
STATUTORY INSTRUMENTS

2016 No. 1105

The Pressure Equipment (Safety) Regulations 2016

PART 4

Notification of conformity assessment bodies

Subsidiaries and contractors

65.—(1) Where a notified body, recognised third party organisation or user inspectorate subcontracts specific conformity assessment activities, or has such activities carried out by a subsidiary, the activities are only to be treated as having been carried out by a notified body, recognised third party organisation or user inspectorate for the purposes of regulation 41 (conformity assessment procedures) where the conditions in paragraphs (2) and (3) are met.

(2) The notified body, recognised third party organisation or user inspectorate must—

- (a) ensure that the subcontractor or subsidiary meets the notified body requirements or user inspectorate requirements, as applicable; and
- (b) inform the Secretary of State accordingly.

(3) The notified body, recognised third party organisation or user inspectorate must have obtained the agreement of the client to the use of a subcontractor or subsidiary.

(4) Where a notified body, recognised third party organisation or user inspectorate subcontracts specific conformity assessment activities, or has such activities carried out by a subsidiary, the notified body, recognised third party organisation or user inspectorate must for a period of 10 years beginning on the day on which the activities are carried out, keep available for inspection by the Secretary of State the documentation concerning—

- (a) the assessment of the qualifications of the subcontractor or the subsidiary; and
- (b) the conformity assessment activities carried out by the subcontractor or subsidiary.

(5) When monitoring a notified body, recognised third party organisation or user inspectorate in accordance with regulation 60, the Secretary of State must treat the notified body, recognised third party organisation or user inspectorate as responsible for the tasks performed by a subcontractor or subsidiary, wherever the subcontractor or subsidiary is established.