
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 173

The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations (Northern Ireland) 2006

PART IV

TRANSPORTABLE PRESSURE EQUIPMENT

Placing on the market and use at work of transportable pressure equipment

38.—(1) Subject to regulation 39, no person shall place on the market or use at work any transportable pressure equipment unless the requirements of paragraphs (2) to (4) have been complied with.

(2) The transportable pressure equipment shall—

- (a) have been designed, manufactured and tested in accordance with the requirements referred to in regulations 21(7) and (8) and 22 which are applicable to the equipment in question;
- (b) have been assessed by a notified body, in accordance with the relevant conformity assessment procedures specified in Schedule 5, to be in conformity with sub-paragraph (a); and
- (c) bear the conformity marking, the identification number of the notified body and any marking required pursuant to regulations 21(7) and (8) and 22.

(3) Where the transportable pressure equipment includes valves those valves shall—

- (a) have been designed, manufactured and tested—
 - (i) in accordance with the requirements referred to in regulations 21(7) and (8) and 22 which are applicable to the valves in question; or
 - (ii) where there is no standard for the design, manufacture or testing of such valves in the requirements referred to in regulations 21(7) and (8) and 22, in accordance with the requirements of the Pressure Equipment Regulations 1999; and
- (b) meet the requirements of paragraph (5).

(4) Where the transportable pressure equipment includes accessories, other than valves, which have a direct safety function, those accessories shall—

- (a) have been designed, manufactured and tested in accordance with the requirements referred to in regulations 21(7) and (8) and 22 which are applicable to the accessories in question; and
- (b) meet the requirements of paragraph (5).

(5) The requirements referred to in paragraphs (3) and (4) are that the valves or accessories shall—

- (a) have been assessed by a notified body, in accordance with the relevant conformity assessment procedures specified in Schedule 5, to be in conformity with—
 - (i) in the case of valves, the requirements referred to in paragraph 3(a); or

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- (ii) in the case of accessories, the requirements referred to in paragraph 4(a); and
 - (b) bear the conformity marking or the CE marking as appropriate.
- (6) Any technical documentation or other information required to be retained under a conformity assessment procedure shall be retained by the person specified in that procedure for any period specified in that procedure.