

Questions and answers from Brexit Webinar

Transportable Pressure Equipment session

Transportable pressure equipment (TPE) is defined in Article 2 of the TPED (Directive [2010/35/EU](#)). For further information, see section 2 of the HSA guidance document on the scope of the directive available [here](#).

1. I am distributor in Ireland for TPE. What legislation applies to me as an economic operator?

The obligations of economic operators are covered in Part 9 of the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 to 2019. The obligations of distributors are provided in Regulation 65 of these [Regulations](#).

2. Who is the market surveillance authority in Ireland for TPE?

The HSA is the market surveillance authority under the TPED. A list of other directives, which come under the Authority's remit, is available on this [page](#).

3. Who is the notifying authority in Ireland for TPE?

The notifying authority under the TPED is the Minister for Business, Enterprise and Innovation.

4. I want to be a notified body in Ireland for the TPED. What do I need to do?

You should contact the **Irish National Accreditation Board (INAB)**, which is part of the HSA, to find out what is required to become an accredited inspection body. You should also contact the **Department of Business, Enterprise and Innovation (DBEI)** for information on the procedure for the appointment of a notified body.

5. Where can I find a list of notified bodies in the EU for TPE?

A list of notified bodies for each directive and for each Member State is available on the Commission database: [NANDO](#).

6. Can an EU notified body be located in Northern Ireland after the end of the transition period?

No, under the Protocol on Ireland/Northern Ireland, certificates (of conformity and reassessments of conformity) and reports of inspections (periodic and intermediate, and exceptional checks) issued by notified bodies in Northern Ireland **will only be valid** in Northern Ireland and will not be valid in the EU after the end of the transition period. Where TPE is certified by a notified body in Northern Ireland, it will need to be marked with "UK(NI)" next to the pi mark to indicate that it can legally be placed on the market in Northern Ireland but **not in the EU**.

7. We currently use a notified body in Great Britain to certify our pressure receptacles. Will this certification need to be re-validated by an EU notified body after the end of the transition period?

No - if the TPE was subject to type approval by a UK notified body, it will be compliant with the TPED and Pi marked. If this Pi marked TPE is placed on the market before 31st December 2020, then it can continue to be made available and used on the EU market, and vice versa (see Article

46 of the Withdrawal Agreement). From 1st January 2021, periodic inspections of this Pi marked TPE must be performed by a notified body based in the EU.

8. Can pressure receptacles, which are not in compliance with either the TPED or the ADR and are thus suitable for 'national use only', be periodically inspected in the UK after the end of the transition period?

Yes, such pressure receptacles can be transported to the UK as non-dangerous goods for the purposes of periodic inspection. For a summary of different scenarios regarding transportable pressure equipment, see this [graphic](#).

9. We currently source gases for fire suppression systems from the UK. What requirements will apply to us after the end of the transition period?

If the gases are carried in equipment that meets the definition of TPE under the TPED (Article 2), one of the main outcomes for you in terms of Brexit, is that your role as an economic operator will move from being a 'distributor' to that of an 'importer' and your obligations will change.

For example, before placing TPE on the market, the importer needs to ensure as a minimum that:

- the manufacturer has performed the appropriate conformity assessment procedure and has drawn up the technical documentation;
- the TPE is Pi (π) marked;
- the name and address at which your company can be contacted must be included in, or attached to, the certificate of conformity of the TPE.

Other requirements as provided in Article 6 of the TPE directive will also apply, implemented under Regulation 64 of our national [Regulations](#).

10. Can Annex C tanks continue to be used for national transport after the end of the transition period?

Yes, Annex C tanks are permitted for national use under the transitional provisions of Annex 1 of Directive 2008/68/EC on the inland transport of dangerous goods, which is implemented under Regulation 54 of our national [Regulations](#).

11. Do Annex C tanks need to be tested by an EU Notified Body?

No, Annex C tanks do not need to be inspected by an EU notified body, but they do need to be inspected by an inspection body accredited to EN ISO/IEC 17020:2012 (except clause 8.1.3) type A.