
STATUTORY INSTRUMENTS

1992 No. 3073

The Supply of Machinery (Safety) Regulations 1992

PART II

APPLICATION

Transitional exclusions

Machinery first supplied or put into service before 1st January 1993

7. These Regulations do not apply to machinery first supplied or put into service in the Community before 1st January 1993.

Exclusion until 31st December 1994 of machinery which complies with health and safety provisions in force in a member State on 31st December 1992

8.—(1) Subject to paragraph (2) below, these Regulations do not apply to machinery first supplied or put into service in the Community on or before 31st December 1994 which—

- (a) complies with any health and safety provisions with which it would have been required to comply for it to be lawfully supplied in the United Kingdom on 31st December 1992; or
- (b) in the case of machinery supplied in the United Kingdom which the supplier believes (with reasonable cause) will be put into service in another member State, complies with the health and safety provisions in relation to the supply and putting into service of that machinery in force in that member State on 31st December 1992.

(2) The exceptions provided in paragraph (1) above do not apply in the case of machinery which—

- (a) in the case of machinery which is not required to bear the EC mark pursuant to any other Community obligation, bears the EC mark or an inscription liable to be confused therewith; or
- (b) bears or is accompanied by any other indication, howsoever expressed, that it complies with the Machinery Directive.

(3) In this regulation, “health and safety provisions” means any requirement imposed by an enactment which has the same, or substantially the same, effect as any of the essential health and safety requirements which would, but for the provisions of this regulation, be applicable to that machinery for the purposes of complying with these Regulations.