
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate with amendments the Low Voltage Electrical Equipment (Safety) Regulations 1989 (the “1989 Regulations”). They implement the requirements of Council Directive No. [73/23/EEC](#) (OJ No. L77, 26.3.1973, p.29) on the harmonisation of the laws of member States relating to electrical equipment designed for use within certain voltage limits, as amended by Council Directive No. [93/68/EEC](#) (OJ No. L220, 30.8.1993, p.1) (the “CE marking” Directive).

The 1989 Regulations applied (with certain exceptions) to any electrical equipment designed or adapted for use with voltage (in the case of alternating current) of not less than 50 volts nor more than 1,000 volts or (in the case of direct current) of not less than 75 volts nor more than 1,500 volts. They required electrical equipment to be safe and constructed in accordance with good engineering practice. These Regulations re-enact those requirements (with certain minor amendments) (regulations 4 and 5 and Schedules 2 and 3). Additionally, the 1989 Regulations provided that (subject to certain exceptions) electrical equipment would be deemed to satisfy the requirement that it be safe and constructed in accordance with good engineering practice if it satisfied harmonised standards or, in their absence, international safety provisions or, in the absence of both harmonised standards and international safety provisions, satisfied national safety provisions. Subject to certain minor amendments these provisions are re-enacted in the Regulations (regulations 6 and 7).

Those provisions of the CE marking Directive which relate to electrical equipment are implemented for the first time by these Regulations. The relevant new provisions are that the Regulations:—

1. Require the affixing to all electrical equipment (or its packaging, instruction sheet or guarantee certificate) of the CE marking by way of confirmation that the equipment satisfies all the requirements of the Regulations which relate to it (regulation 9 and Schedule 1);
2. Require that a written declaration of conformity comprising certain information relating to the electrical equipment be drawn up and kept available for inspection by an enforcement authority for a period of ten years after manufacture of electrical equipment of that model has ceased (regulations 10 and 11);
3. Require that certain technical documentation relating to electrical equipment be compiled and kept available for inspection by an enforcement authority for a period of ten years after manufacture of electrical equipment of that model has ceased (regulation 11 and Schedule 4);
4. Provide for the issuing of a compliance notice in respect of electrical equipment to which the CE marking has been unduly affixed, save where the electrical equipment in question is likely to damage the health or safety of any person (regulation 13 and Schedule 5).

In addition to the above provisions and to minor consequential drafting amendments, the Regulations make the following changes of substance and clarification:

1. Secondhand electrical equipment or equipment which is hired out (save where its first hiring out is its first supply to an end user) must be safe but need not comply with the requirements of the Regulations relating to CE marking, the EC declaration of conformity and internal production control (regulations 5(3) and 12);
2. Electrical equipment which satisfies the safety provisions of harmonised standards (or where appropriate international or national safety provisions) shall be taken to comply with the safety

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requirements of the Regulations unless there are reasonable grounds for suspecting that it does not so comply (regulations 6 and 7);

3. The Health and Safety Executive may make arrangements for the enforcement of the Regulations in relation to equipment for use in the workplace under the Health and Safety at Work etc. Act 1974 (regulation 17(3));

4. A person who supplies electrical equipment which does not bear the CE marking shall, if required, provide certain information to an enforcement authority (regulation 18);

The Regulations come into force on 9th January 1995 but they do not apply to any electrical equipment which is placed on the market before 1st January 1997 and which complies with the provisions of the 1989 Regulations (regulations 1 and 4(4)).

A Compliance Cost Assessment in respect of these Regulations is available and a copy can be obtained from the Consumer Affairs Division of the Department of Trade and Industry, Room 303, 10-18 Victoria Street, London SW1H 0NN. A copy has also been placed in the libraries of both Houses of Parliament.

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Changes and effects yet to be applied to :

- Regulations disapplied in part by [S.I. 2000/730 reg. 1\(3\)](#)
- Regulations revoked by [S.I. 2016/1101 reg. 63](#)
- reg. 11 words inserted by [S.I. 2014/469 Sch. 3 para. 57](#)
- reg. 17(3)(a) words substituted by [S.I. 2014/469 Sch. 3 para. 58\(2\)\(a\)](#)
- reg. 17(3)(b)(ii) words substituted by [S.I. 2014/469 Sch. 3 para. 58\(2\)\(b\)](#)
- reg. 17(6) words substituted by [S.I. 2014/469 Sch. 3 para. 58\(3\)](#)
- reg. 18 words omitted by [S.I. 2015/1630 Sch. 2 para. 21](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 17(7) inserted by [S.I. 2014/469 Sch. 3 para. 58\(4\)](#)