

SCHEDULE 2

ANNEXES TO THE DIRECTIVE

Regulations 7(2)(e) and 8(1)(c)

PART 2

Annex II: Declarations

1. CONTENT

A. [F1EC] DECLARATION OF CONFORMITY OF THE MACHINERY

This declaration and translations thereof must be drawn up under the same conditions as the instructions (see Annex I (Part 1 of this Schedule), section 1.7.4.1(a) and (b)), and must be typewritten or else handwritten in capital letters.

This declaration relates exclusively to the machinery in the state in which it was placed on the market, and excludes components which are added and/or operations carried out subsequently by the final user.

The [F1EC] declaration of conformity must contain the following particulars:

1. business name and full address of the manufacturer and, where appropriate, the manufacturer's authorised representative;
2. name and address of the person authorised to compile the technical file [F2], who must be established in [F3a relevant] state];
3. description and identification of the machinery, including generic denomination, function, model, type, serial number and commercial name;
4. a sentence expressly declaring that the machinery fulfils all the relevant provisions of [F4the Directive][F4these Regulations] and where appropriate, a similar sentence declaring the conformity with other [F5Directives and/or][F5enactments or] relevant provisions with which the machinery complies. [F6These references must be those of the texts published in the Official Journal of the European Union];
5. where appropriate, the name, address and identification number of the [F7notified][F7approved] body which carried out the [F8EC type-][F8Type-] examination

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referred to in Annex IX (Part 9 of this Schedule) and the number of the [^{F8}EC type-][^{F8}Type-] examination certificate;

6. where appropriate, the name, address and identification number of the [^{F9}notified][^{F9}approved] body which approved the full quality assurance system referred to in Annex X (Part 10 of this Schedule);
7. where appropriate, a reference to the [^{F10}published harmonised][^{F10}designated] standards used;
8. where appropriate, the reference to other technical standards and specifications used;
9. the place and date of the declaration;
10. the identity and signature of the person empowered to draw up the declaration on behalf of the responsible person.

B. DECLARATION OF INCORPORATION OF PARTLY COMPLETED MACHINERY

This declaration and translations thereof must be drawn up under the same conditions as the instructions (see Annex I (Part 1 of this Schedule), section 1.7.4.1(a) and (b)), and must be typewritten or else handwritten in capital letters.

The declaration of incorporation must contain the following particulars:

1. business name and full address of the manufacturer of the partly completed machinery and, where appropriate, the manufacturer's authorised representative;
2. name and address of the person authorised to compile the relevant technical documentation [^{F11}, who must be established in [^{F3}a relevant] state];
3. description and identification of the partly completed machinery including generic denomination, function, model, type, serial number and commercial name;
4. a sentence declaring which essential health and safety requirements are applied and fulfilled and that the relevant technical documentation is compiled in accordance with Annex VII (Part 7 of this Schedule), part B, and, where appropriate, a sentence declaring the conformity of the partly completed machinery with other relevant [^{F12}Directives][^{F12}enactments]. [^{F13}These references must be those of the texts published in the Official Journal of the European Union];

5. an undertaking to transmit, in response to a reasoned request by the national authorities, relevant information on the partly completed machinery. This shall include the method of transmission and shall be without prejudice to the intellectual property rights of the manufacturer of the partly completed machinery;
6. a statement that the partly completed machinery must not be put into service until the final machinery into which it is to be incorporated has been declared in conformity with the provisions of ^[F14]the Directive^[F14]these Regulations], where appropriate;
7. the place and date of the declaration;
8. the identity and signature of the person empowered to draw up the declaration on behalf of the responsible person.

2. CUSTODY

The manufacturer of machinery or the manufacturer's authorised representative shall keep the original ^[F15]EC] declaration of conformity for a period of at least 10 years from the last date of manufacture of the machinery.

The manufacturer of partly completed machinery or the manufacturer's authorised representative shall keep the original declaration of incorporation for a period of at least 10 years from the last date of manufacture of the partly completed machinery.

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| F1 | Word in Sch. 2 Pt. 2 omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696) , reg. 1, Sch. 12 para. 24(2)(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 | Words in Sch. 2 Pt. 2 omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696) , reg. 1, Sch. 12 para. 24(2)(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) |
| F3 | Words in Sch. 2 Pt. 2 substituted (N.I.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112) , reg. 1(b), Sch. 4 para. 7(b) |
| F4 | Words in Sch. 2 Pt. 2 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. 24(2)(c)(i) (with Sch. 12 para. 22) (as amended by S.I. 2020/676 , regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1) |
| F5 | Words in Sch. 2 Pt. 2 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. 24(2)(c)(ii) (with Sch. 12 para. 22) (as amended by S.I. 2020/676 , regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1) |
| F6 | Words in Sch. 2 Pt. 2 omitted (E.W.S.) (9.12.2021) by virtue of The Product Safety and Metrology etc. (Amendment) Regulations 2021 (S.I. 2021/1273) , regs. 1, 9 |
| F7 | Words in Sch. 2 Pt. 2 substituted (E.W.S.) (31.12.2020) by S.I. 2019/696 , Sch. 12 para. 24(2)(d)(ii) (as substituted by The Product Safety, Metrology and Mutual Recognition Agreement (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1246) , regs. 1(3), 11(a) ; 2020 c. 1, Sch. 5 para. 1(1)) |

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- F8** Word in Sch. 2 Pt. 2 substituted (E.W.S.) (31.12.2020) by S.I. 2019/696, **Sch. 12 para. 24(2)(d)(i)** (as substituted by The Product Safety, Metrology and Mutual Recognition Agreement (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1246), regs. 1(3), **11(a)**; 2020 c. 1, **Sch. 5 para. 1(1)**)
- F9** Word in Sch. 2 Pt. 2 substituted (E.W.S.) (31.12.2020) by S.I. 2019/696, **Sch. 12 para. 24(2)(da)** (as inserted by The Product Safety, Metrology and Mutual Recognition Agreement (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1246), regs. 1(3), **11(b)**; 2020 c. 1, **Sch. 5 para. 1(1)**)
- F10** Word in Sch. 2 Pt. 2 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. 24(2)(e)** (with Sch. 12 para. 22) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in Sch. 2 Pt. 2 omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 12 para. 24(3)(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)
- F12** Word in Sch. 2 Pt. 2 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. 24(3)(b)(i)** (with Sch. 12 para. 22) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in Sch. 2 Pt. 2 omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 12 para. 24(3)(b)(ii)** (with Sch. 12 para. 22) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in Sch. 2 Pt. 2 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. 24(3)(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)
- F15** Word in Sch. 2 Pt. 2 omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 12 para. 24(4)** (with Sch. 12 para. 22) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

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