

PED Notice 31/10/2019

This notice applies in the event the UK leaves the EU on the 31st October 2019 and as a result TÜV UK Ltd and all UK appointed Conformity Assessment Bodies (CAB's) cease to be a PED CAB's after this date. This notice applies to any of the following certification issued and/or Notified Body services carried out by TÜV UK Limited (0879) past, current or future in connection with the Pressure Equipment Directive. The options offered are based on the information available at the issue date of this notice.

You may wish to review the European Commission's "NOTICE TO STAKEHOLDERS WITHDRAWAL OF THE UNITED KINGDOM AND EU RULES IN THE FIELD OF INDUSTRIAL PRODUCTS¹", published on the 22nd January 2018, available here: https://ec.europa.eu/info/brexit/brexit-preparedness/preparedness-notices_en . The notice contains the following lines:

"UK bodies will not be in a position to perform conformity assessment tasks pursuant to Union product legislation as from the withdrawal date.

When the applicable conformity assessment procedure requires or provides for the possibility of third party intervention, a certificate delivered by a body recognised as an EU Notified Body at the time of the placing of that product on the market will be required for products placed on the market as from the withdrawal date.

Economic operators are advised to take the necessary steps to ensure that, where the applicable conformity assessment procedures require the intervention of a Notified Body, they will hold certificates issued by an EU-27 Notified Body to demonstrate compliance for their products placed on the market as from the withdrawal date."

Existing Certification

- Design Examination Certificate Module B or B1 according to PED 97/23/EC to be used to place products on the market after 31st October 2019 (refer to 1 below).
- EU-Type Examination Certificate (design type) or (production type) under Module B according to PED 2014/68/EU to be used to place products on the market after 31st October 2019 (refer to 1 below)
- Any Weld Procedure Specification, Weld Procedure Qualification and Welder Approval Certification (refer to 2 below)
- PED Quality Assurance Modules (refer to 4 below)

Equipment in manufacture

- Any pressure equipment which may not be completed by 31st October 2019 and being manufactured in accordance with Modules A2, C2, F or G (refer to 3 below)
- Any pressure equipment which may not be completed by 31st October 2019 and being manufactured with a Modules B (production) or B (design) (refer to 3 below)

Options

1) Design or Type Examination Certification

All of the aforementioned certificates issued by TÜV UK Limited (0879) will expire after 31st October 2019. If the manufacturer still requires to place products covered by these certificates on the market after this date then there are two options to consider.

- a. Where these products require to be CE marked the manufacturer can request to transfer their certificates to TÜV Nord Scandinavia. TUV UK's Engineers have been approved to carry out the services as they do under the current accreditation.
- b. Where these products are only for use in the UK market the manufacturer can apply to have these certificates renewed under the new UK regulations by TÜV UK Limited

2) Welding Certification

- a. Our interpretation of the above text from the European Commissions "Notice to Stakeholders" is that weld certification issued by Notified Bodies will not be able to be used for the manufacture of PED cat II, III and IV equipment.
TUV UK can offer to transfer weld certification to our sister company TUV Nord Scandinavia using UK approved personnel.
- b. There will be no change to use of current weld certification for PED Cat 1, module A equipment.
- c. For equipment to be certified under the new UK mark it is business as usual.

3) Pressure equipment in manufacture (Modules A2, B, C2, F or G)

For any items of pressure equipment for which the manufacture and testing will not finish prior to 31/10/2019 then the manufacturer should consider the following options

- a. Where these products are required to be CE marked the manufacturer can apply to TÜV UK Limited to transfer notified body responsibilities to TÜV Nord Scandinavia.
- b. Where these products are only for use in the UK market the manufacturer can apply to have the pressure equipment transferred to TÜV UK Limited as an Approved Body under the new UK Pressure Equipment (Safety) Regulations.

- 4) Pressure equipment manufacturers using PED quality assurance modules will be contacted directly by TUV UK Ltd to discuss their certification requirements.
Anyone wanting information on how PED quality assurance modules will be affected can contact their TUV contact or the undersigned.

This notice does not apply to any pressure equipment manufactured, tested and placed on the market before 31st October 2019.

New UK Conformity Assessment mark (for equipment going into service in the UK)

The UK Government published the new UK Mark (UKCA) on 2 February. In the event that there is no deal agreed between the UK and the EU by 31st October 2019 the new marking may be applied to certain products such as machinery sold in the UK replacing the CE marking.

If the UK leaves the EU without a deal, the Government has stated that manufacturers will be able, for a period of time, currently unspecified, to continue to use the CE marking when placing their products on the UK market (if their product meets the relevant EU requirements). This would include products that have had any necessary third-party assessment carried out by an EU-recognised body. The Government has stated that it will consult businesses before taking a decision on when this period would end.

Manufacturers will need to use the UK marking if their products require third party assessment of conformity within the UK. This will need to be carried out by a UK-based Notified Body (post-exit called an Approved Body). In that case manufacturers will have to apply the new UKCA marking after 31st October 2019 (where required by legislation).



TÜV UK Limited will become an Approved Body after 31st October 2019. Our customers will be able to apply CE marking (using our sister company's EU Notified Body accreditation) and the new UKCA marking (using our UK Approved Body accreditation) to their products.

For guidance on whether or not your business will need to use the new marking and how to use it please visit the government's guidance:

<https://www.gov.uk/government/publications/prepare-to-use-the-ukca-mark-after-brexit/using-the-ukca-marking-if-the-uk-leaves-the-eu-without-a-deal>

Please contact TUV via **Enquiries.UK@tuv-nord.com** or the undersigned if you need any further advice or clarification.

Best Regards,

Neil Quinn
Technical Manager PED



TÜV UK has been assessed by UKAS and can in conjunction with ISO 9001 certification, provide certification against [ISO 3834](#) Quality requirements for fusion welding of metallic materials.

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