

## STATUTORY INSTRUMENTS

# 2008 No. 1597

## The Supply of Machinery (Safety) Regulations 2008

### PART 3

#### General prohibitions and obligations

##### Conformity assessment procedures

#### **Annex IV machinery not manufactured fully in accordance with [<sup>F1</sup>designated] standards or not fully covered by such standards** **E+W+S**

12.—(1) This regulation applies to machinery—

- (a) which falls within a category which is referred to in Annex IV (Part 4 of Schedule 2); and
- (b) in respect of which any of the following conditions is satisfied—

- (i) that the machinery is not manufactured in accordance with the [<sup>F2</sup>designated] standards which relate to it; or
- (ii) that the machinery is only partly manufactured in accordance with the [<sup>F2</sup>designated] standards which relate to it; or
- (iii) that the [<sup>F2</sup>designated] standards in accordance with which the machinery is manufactured do not cover all the applicable essential health and safety requirements; or
- (iv) that no [<sup>F3</sup>designated] standards exist for the machinery.

(2) Where this regulation applies, the responsible person shall follow one of the following conformity assessment procedures—

- (a) the [<sup>F4</sup>Type-] examination procedure prescribed in Annex IX (Part 9 of Schedule 2) and the internal checks on the manufacture of machinery prescribed in Annex VIII (Part 8 of Schedule 2), point 3; or
- (b) the full quality assurance procedure prescribed in Annex X (Part 10 of Schedule 2).

#### **Extent Information**

- E1** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only
- F1** Word in [reg. 12](#) heading substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 12 para. 8\(a\)](#) (with [Sch. 12 para. 22](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F2** Word in [reg. 12\(1\)\(b\)\(i\)-\(iii\)](#) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 12 para. 8\(a\)](#) (with [Sch. 12 para. 22](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

*Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent*  
*Changes to legislation: There are currently no known outstanding effects for the The Supply of Machinery (Safety) Regulations 2008, Section 12. (See end of Document for details)*

- F3** Word in reg. 12(1)(b)(iv) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 12 para. 8(b)** (with Sch. 12 para. 22) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in reg. 12(2)(a) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 12 para. 8(c)** (with Sch. 12 para. 22) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

#### **Annex IV machinery not manufactured fully in accordance with published harmonised standards or not fully covered by such standards N.I.**

**12.**—(1) This regulation applies to machinery—

- (a) which falls within a category which is referred to in Annex IV (Part 4 of Schedule 2); and
- (b) in respect of which any of the following conditions is satisfied—
  - (i) that the machinery is not manufactured in accordance with the published harmonised standards which relate to it; or
  - (ii) that the machinery is only partly manufactured in accordance with the published harmonised standards which relate to it; or
  - (iii) that the published harmonised standards in accordance with which the machinery is manufactured do not cover all the applicable essential health and safety requirements; or
  - (iv) that no harmonised standards exist for the machinery.

(2) Where this regulation applies, the responsible person shall follow one of the following conformity assessment procedures—

- (a) the EC type-examination procedure prescribed in Annex IX (Part 9 of Schedule 2) and the internal checks on the manufacture of machinery prescribed in Annex VIII (Part 8 of Schedule 2), point 3; or
- (b) the full quality assurance procedure prescribed in Annex X (Part 10 of Schedule 2).

#### **Extent Information**

- E2** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

**Status:**

There are multiple versions of this provision on screen. These apply to different geographical extents.

**Skip to:**

- E+W+S - England, Wales and Scotland extent
- N.I. - Northern Ireland extent

**Changes to legislation:**

There are currently no known outstanding effects for the The Supply of Machinery (Safety) Regulations 2008, Section 12.