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STATUTORY INSTRUMENTS

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**2016 No. 1092**

**The Simple Pressure Vessels (Safety) Regulations 2016**

**PART 2**

**Obligations of economic operators**

All economic operators

**Cases in which obligations of manufacturers apply to importers and distributors**

**35.** An importer or distributor (“A”) is to be considered a manufacturer for the purposes of these Regulations, and is subject to the obligations of the manufacturer under this Part, where A—

- (a) places a vessel on the market under A’s own name or trademark; or
- (b) modifies a vessel already placed on the market in such a way that it may affect whether the vessel is in conformity with Part 2.

**Translation of EU declaration of conformity**

**36.—**(1) Before making a Category A vessel available on the market, an economic operator must ensure that the EU declaration of conformity is prepared in, or translated into, the language required by the Member State in which it is to be made available on the market.

(2) Where the category A vessel is to be made available on the market in the United Kingdom, the language required is English.

**Identification of economic operators**

**37.—**(1) An economic operator (“E”) who receives a request in relation to a vessel from the market surveillance authority before the end of the relevant period, must, within such period as the authority may specify, identify to the authority—

- (a) any other economic operator who has supplied E with the vessel; and
  - (b) any other economic operator to whom E has supplied the vessel.
- (2) The relevant period is—
- (a) in the case of paragraph (1)(a), the period of 10 years beginning on the day on which E was supplied with the vessel; and
  - (b) in the case of paragraph 1(b), the period of 10 years beginning on the day on which E supplied the vessel.

**Prohibition on improper use of CE marking**

**38.—**(1) An economic operator must not affix the CE marking to a Category A vessel unless—

- (a) that economic operator is the manufacturer of the vessel; and

- (b) the conformity of the vessel with the essential safety requirements has been demonstrated by a relevant conformity assessment procedure.
- (2) An economic operator must not affix a marking to a vessel which is not the CE marking but which purports to attest that the vessel satisfies the essential safety requirements.
- (3) An economic operator must not affix to a vessel a marking, sign or inscription which is likely to mislead any other person as to the meaning or form of the CE marking.
- (4) An economic operator must not affix to a vessel any other marking if the visibility, legibility and meaning of the CE marking would be impaired as a result.