

Pressure equipment directive 97/23/EC

Commission's Working Group "Pressure"

Guideline related to: Article 1, paragraph 3.6 first indent

Question: Which rules apply for pressure equipment which also meets the definition of machinery in the machinery directive or which is intended to be installed in machinery?

Answer: The Pressure Equipment Directive (PED) applies to pressure equipment in the sense of Article 1 paragraph 2 of the PED in general, but also the exclusions of Article 1, paragraph 3 have to be considered.

Article 1, paragraph 3.6 first indent states that:

"equipment classified as no higher than category I under Article 9 of this Directive and covered by one of the following Directives: [among others the machinery directive] are excluded from the scope of this Directive".

That means, when a product which is placed on the market is covered by the machinery directive, the exclusion of Article 1 paragraph 3.6 first indent applies to any item of pressure equipment not higher than category I which is a part of that machine (i.e. the pressure equipment directive does not apply).

The exclusion also applies to items of pressure equipment not higher than category I separately placed on the market, if their intended use is to be part of machinery which must be laid down in the operating instructions.

In those cases, the essential safety requirements of PED are an appropriate way to obtain the required safety level regarding the pressure hazard.

Pressure equipment of higher categories than category I is within the scope of the PED even when it is machinery in the sense of the machinery directive or intended to become part of machinery. See therefore article 3 of the machinery directive 2006/42/EC:

"Where, for machinery, the hazards referred to in Annex I are wholly or partly covered more specifically by other Community Directives, this Directive shall not apply, or shall cease to apply, to that machinery in respect of such hazards from the date of implementation of those other Directives."

The PED is such a "Community Directive" in the sense of Article 3 of the machinery directive 2006/42/EC.

NOTE: (1) This does not prohibit the inclusion of CE-marked items of pressure equipment in machinery.
(2) See also guideline 1/11 for exclusion 3.10 of Article 1

REASON FOR THE REVISION OF THE GUIDELINE:

The new machinery Directive 2006/42/EC no longer excludes boilers and pressure vessels from its scope

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