

## STATUTORY INSTRUMENTS

# 2016 No. 1105

## The Pressure Equipment (Safety) Regulations 2016

### PART 2

#### Obligations of economic operators

##### All economic operators

#### <sup>[F1]</sup> Expiry of regulations 39A and 39B

**39C.**—(1) Subject to paragraph (2), regulation 39A ceases to have effect at the end of the period of <sup>[F2]</sup>four years] beginning with IP completion day.

(2) Notwithstanding the expiry of regulation 39A—

- (a) any pressure equipment or assembly which was placed on the market pursuant to regulation 39A may continue to be made available on the market on or after the expiry of regulation 39A;
- (b) any obligation to which a person was subject under regulation 39A in respect of any pressure equipment or assembly placed on the market pursuant to regulation 39A continues to have effect after the expiry of regulation 39A, in respect of that equipment or assembly.

(3) Subject to paragraph (4), regulation 39B ceases to have effect at the end of the period of <sup>[F3]</sup>four years] beginning with IP completion day.

(4) Where a conformity assessment procedure has been completed pursuant to regulation 39B in relation to a pressure equipment or an assembly prior to the expiry of regulation 39B, regulation 39B continues to apply in respect of that pressure equipment or assembly where—

- (a) the manufacturer arranges for the EU-Type examination certificate and any annexes to be transferred to an approved body;
- (b) the approved body referred to in sub-paragraph (a) accepts responsibility for the EU-Type examination certificate; and
- (c) the approved body issues a Type-examination certificate relying, or relying in part, on any examinations or tests undertaken prior to the issue of the EU-Type examination certificate.

(5) In paragraph (4) “EU-Type examination certificate” means a certificate issued after the conformity assessment referred to in the Directive as Module B and set out in Annex III of the Directive, has been carried out.]

#### Textual Amendments

- F1** Regs. 39A-39D inserted (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. 24 para. 25** (with Sch. 24 para. 41) (as amended by [S.I. 2020/676](#), regs. 1(1), **2** and [S.I. 2020/1460](#), reg. 1(4), **Sch. 3 para. 16(3)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**

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**Changes to legislation:** *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Pressure Equipment (Safety) Regulations 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- F2** Words in reg. 39C(1) substituted (31.12.2022) by [The Product Safety and Metrology \(Amendment and Transitional Provisions\) Regulations 2022 \(S.I. 2022/1393\)](#), regs. 1(1), 2, **Sch. 1** para. (n)
- F3** Words in reg. 39C(3) substituted (31.12.2022) by [The Product Safety and Metrology \(Amendment and Transitional Provisions\) Regulations 2022 \(S.I. 2022/1393\)](#), regs. 1(1), 2, **Sch. 1** para. (n)

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**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):

- Sch. 2 para. 21(3)(3A) substituted for Sch. 2 para. 21(3) by [S.I. 2024/490 reg. 2\(4\)\(a\)](#)