

## SCHEDULE 25

### Amendment of the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016

#### **Amendment to regulation 39**

**24.** In regulation 39 (conformity assessment procedures)—

(a) for paragraph (1)(a) substitute—

“(a) for equipment-groups I and II, equipment-categories M1 and 1, the manufacturer must follow either—

(i) the Type-examination set out in Part 1 of Schedule 3A, in conjunction with either the procedure set out in—

(aa) Part 2 of Schedule 3A, or

(bb) Part 3 of Schedule 3A; or

(ii) the conformity based on unit verification referred to in Part 7 of Schedule 3A.”;

(b) for paragraph (1)(b) substitute—

“(b) for equipment-groups I and II, equipment-categories M2 and 2, the manufacturer must follow—

(i) for internal combustion engines and electrical equipment in these groups and categories the Type examination set out in Part 1 of Schedule 3A, in conjunction with either the procedure set out in either Part 4 or Part 5 of Schedule 3A;

(ii) for other equipment in these groups and categories the procedures set out in Part 6 of Schedule 3A.”;

(c) for paragraph (1)(c) substitute—

“(c) for equipment group II, equipment-category 3, the procedure relating to internal production control referred to in Part 6 of Schedule 3A.”;

(d) for paragraph (1)(d) substitute—

“(d) for equipment-groups I and II, instead of the procedures referred to in paragraphs (1)(a), (b) and (c), the manufacturer may follow conformity based on unit verification referred to in Part 7 of Schedule 3A.”;

(e) in paragraph (3)(a)(i) for “CE” substitute “UK”;

(f) in paragraph (3)(a)(ii) omit “EU”;

(g) in paragraph (4) for “Annex VIII to the ATEX Directive (as amended from time to time)” substitute “Part 6 of Schedule 3A”;

(h) in paragraph (5), omit “in the Member State concerned”;

(i) in paragraph (6) for the words beginning with “the language” and ending with “market” substitute “English”.