



**INSPECTION OF PRESSURE
RECEPTACLES FOR THE CARRIAGE OF
DANGEROUS GOODS BY ROAD AND RAIL**

**GUIDELINES FOR THE APPOINTMENT OF
CONFORMITY ASSESSMENT BODIES
REQUIRED BY THE CARRIAGE OF
DANGEROUS GOODS AND USE OF
TRANSPORTABLE PRESSURE
EQUIPMENT REGULATIONS 2004**

**ISSUED BY
THE HEALTH AND SAFETY EXECUTIVE**

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CONTENTS

	Page
Introduction	2
Scope of appointment	3
Regulation 29 – Relevant requirements of RID/ADR	3
Regulation 29 – Breathing Gas Cylinders	4
Regulation 29 – Fire Extinguishers	4
Regulation 44 – Relevant requirements of TPED	4
Regulation 44 – Notified Bodies	5
Regulation 44 – Approved Bodies	5
Schedule 2, paragraph 9	6
Schedule 2 – Approved Persons	6
Schedule 2 – Inspection Bodies	7
Criteria for appointment	8
Meeting the criteria	9
Making an application	13
Fees and Charges	14
Appointment	15
Tables of Conformity Assessment standards	16
Table 1 Regulation 29 – Appointed Persons	16
Table 2 Regulation 44 – Notified Bodies	18
Table 3 Regulation 44 – Approved Bodies	20
Table 4 Schedule 2, Paragraph 9 – Approved Persons	21
Table 5 Schedule 2, Paragraphs 4 & 7 – Inspection Bodies	22
Other relevant publications	23
1 UK National Regulations	23
2 International Regulations	23
3 Conformity Assessment Standards	23
4 Approved design standards and specifications	24
5 Obsolete design standards and specifications	24
Points of contact	25
Appendices – extracts from relevant European Directives	27

**THE CARRIAGE OF DANGEROUS GOODS AND USE OF
TRANSPORTABLE PRESSURE EQUIPMENT REGULATIONS 2004**

**GUIDELINES FOR THE APPOINTMENT OF CONFORMITY ASSESSMENT
BODIES IN GREAT BRITAIN**

ISSUED BY THE HEALTH AND SAFETY EXECUTIVE

INTRODUCTION

1. These Guidelines set out the criteria for appointment of conformity assessment bodies to carry out the initial assessments, reassessments and periodic inspections required by the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 (the Carriage Regulations). Compliance with the requirements of these Guidelines will, following assessment, form the basis of any recommendation for appointment made by the United Kingdom Accreditation Service (UKAS), to the Health and Safety Executive (HSE) as the appointing authority. These Guidelines will be updated as necessary in the light of experience.
2. **NOTE:** These Guidelines apply only to appointments in relation to cylinders, tubes, cryogenic receptacles, pressure drums and bundles of cylinders, and to battery vehicles, battery wagons, and multiple element gas containers (MEGCs) where the elements are Pressure Receptacles. The Department for Transport will set out conditions for appointments in relation to tanks in guidance document DR5, already issued, and further documents yet to be issued at the date this guidance was produced.
3. The Carriage Regulations implement three European Directives relating to the carriage of dangerous goods:
 - a) Commission Directive 2003/29/EC of 7 April 2003 adapting for the fourth time to technical progress Council directive 96/49/EC of 23 July 1996 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail (RID Framework Directive).
 - b) Commission Directive 2003/28/EC of 7 April 2003 adapting for the fourth time to technical progress Council Directive 94/55/EC of 21 November 1994 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road (ADR Framework Directive), excluding parts relating to the carriage of radioactive material by road which is the responsibility of the Department for Transport.
 - c) Council Directive 1999/36/EC of 29 April 1999 on transportable pressure equipment (TPED). Requirements in TPED that related to gas cylinders, tubes and cryogenic receptacles were previously implemented by the Transportable Pressure Vessels Regulations 2001 (TPVR). The Carriage Regulations carry forward these requirements and extend them to tanks, pressure drums and bundles of cylinders within scope of the Directive.

4. Among other things, the Carriage Regulations:
 - Implement the Requirements in RID/ADR (via the RID and ADR framework Directives) governing the construction, inspection, testing and use of **new** pressure receptacles (including new battery vehicles, battery wagons and MEGCs where the elements are pressure receptacles) for the first time. (Under derogation in Article 6.4 of the two Directives, Britain continued using national requirements in previous legislation.)
 - Fully implement the requirements of TPED as they relate to transportable pressure equipment. (This includes pressure receptacles and battery vehicles, battery wagons and MEGCs where the elements are pressure receptacles used for gases, UN1051, UN1052 and UN1790). The Transportable Pressure Vessels Regulations 2001 (TPVR) previously implemented these requirements for cylinders, tubes and cryogenic receptacles. The Carriage Regulations carry forward the requirements of TPVR and, from 1 July 2005, extend them to other forms of TPE such as pressure drums, bundles of cylinders, battery vehicles, battery wagons and MEGCs.
 - Carry forward the requirements for **old** pressure receptacles so that they can continue to be used according to those requirements for the rest of their safe lives. The Carriage Regulations introduce some changes into the requirements for these receptacles, notably phasing out of the competent person inspection regime and its replacement with a new regime.

SCOPE OF APPOINTMENT

5. The Carriage Regulations provide for HSE to appoint conformity assessment bodies under three separate powers in regulation 29, regulation 44 and Schedule 2.

Regulation 29 – Relevant requirements of RID/ADR

6. Regulation 29 provides powers for the appointment of “Appointed Persons” to carry out initial conformity assessments and periodic inspections of:
 - New pressure drums and bundles of cylinders built to standards approved as meeting the construction requirements in RID/ADR.
 - New MEGCs, battery vehicles and battery wagons where the elements are pressure receptacles approved as meeting the construction requirements of RID/ADR.

In both cases the appointment will apply until 30 June 2007 at the latest.

7. For those pressure receptacles, etc. listed in paragraph 6 and manufactured from 1 July 2005 conformity assessment and period inspection can be carried out by bodies appointed under regulation 44 (see paragraph 15), and must be for equipment manufactured from 1 July 2007.
8. Appointed persons wishing to carry out this work after 30 June 2007 will have to re-apply under regulation 44, but appointment under regulation 29 will count significantly towards an appointment under regulation 44.

Regulation 29 - Breathing Gas Cylinders

9. “Appointed Persons” need to be appointed under regulation 29 for the initial conformity assessment and periodic inspection of new breathing gas cylinders.
10. For initial conformity assessment, in addition to fulfilling the requirements of RID/ADR in these Regulations these “Appointed Persons” will also need to be appointed in accordance with the Pressure Equipment Regulations (PER), and carry out assessments against the construction requirements of PER.
11. The periodic inspection of new breathing gas cylinders, as required by regulation 21 of the Carriage Regulations, will need to be carried out by bodies appointed under regulation 29.

Regulation 29 - Fire Extinguishers

12. Where dutyholders choose to take advantage of SP 594 in RID/ADR for UN No. 1044 fire extinguishers provided with protection against inadvertent discharge and packaged in strong outer packaging, the initial conformity assessment and periodic inspection will need to be carried out by bodies appointed under Schedule 2 (see paragraph 19).
13. Where dutyholders choose not to take advantage of SP594, “Appointed Persons” need to be appointed under regulation 29 for the initial conformity assessment and periodic inspection of fire extinguishers.
14. New **portable** fire extinguishers need to meet the relevant construction requirements of both regulation 21 of the Carriage Regulations and those of PER, and be conformity assessed by bodies appointed under both regulation 29 and PER. To ensure there is no gap in availability of appointed conformity assessment bodies to carry out the initial conformity assessment of portable fire extinguishers, those bodies already appointed by the Department of Trade and Industry to assess these cylinders in accordance with the Pressure Equipment Regulations (PER) will be appointed under the Carriage Regulations. However continued appointment will be dependent on a favourable report on the body’s suitability at the first reassessment or surveillance visit.

Regulation 44 – Relevant requirements of TPED

15. Regulation 44 provides powers for the appointment of “Notified Bodies” and “Approved Bodies” to carry out initial conformity assessments, reassessments and periodic inspections to the requirements of TPED of:
 - i. Cylinders, tubes and cryogenic receptacles built on or after 1 July 2003.
 - ii. Pressure drums, bundles of cylinders built on or after 1 July 2005. (Note: See paragraph 8 concerning transitional appointments under regulation 29.)
 - iii. Battery vehicles, battery wagons and MEGCs built on or after 1 July 2005 where the elements comprise pressure receptacles. (Note: See paragraph 8 concerning transitional appointments under regulation 29.)

Regulation 44 - Notified Bodies

16. Notified Bodies may be appointed for:
- Initial conformity assessments of paragraph 15, group (i) to be placed and used on the EU market from the date of coming into force of the Regulations. The Regulations recognise that bodies already appointed under TPVR are appointed under the Carriage Regulations for equivalent scopes.
 - Initial conformity assessments of paragraph 15, groups (ii) and (iii). Bodies will only be appointed from 1 July 2005, however the appointment process may begin before this date so that bodies may begin work from 1 July 2005.
 - Reassessments of paragraph 15, group (i) built before 1 July 2003 but not initially assessed in accordance with TPED. The Carriage Regulations recognise that bodies already appointed under TPVR are appointed under the Regulations for equivalent scopes.
 - Reassessments of paragraph 15, groups (ii) and (iii) built before 1 July 2007 but not assessed in accordance with TPED. Bodies will only be appointed from 1 July 2005, however the appointment process may begin before this date so that bodies may begin work from 1 July 2005.
 - Periodic Inspections (under either or both module 1 or 2 of Schedule 7 of the Carriage Regulations) of paragraph 15, group (i), including EEC-type cylinders made to the relevant requirements of the 3 directives listed in paragraph 3, which have been initially assessed or reassessed in accordance with TPED. The Carriage Regulations recognise that bodies already appointed under TPVR are appointed under the Regulations for equivalent scopes.
 - Periodic inspections (under either or both module 1 or 2 of Schedule 7 of the Carriage Regulations) of paragraph 15, groups (ii) and (iii) where the elements comprise pressure receptacles, which have been initially assessed or reassessed **after** 1 July 2005 in accordance with TPED.
17. A Notified Body shall:
- a) Carry out its functions properly in accordance with the appropriate conformity assessment procedures set out in Schedules 4, 5, 6 and 7 of the Carriage Regulations.
 - b) Where appropriate, ensure that conformity marking is affixed to equipment within its scope in a visible, easily legible and indelible fashion.

Regulation 44 - Approved Bodies

18. Approved Bodies may be appointed for:
- Initial conformity assessments of paragraph 15, group (i) to be placed and used solely in GB from the date of coming into force of the Regulations. The Regulations recognise that bodies already appointed under TPVR are appointed under the Regulations for equivalent scopes.

- Initial conformity assessments of paragraph 15, group (ii) where the pressure receptacles are built on or after 1 July 2005 and are to be placed on the market and used solely in GB. Bodies will only be appointed from 1 July 2005, however the appointment process may begin before this date so that bodies may begin work from 1 July.
- Reassessments of paragraph 15, group (i) built before 1 July 2003 but not initially assessed in accordance with TPED, where the pressure receptacles have been manufactured in series and the design type reassessed by a Notified Body. The Regulations recognise that bodies already appointed under TPVR are appointed under the Regulations for equivalent scopes.
- Reassessments of paragraph 15, groups (ii) and (iii) where the elements comprise pressure receptacles all built before 1 July 2007 but not assessed in accordance with TPED, and where the equipment has been manufactured in series and the design type reassessed by a Notified Body. Bodies will only be appointed from 1 July 2005, however the appointment process may begin before this date so that bodies may begin work from 1 July.
- Periodic Inspections (under module 1 only) of paragraph 15, group (i) that have been initially assessed or reassessed in accordance with TPED.
- Periodic Inspections (under module 1 only) of EEC-type cylinders made to the requirements of the relevant requirements of the 3 directives listed in paragraph 3.
- Periodic inspections (under module 1 only) of paragraph 15, groups (ii) and (iii) where the elements comprise pressure receptacles, which have been initially assessed or reassessed **after** 1 July 2005 in accordance with TPED.

Schedule 2, paragraph 9

19. This provides powers to appoint “Approved Persons” to carry out assessments in accordance with paragraph 3(2)(a) of schedule 2, and “Inspection Bodies” under paragraph 4(1)(b) of schedule 2.

Schedule 2 - Approved Persons

20. “Approved Persons” are appointed to:
- Carry out inspections following modification, repair or re-rating of old pressure receptacles to ensure they remain fit for use. Those bodies already appointed under CDGCPL2 for these purposes are recognised as appointed under the Regulations for equivalent scopes.
 - Carry out initial conformity assessment of new non-portable fire extinguishers where the duty holder has chosen to take advantage of the exemption in SP594 of chapter 3.3 of ADR in relation to carriage by road or the exemption in SP594 of chapter 3.3 of RID in relation to carriage by rail. (See regulation 5(5) of the Regulations dealing with SP594.) New portable fire extinguishers are covered by PER and any such extinguisher initially conformity assessed in accordance with PER is recognised as also meeting the requirement for conformity assessment

under schedule 2. Bodies appointed under PER will be appointed under the Carriage Regulations for these purposes for equivalent scopes provided they can supply copies of relevant certificates issued under PER within the previous 12 months.

Schedule 2 - Inspection Bodies

21. “Inspection Bodies” are appointed to carry out periodic inspections of old pressure receptacles. These bodies will replace the “Competent Persons” operating under CDGCPL2. The Competent Persons regime will be carried over by the new Regulations until 1 July 2006. Thereafter periodic inspections will need to be carried out by or under the control of appointed Inspection Bodies.
22. **Appointment as an Inspection Body under Schedule 2 can be made from 10 May 2004. Present Competent Persons wishing to continue carrying out periodic inspections on or after 1 July 2006 should apply to UKAS and HSE, for assessment and appointment respectively, sufficiently before 1 July 2006 to allow the appointment to be made in time. As there may be a considerable number of applicants, Competent Persons are advised to indicate their interest to HSE in the first instance as soon as possible to allow for adequate scheduling.**

CRITERIA FOR APPOINTMENT

23. Organisations wishing to be appointed as Appointed Persons under regulation 29, or as Notified Bodies or Approved Bodies under regulation 44, or as Approved Persons or Inspection Bodies under Schedule 2, paragraph 9, must meet the requirements for assessment set out in paragraphs 25 to 50 of these Guidelines.
24. Following application in writing to HSE, the United Kingdom Accreditation Service (UKAS) will undertake an assessment of the applicant against the criteria and report to HSE on that assessment. Attention is drawn to the fees requirements for the Carriage Regulations given on page 14.

MEETING THE CRITERIA

25. Assessment against the relevant requirements of an appropriate standard in the EN 45000 series and associated conformity assessment standards, or accreditation to an appropriate scope to one or more of these standards is to be used as the basis for demonstrating conformity with these Guidelines. The relevant EN 45000 standards (which contain requirements for bodies issuing certificates, performing inspections, or conducting tests), or the equivalent ISO standards, are indicated in tables 1-5.
26. The EN 45000 series standards were developed in part to support the assessment and appointment of conformity assessment bodies under the New Approach and other European Directives. A number of developments have recently taken place including the replacement of EN 45001 with BS EN ISO 17025, and the replacement of others in the series by identical BS EN ISO standards with new numbers. For simplicity, and with the exception of references to EN 45001, which are replaced by BS EN ISO 17025: 2000, the original EN numbers are used in this document. A list of the relevant standards with titles and original and current designations is given on page 23.
27. In respect of bodies applying for appointment under regulation 44 as Approved Bodies or Notified Bodies as set out in paragraphs 15 - 18, compliance with the relevant requirements of a relevant standard in EN 45000 series or associated standards will be used as the basis for assessing whether the criteria in Annexes I-III of TPED (reproduced in appendices 1-3 of these guidelines) are met.
28. Appointments under regulation 29 and Schedule 2 will also be made against the requirements of the appropriate EN 45000 series or associated standards.
29. Applicants should refer to Tables 1-5 when considering the scope of their proposed appointment, the relevant 45000 series or associated standards, and in relation to appointments under regulation 44 the modules required for conformity assessment and periodic inspection.
30. UKAS will assess applicant bodies for their suitability for appointment against the requirements of these guidelines and make recommendations to HSE. Applicants that are not accredited to an EN 45000 standard will normally be assessed by UKAS to the relevant requirements of these guidelines and the appropriate conformity assessment standard and will need to demonstrate equivalent levels of ability in terms of competence, resources, organisational arrangements, policies and all other relevant matters
31. All applicants, whether accredited or not, will need to demonstrate:
 - a) a thorough technical understanding of the range of equipment for which appointment is sought;
 - b) the ability to undertake the conformity assessment, conformity reassessment and periodic inspection activities laid down in the Carriage Regulations in respect of which they seek appointment; and
 - c) a thorough knowledge of the Carriage Regulations and where appropriate the TPED.

32. Applicants will need to state which type of body they wish to be appointed as, and for which conformity assessment, conformity reassessment and periodic inspection activities they wish to be appointed. The scope of assessment and subsequent appointment will be determined by the services the applicant wishes to provide and by reference to:
 - a) In relation to regulation 44 the modules (see Tables of Conformity Assessment standards 2 & 3);
 - b) the design standards against which the applicant wishes to assess (design standards – see page 24); and
 - c) other activities described in the Carriage Regulations.
33. Applicants will be required to demonstrate the capability fully to undertake the functions defined by a particular module or activity.
34. Assessment of an applicant body will be related to its ability to understand technical and other requirements specified in the relevant parts of the Carriage Regulations and any standards referenced therein and other provisions of the Carriage Regulations relevant to its proposed scope of approval. No applicant will be appointed under regulation 44 for part of a conformity assessment, conformity reassessment and periodic inspection module.
35. Applicant bodies will need to be able to demonstrate their technical and managerial capability and understanding of the relevant parts of the Carriage Regulations necessary to determine whether equipment offered for assessment satisfies the relevant provisions. They will also need to be able to inspect against the appropriate construction standards.
36. Where an applicant operates its own testing facilities or utilises those of a manufacturer, these, and the associated activities, will need to conform to the relevant requirements of BS EN ISO 17025 (General requirements for the competence of testing and calibration laboratories) or equivalent standard, although accreditation is not mandatory. Where testing is performed on its behalf by a manufacturer or by a subcontractor, the applicant will need to ensure that that organisation is capable of carrying out the tasks effectively and meets the relevant requirements of BS EN ISO 17025 or an equivalent standard, although accreditation of the sub-contractor is not mandatory.
37. Where an applicant operates its own inspection facilities or utilises those of a manufacturer, these, and the associated activities, will need to conform to the relevant requirements of EN 45004 (General criteria for the operation of various types of bodies performing inspection). A body should normally carry out inspections which it contracts to undertake but where elements of the inspection will be performed on its behalf by a manufacturer or by a subcontractor, the applicant will need to ensure that that organisation is capable of carrying out the tasks effectively and meets the relevant requirements of EN 45004. As in paragraph 36, accreditation to EN 45004 of the applicant or sub-contractor is not mandatory.
38. Where an applicant wishes to subcontract inspection or testing, the Quality Manual of the applicant should describe the procedures to be followed by the applicant to ensure compliance by the subcontractor with the relevant requirements and to demonstrate that the subcontractor is competent to carry

out the task for which it has been engaged. Such competence will include, but is not limited to, the ability fully to conform to the requirements that are placed on the applicant itself in respect to the task contained within the subcontract. The applicant will need to maintain documented procedures for the assessment and monitoring of subcontractors, and a list of subcontractors and the facilities used by them to carry out work on behalf of the applicant. The list will need to form part of the Register specified in the next paragraph.

39. An applicant will need to have fully documented agreements with its subcontractors. A Register of all subcontractors that may be used by the applicant shall be maintained; the Quality Manual will either contain the Register or will state where the Register is to be found. The agreements and the Register will need to be available for scrutiny at any reasonable time on request by HSE or such other person as may be appointed on behalf of HSE for that purpose.
40. A conformity assessment body will at all times be responsible for ensuring that any conformity assessment, conformity reassessment and period inspection is carried out in accordance with the requirements of the Carriage Regulations.
41. The applicant body will implement a quality system that indicates how the organisation meets the requirements of these guidelines and the relevant requirements of the conformity assessment and technical standards. The system will be documented in relevant manuals, procedures and work instructions, which will form the basis for control of the organisation by its management for the duties to be performed.
42. Details of the requirements for quality management systems are given in the relevant conformity assessment standards. The applicant body will operate a management system based on a relevant standard in the EN 45000 series. Where the body wishes to undertake work that falls within the scope of more than one standard within the series, the management system will identify the base standard, the additional standards, and ensure that relevant requirements not covered within the base standard are met.
43. A conformity assessment body is required to have an appeals procedure in place for the event that they withdraw or refuse to issue a certificate or other approval to a manufacturer or user.
44. Within the procedure any such conformity assessment body must:
 - a) notify forthwith the manufacturer or user and provide detailed reasons for the refusal;
 - b) notify the manufacturer or user of the legal remedies available and of the time limits to which such remedies are subject;
 - c) allow for the manufacturer or user to appeal to a person within the conformity assessment body who has no prior connection with the decision and who is of sufficient seniority to independently consider the appeal. They should also be capable of reviewing the decision within the time limits to which such remedies are subject; and

- d) communicate to HSE and to appropriate bodies in the European Union the relevant information concerning the certificate or other approval which they have refused or withdrawn.
45. HSE will, on behalf of conformity assessment bodies appointed under regulation 44, communicate to the Member States the relevant information concerning the certificate or other approval that it has withdrawn.
46. Details of the duties of conformity assessment bodies appointed under regulation 44 in respect of conformity assessment procedures can be found in Schedules 4, 5, 6 and 7 of the Carriage Regulations.
47. All applicants are required to demonstrate that they have adequate public liability and professional indemnity insurance for the activities they wish to carry out. All conformity assessment bodies applying to carry out third-party work will be expected to have professional indemnity insurance. Bodies applying for appointment where the body will carry out only second-party inspection work for the group the body is part of, need not have professional indemnity insurance where the group carries adequate insurance cover. Insurance must also be adequate to cover the whole geographical area of operation. For example, if a body wishes to carry out assessments on a worldwide basis, then their insurance cover must also be a worldwide. HSE will not in relation to any case or circumstance cover an inspection body's liability.
48. A conformity assessment body is required to inform HSE and UKAS immediately of any changes that, in any way, affect its ability to carry out the duties within the authorised scope.
49. The applicant's quality system should state the conformity assessment body's policy and procedures for controlling the use of its certificates and conformity numbers. Incorrect references to the certification system or misleading use of information found in advertisements, catalogues, etc. must be dealt with by suitable means including corrective action, publication of the transgression and, if necessary, legal action.
50. A conformity assessment body will need to have documented procedures for the control and use of its identification number complete with guidelines on action to be taken in cases of misuse. The procedures will need to be contained or referenced within the quality system.

MAKING AN APPLICATION

51. Applications for appointment as a conformity assessment body should be made in writing by letter to HSE enclosing a copy of the UKAS Application Form plus AC6 Supplement. No other documents are required by HSE. HSE will charge a set fee (currently £305.00) for the work involved in handling an application and will invoice you for this amount following receipt of your letter and a copy of the form.
52. Applicants should complete the UKAS Application Form and send it to UKAS together with appropriate attachments and a copy of the letter sent to HSE. UKAS will invoice applicants directly for the work involved in assessing an application. Relevant contact details for HSE and UKAS are given on page 25 of these Guidelines.
53. Further information on the UKAS application process and related information is given in UKAS document P16 – Assessment of Approved and Notified Bodies.
54. The scope of the application should be defined by reference to:
 - a) The type of conformity assessment body;
 - b) Which conformity assessment, conformity reassessment and periodic inspection activities they wish to be assessed against (including the modules in relation to Notified Bodies and Approved Bodies);
 - c) The design standards for transportable pressure equipment against which they wish to be assessed (design standards – see page 24); and
 - d) Other activities described in the Carriage Regulations.
55. Conformity assessment bodies are expected to be able to deal with the full range of transportable pressure equipment within the scope of their application. UKAS will quote and charge applicants against its standard scales of charges for its assessment activities under the scope of these guidelines. UKAS has established procedures to handle complaints or appeals associated with its assessment activities.
56. An applicant conformity assessment body will be required to have documented procedures covering all aspects of its work relating to the conformity assessment, conformity reassessment and periodic inspection activities for which it seeks approval. On behalf of HSE, an assessment will be made of the adequacy of the internal organisation and the procedures adopted to give confidence in the quality of the applicant's services. Where judgements or interpretation of a standard or requirement are implicit or explicit in a decision to grant or withhold a certificate, the applicant will be required to have procedures for achieving consistency. Guidance for achieving wider national and European agreement on interpretation and application of the Directives and implementing Carriage Regulations will be provided by HSE.

FEES AND CHARGES

57. For an initial application:
- a) HSE on receipt of an application for appointment will charge the applicant a fee as specified in the Carriage Regulations (currently £305.00) in respect of the processing of the application and any subsequent appointment.
 - b) UKAS on receipt of a first application and following assessment will charge applicants an initial fee and subsequent fees reflecting the actual work performed in determining the application. Details of the UKAS fee structure can be found at www.ukas.com .
58. For extension to scope:
- a) HSE on receipt of an application will charge the applicant a fee as specified in the Carriage Regulations (currently £305.00) in respect of the processing of the application and any subsequent change of scope of an appointment.
 - b) UKAS will charge applicants fees reflecting the actual work performed in determining the application.
59. For surveillance and reassessment:
- a) UKAS will charge appointed bodies fees reflecting the actual work performed in carrying out annual surveillances and four yearly reassessments.
60. Please note that both HSE and UKAS review their fees annually.

APPOINTMENT

61. Once UKAS has submitted its report, HSE will then make a decision on appointment. If satisfied that the applicant is fit for appointment under the Carriage Regulations, HSE will issue a letter of appointment, which will be subject to conditions.
62. For initial assessment of new equipment the scope of appointment will be defined by reference to the construction standards.
63. For re-assessment and periodic inspection of transportable pressure equipment the scope of appointment will be defined by reference to the conformity assessment activities to be provided and the relevant product or inspection standards.
64. The precise terms of appointment will be set out in the individual letters of appointment, but they will include conditions that the applicant agrees:
 - a) to take part in co-ordination activities at both UK and European level;
 - b) for new applicants only, to undergo an initial surveillance no later than 6 months from the date of appointment, and then annually, or at whatever intervals are thought appropriate by HSE;
 - c) for extension of scope, to undergo reassessment in line with the existing visit programme, or at whatever intervals are thought appropriate by HSE;
 - d) to a full reassessment every four years or at whatever intervals are thought appropriate by HSE.
65. Reassessment and surveillance of conformity assessment bodies will be carried out on behalf of HSE, normally by UKAS. A report on the reassessment and surveillance will be sent to the HSE. Reassessment and surveillance may also be carried out by HSE.
66. Conformity assessment bodies should ensure that they do not unreasonably restrict access of manufacturers, users or owners of equipment to their services. Conformity assessment bodies must not place undue financial or other conditions upon such manufacturers, users or owners. The procedures under which a conformity assessment body operates must be administered in a non-discriminatory manner.
67. For Notified Bodies and Approved Bodies appointed under regulation 44, once receipt of the letter of appointment has been acknowledged and the conditions of appointment accepted by the inspection body, HSE will notify the European Commission and the other Member States of the appointment.
68. Should conformity assessment bodies wish to extend the scope of their appointment, they will be required to apply in writing to HSE. HSE will charge its current fee for the work involved in handling an application for extension to scope. UKAS may also charge a fee for assessing the application.

Table 1

REGULATION 29 – APPOINTED PERSONS

RELEVANT BS EN 45000 SERIES STANDARDS TO BE USED FOR
ASSESSMENT FOR THE APPROVAL OF:

BREATHING AIR CYLINDERS,
PRESSURE DRUMS,
MEGCS,
NON-PORTABLE FIRE EXTINGUISHERS,
PORTABLE FIRE EXTINGUISHERS THAT ARE NOT SUBJECT TO SP594,
UN-MARKED RECEPTACLES NOT IN SCOPE OF TPED

New TPE not subject to Part 4	Standard to be used as basis for assessment
up to 300 bar.litres	BS EN 45004 BS EN 45011
300 - 1500 bar.litres	BS EN 45004 BS EN 450011
over 1500 bar.litres	BS EN 45004 BE EN 45011 BS EN 45004 or BS EN 45011 for design examination and special surveillance of final test. BS EN 45012
periodic inspection of TPE	BS EN 45004 BS EN 45013

Notes:

- 1 For the initial conformity assessment of breathing bottles and portable fire extinguishers, applicants will also need to have been assessed and appointed for a relevant scope under PER.
- 2 Portable fire extinguishers are defined as fire extinguishers with a gross mass of less than 23kg that are designed to be moved for use.
- 3 Non-portable fire extinguishers include fixed fire extinguisher systems in which the cylinders are transported uncleaned for refilling or for periodic examination by a competent person. If refilling and examination are carried out in situ then the Carriage Regulations will not apply.
- 4 Pressure drums and MEGCs will not be subject to Regulation 29 approvals after 01/07/07.
- 5 The option of assessment against EN 45013/BS EN ISO/IEC 17024 for periodic inspection is included to provide a personnel certification route for diving cylinder inspectors only for small organisations employing up to three inspectors, with the certification scheme operated by SITA/IDEST.
- 6 Bodies demonstrating compliance with EN 45004 shall be Type A.

- 7 For Periodic Inspection in accordance with EN 45004 the qualification, access to supervision and constraints on activity requirements of UKAS RG3 shall be met.
- 8 Testing carried out in support of the above conformity assessment procedures should comply with the relevant requirements BS EN ISO/IEC 17025 – General requirements for the competence of testing and calibration laboratories.
- 9 Where BS EN 45012 is applied, applicants for appointment will need to demonstrate relevant product related knowledge.
- 10 For UN-marked cylinders not in scope of TPED, the requirements of paragraphs 6.2.5.2.4 to 6.2.5.8.3 of ADR will also apply.

Table 2**REGULATION 44 – NOTIFIED BODIES****CONFORMITY ASSESSMENT PROCEDURES & RELEVANT BS EN 45000
SERIES STANDARDS TO BE USED FOR ASSESSMENT TO APPROVE
TRANSPORTABLE PRESSURE EQUIPMENT (TPE)**

New TPE	Modules applicable	Standard to be used as basis for assessment
up to 300 bar.litres	A1 D1 E1	BS EN 45004 or 45011 BS EN 45012 BS EN45012
300 - 1500 bar.litres	H B + E B + C1 B1 + F B1 + D	BS EN 45012 for Module B - BS EN 45004 or 45011; for Module E - BS EN 45012 BS EN 45004 or BS EN 45011 BS EN 45004 or 45011 For Module B1 - BS EN 45004; for Module D - BS EN 45012
over 1500 bar.litres	G H1 B + D B + F	BS EN 45004 or 45011 BS EN 45012 and either BS EN 45004 or BS EN 45011 for design examination and special surveillance of final test. for Module B - BS EN 45004 or 45011 for Module D - BS EN 45012 BS EN 45004 or BS EN 45011
Reassessment of existing TPE		
reassessment of existing TPE	evaluation of type of TPE using methodology Annex IV, Part II, paras. 1 - 3	BS EN 45004 or 45011
reassessment of existing TPE	evaluation to type of TPE using methodology defined at Annex IV Part II, paragraphs 3 & 4.	BS EN 45004 or BS EN 45011
Periodic Inspection		
periodic inspection of TPE	TPED Part III Module 1	BS EN 45004 BS EN 45013
	TPED Part III module 2	BS EN 45012

Notes:

- 1 Testing carried out in support of the above conformity assessment procedures should comply with the relevant requirements of BS EN ISO\IEC 17025 – General requirements for the competence of testing and calibration laboratories.
- 2 Where BS EN 45012 is applied, applicants for appointment will need to demonstrate relevant product related knowledge.
- 3 The option of assessment against EN 45013 / BS EN ISO/IEC 17024 for periodic inspection is included to provide a personnel certification route for diving cylinder inspectors only for small organisations employing up to three inspectors, with the certification scheme operated by SITA/IDEST.

4 For Periodic Inspection in accordance with EN 45004 the qualification, access to supervision and constraints on activity requirements of UKAS RG3 shall be met.

5 Bodies demonstrating compliance with EN 45004 shall be Type A.

6 Notified Bodies that wish to inspect UN-marked receptacles will be additionally assessed against the requirements of paragraphs 6.2.5.2.4 to 6.2.5.8.3 of ADR.

Table 3

REGULATION 44 - APPROVED BODIES

**CONFORMITY ASSESSMENT PROCEDURES & RELEVANT BS EN 45000
SERIES STANDARDS TO BE USED FOR ASSESSMENT FOR THE APPROVAL
OF TRANSPORTABLE PRESSURE EQUIPMENT (TPE)**

New TPE (Placed on the market and used at work exclusively in Great Britain)	Modules applicable	Standard to be used as basis for assessment
up to 300 bar.litres	A1	BS EN 45004
300 - 1500 bar.litres	B+C1, B1+F	BS EN 45004
over 1500 bar.litres	G B + F	BS EN 45004
Reassessment of existing TPE		
reassessment of existing TPE	evaluation to type of TPE using methodology defined at Annex IV Part II, paragraphs 3 & 4.	BS EN 45004
Periodic Inspection		
periodic inspection of TPE	TPED Part III Module 1	BS EN 45004

Notes:

- 1 Testing carried out in support of the above conformity assessment procedures should comply with the relevant requirements of BS EN ISO\IEC 17025 – General requirements for the competence of testing and calibration laboratories.
- 2 Bodies demonstrating compliance with EN 45004 shall be Type B.
- 3 For Periodic Inspection in accordance with EN 45004 the qualification, access to supervision and constraints on activity requirements of UKAS RG3 shall be met.
- 4 Approved Bodies that wish to inspect UN-marked receptacles will be additionally assessed against the requirements of paragraphs 6.2.5.2.4 to 6.2.5.8.3 of ADR.

Table 4

SCHEDULE 2, PARAGRAPH 9 –APPROVED PERSONS

RELEVANT BS EN 45000 SERIES STANDARDS TO BE USED FOR ASSESSMENT FOR THE APPROVAL OF FIRE EXTINGUISHERS THAT TAKE ADVANTAGE OF SP594.

	Standard to be used as basis for assessment
All in category	BS EN 45004 BS EN 45011

Notes:

- 1 For the initial conformity assessment of breathing bottles and portable fire extinguishers, applicants will also need to have been assessed and appointed for a relevant scope under PER.
- 2 Portable fire extinguishers are defined as fire extinguishers with a gross mass of less than 23kg that are designed to be moved for use.
- 3 Non-portable fire extinguishers include fixed fire extinguisher systems in which the cylinder are transported uncleaned for refilling or for periodic examination by a competent person. If refilling and examination are carried out in situ then the Carriage Regulations will not apply.
- 4 SP594 requires that the fire extinguishers are transported in strong outer packaging and that their valves are protected from inadvertent discharge.
- 5 For Periodic Inspection in accordance with EN 45004 the qualification, access to supervision and constraints on activity requirements of UKAS RG3 shall be met.
- 6 Testing carried out in support of the above conformity assessment procedures should comply with the relevant requirements of BS EN ISO\IEC 17025 – General requirements for the competence of testing and calibration laboratories.
- 7 Bodies demonstrating compliance with EN 45004 may be Type A or B.

Table 5

SCHEDULE 2 PARAGRAPH 4 AND PARAGRAPH 7 - INSPECTION BODIES

RELEVANT BS EN 45000 SERIES STANDARDS TO BE USED FOR ASSESSMENT FOR PERIODIC EXAMINATION, EXAMINATION FOLLOWING REPAIR, RE-RATING OR MODIFICATION OF OLD TRANSPORTABLE PRESSURE RECEPTACLES, BREATHING AIR CYLINDERS AND FIRE EXTINGUISHERS THAT TAKE ADVANTAGE OF SP594.

Periodic inspection of Old Pressure Receptacles	BS EN 45004 BS EN 45013
Assessment following modification	BS EN 45004
Assessment following repair.	BS EN 45004
Re-rating	BS EN 45004

Notes:

- 1 The option of assessment against EN 45013/BS EN ISO/IEC 17024 for periodic inspection is included to provide a personnel certification route for diving cylinder inspectors only for small organisations employing up to three inspectors, with the certification scheme operated by SITA/IDEST
- 2 For Periodic Inspection in accordance with EN 45004 the qualification, access to supervision and constraints on activity requirements of UKAS RG3 shall be met
- 3 Bodies demonstrating compliance with EN 45004 may be Type A, B or C
- 4 Portable fire extinguishers are defined as fire extinguishers with a gross mass of less than 23kg that are designed to be moved for use.
- 5 Non-portable fire extinguishers include fixed fire extinguisher systems in which the cylinders are transported uncleaned for refilling or for periodic examination by a competent person. If refilling and examination are carried out in-situ then the Carriage Regulations will not apply.
- 6 SP594 requires that the fire extinguishers are transported in strong outer packaging and that their valves are protected from inadvertent discharge.
- 7 Old transportable pressure receptacles are described in Regulation 2. Portable fire extinguishers with a gross mass of less than 23kg and a maximum working pressure of 25 bar manufactured on or before 9 May 2004 are exempted from the Carriage Regulations.

Other relevant publications

(1) UK national regulations

Title	Instrument number	ISBN Number	Source
The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004	SI 2004 No. 568	0 11 490630	The Stationary Office

UK Statutory Instruments may also be downloaded from

<http://www.legislation.hmsso.gov.uk/stat.htm>

(2) International Regulations

Title	ISBN Number	Source
Regulations concerning the International Carriage of Dangerous Goods by Rail (Reglement concernant le transport international ferroviaire des marchandises dangereuses (RID) 2003	0 11 552553 x	UN
European agreement concerning the International Carriage of Dangerous Goods by Road (Accord europeen relatif au transport international des marchandises dangereuses par route) ADR 2003	92 1 139078 8	UN

ADR may be downloaded from

<http://www.unece.org/trans/danger/publi/adr/adr2003/ContentsE.html>

(3) Conformity Assessment Standards

ISO/IEC 17020:1998 (EN 45004:1995)

General criteria for the Operation of Various Types of Bodies Performing Inspections

BS EN ISO/IEC 17025:2000

General Requirements for the Competence of Testing and Calibration Laboratories

BS EN ISO/17024:2000 (EN 45013:1989)

Conformity assessment – General requirements for bodies operating the certification of persons

BS EN 45011:1998

General requirements for bodies operating product certification systems

BS EN 45012:1998

General requirements for bodies operating assessment and certification/registration of quality systems

National and international standards may be obtained through

<http://www.bsi-global.com/index.xalter>

(4) Approved design standards and specifications

Lists of currently approved design standards and specifications can be found on the HSE web site at:

<http://www.hse.gov.uk/cdg/pressure.htm>

(5) Obsolete design standards and specifications

Lists of obsolete design standards and specifications can also be found at:

<http://www.hse.gov.uk/cdg/pressure.htm>

NOTE: these obsolete standards are listed for reference purposes and as an aid in Periodic Examination. They must not be used for manufacture of new Transportable Pressure Equipment.

Points of contact

Health and Safety Executive - Appointment of bodies

Andrew Dunkley
Health and Safety Executive
2 Southwark Bridge
London SE1 9HS

Tel: 020 7717 6303
Fax: 020 7717 6680
Email: andrew.dunkley@hse.gsi.gov.uk

Further information on Carriage of Dangerous Goods may be found at
<http://www.hse.gov.uk/cdg/pressure.htm>

Department for Transport – Policy

Nigel Reader
Department for Transport
Great Minster House
76 Marsham Street
London SW1P 4DR

Tel: 020 7944 3148
Fax: 020 7944 2163
Email: nigel.reader@dft.gsi.gov.uk

Further information on Carriage of Dangerous Goods may be found at
<http://www.dft.gov.uk/roads/dangerousgoods>

United Kingdom Accreditation Service (UKAS) – Assessment of bodies

UNITED KINGDOM ACCREDITATION SERVICE
21-47 High Street
Feltham
Middlesex TW13 4UN

General enquiries related to these arrangements and applications:

Ms K Crittenden
Tel: 020 8917 8555
Fax: 020 8917 8500
Email: info@ukas.com

Application forms and publications may be downloaded from <http://www.ukas.com>.
For further information please
contact:

Mr A Vernel
Tel: 020 8917 8420
Fax: 020 8917 8499
Email: tony.vernel@ukas.com

Further information about UKAS may be obtained from <http://www.ukas.com>

Appendix 1

Extract from the EC Transportable Pressure Equipment Directive (99/36/EC).

MINIMUM CRITERIA TO BE MET BY NOTIFIED OR APPROVED BODIES, AS REFERRED TO IN ARTICLES 8 AND 9

1. A notified inspection body or an approved inspection body that is part of an organisation involved in functions other than inspection must be identifiable within that organisation.
2. The inspection body and its staff must not engage in any activities that may conflict with their independence of judgement and integrity in relation to their inspection activities. In particular the staff of the inspection body must be free from any commercial, financial and other pressures which might affect their judgement, particularly from persons or organisations external to the inspection body with an interest in the results of inspections carried out. The impartiality of the inspection staff of the body must be guaranteed.
3. The inspection body must have at its disposal the necessary staff and possess the necessary facilities to enable it to perform the technical and administrative tasks connected with the inspection and verification operations properly. It must also have access to the equipment required to perform special verifications.
4. The staff of the inspection body who are responsible for inspection must have appropriate qualifications, sound technical and vocational training and a satisfactory knowledge of the requirements of the inspections to be carried out and adequate experience of such operations. In order to guarantee a high level of safety the inspection body must be in a position to provide expertise in the field of safety of transportable pressure vessels. The staff must have the ability to make professional judgements as to conformity with general requirements using examination results and to report thereon. They must also have the ability required to draw up the certificates, records and reports to demonstrate that the inspections have been carried out.
5. They must also have relevant knowledge of the technology used for the manufacturing of the tpvs, including accessories, which they inspect, of the way in which the tpvs submitted to their inspections is used or is intended to be used, and of the defects which may occur during use or in service.
6. The inspection body and its staff must carry out the assessments and verifications with the highest degree of professional integrity and technical competence. The inspection body must ensure the confidentiality of information obtained in the course of its inspection activities. Proprietary rights must be protected.

7. The remuneration of persons engaged in inspection activities must not directly depend on the number of inspections carried out and in no case on the results of such inspections.

8. The inspection body must have adequate liability insurance unless its liability is assumed by the State in accordance with national laws or by the organisation of which it forms a part.

9. The inspection body must itself normally perform the inspections which it contracts to undertake. When an inspection body subcontracts any part of the inspection, it must ensure and be able to demonstrate that its subcontractor is competent to perform the service in question and must take full responsibility for that subcontracting.

Appendix 2

Extract from the EC Transportable Pressure Equipment Directive (99/36/EC).

SUPPLEMENTARY CRITERIA TO BE MET BY THE NOTIFIED BODIES REFERRED TO IN ARTICLE 8

1. A notified body must be independent of the parties involved and therefore provide “third party” inspection services.
2. The notified body and its staff responsible for carrying out the inspection must not be the designer, manufacturer, supplier, purchaser, owner, holder, user or maintainer of the tpvs, including accessories, which that body inspects, nor the authorised representative of any of these parties. They must not be directly involved in the design, manufacture, marketing or maintenance of tpvs, including accessories, nor represent the parties engaged in these activities. This does not preclude the possibility of exchanges of technical information between the manufacturer of tpvs and the inspection body.
3. All interested parties must have access to the services of the inspection body. There must be no undue financial or other conditions. The procedures under which the body operates must be administered in a non-discriminatory manner.

Appendix 3

Extract from the EC Transportable Pressure Equipment Directive (99/36/EC).

SUPPLEMENTARY CRITERIA TO BE MET BY THE APPROVED BODIES REFERRED TO IN ARTICLE 9

1. The approved body must form a separate and identifiable part of an organisation involved in the design, manufacture, supply, use or maintenance of the items it inspects.
2. The approved body must not become directly involved in the design, manufacture, supply or use of the tpvs, including accessories inspected, or similar competitive items.
3. There must be a clear separation of the responsibilities of the inspection staff from those of the staff employed in the other functions, which must be established by organisational identification and the reporting methods of the inspection body within the parent organisation.