMITY ASSESSMENT PROCEDURES**

SUPPLEMENTARY REQUIREMENTS FOR CERTAIN CONFORMITY ASSESSMENTS

Conformity assessments carried out under Module B (EU-type examination)

49.—(1) Where an economic operator has a conformity assessment carried out on a product under Module B (EU-type examination) of Annex II to Decision 768/2008/EC in relation to a product, the conformity assessment must be carried out in the manner set out in Schedule 10.

(2) A production type may cover several versions of the assessed product, if—

- (a) the differences between the versions of the product do not affect the level of safety and the other requirements concerning the performance of the product; and
- (b) the different versions of the product are referred to in the corresponding EU-type examination certificate, if necessary by means of amendments to the original certificate.

(3) For the purposes of this regulation—

“production type” means an examination of the adequacy of the technical design of the watercraft through examination of the technical documentation specified in paragraph 3 of Schedule 10 and a specimen watercraft that is representative of the completed watercraft that is to be or has been produced by the manufacturer.

Conformity assessments carried out under Module A1 (internal production control plus supervised product testing)

50.—(1) Where an economic operator has a conformity assessment carried out on a product under Module A1 (internal production control plus supervised product testing) of Annex II to Decision 768/2008/EC—

- (a) the product checks must be carried out on at least one watercraft that is representative of the watercraft that is to be or has been produced by the manufacturer; and
- (b) the requirements set out in Schedule 6 apply.

(2) The possibility, referred to in Modules A1 and C1 of Annex II of Decision 768/2008, of using an accredited in-house body to perform a conformity assessment under those modules is not applicable in relation to watercraft.

Conformity assessments carried out under Module F (conformity to type based on product verification)

51. Where an economic operator has a conformity assessment carried out on a product under Module F (conformity to type based on product verification) of Annex II to Decision 768/2008/EC, the procedure set out in Schedule 7 applies.

Conformity assessments carried out under Module C (conformity to type based on internal production control)

52.—(1) This regulation applies where—

- (a) an economic operator has a conformity assessment carried out on a watercraft under Module C (conformity to type based on internal production control) of Annex II of Decision 768/2008/EC;
- (b) Module C is used to assess the conformity of the product with the exhaust emission requirements of these Regulations; and
- (c) the manufacturer is not working under a relevant quality system as described in Module H of Annex II to Decision 768/2008/EC.

(2) A notified body chosen by the manufacturer must carry out product checks as required by Module C or have them carried out at random intervals to be determined by the notified body, in order to verify the quality of the internal checks on the product carried out under the manufacturer's own checking measures.

(3) When the quality level appears unsatisfactory or when it seems necessary to verify the validity of the data presented by the manufacturer, the procedure set out in Schedule 8 applies.

EU declaration of conformity

53. The EU declaration of conformity for a product must—

- (a) state that the product complies with the essential requirements;
- (b) contain the elements specified in regulations 44 to 47 for the relevant conformity assessment in respect of the product; and
- (c) be set out in accordance with the model structure set out in Schedule 4.

CE marking

54.—(1) The CE marking must be affixed visibly, legibly and indelibly to the product.

(2) Where it is not possible or warranted, on account of the nature of a component 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.

(3) Where the product referred to in paragraph (1)—

- (a) is a watercraft, the CE marking must be affixed to the watercraft builder's plate and mounted separately from the watercraft identification number; or
- (b) is a propulsion engine, the CE marking must be affixed on the engine.

(4) The CE marking must be followed by the identification number of the notified body where—

- (a) that body is involved in the production control phase of the conformity assessment under Modules A (internal production control), A1 (internal production control plus supervised

product testing) or C (conformity to type based on internal production control) set out in Annex II of Decision 768/2008; or

- (b) where a post construction assessment set out in Schedule 5 of these Regulations is being used.
- (5) The identification number of the notified body must be affixed—
- (a) by the notified body itself; or
 - (b) under the instructions of the notified body by the manufacturer.