

Loss prevention standards

CE Marking for the Manufacturing Industry

From small mechanical devices to complex production lines, machinery can pose a number of risks to health and safety and the **environment. So it's important that** machinery used in manufacturing is CE marked to show it complies with the relevant laws.



CE Marking for the Manufacturing Industry



Introduction

CE marking in the manufacturing industry provides a visible sign that any machinery complies with all relevant EU health and safety or environmental laws. However, responsibility for CE marking depends on how and when the machinery was supplied.

Supply of Machinery Safety Regulations

The safety of machinery is established by a comprehensive set of health and safety requirements. Machinery deemed safe must be properly installed, maintained, and used only for the purpose for which it was intended. Any risk of injury or death to people or domestic animals, or damage to property or the environment, must be minimised.

The key UK regulations relating to CE marking are the [Supply of Machinery \(Safety\) Regulations 2008](#), which came into force in 2009 and were later amended by the [Supply of Machinery \(Safety\) \(Amendment\) Regulations 2011](#). These regulations contain detailed requirements for the manufacture of new machinery and are implemented under the European Machinery Directive.

The Supply of Machinery (Safety) Regulations apply to all new machinery manufactured or supplied in the UK, regardless of where in the European Economic Area (EEA) it will be used.

The term 'machinery' is broadly defined as:

- An assembly fitted with, or intended to be fitted with, a drive system other than directly applied human or animal effort, consisting of linked parts or components (at least one of which moves) joined together for a specific application
- An assembly of machines arranged and controlled so that they function together for a single purpose (each individual machine will need to be CE marked along with the entire assembly)
- Interchangeable equipment which modifies the function of a machine

This definition covers everything from small mechanical devices to complex production lines.

Second-hand Machinery

Second-hand machinery sold within the EEA only requires a CE mark if it came under the scope of the regulations **when it was first supplied. If it's imported from outside the EEA, it must be CE marked regardless of when it was first supplied or put into use. Second-hand machinery that's been refurbished or rebuilt should be treated as new.**

In any event, Section 6 of the Health and Safety at Work etc. Act 1974 applies, meaning that the machinery is designed and constructed to be safe and pose no risk to health when properly installed, used, maintained and dismantled.

Requirements of the Supply of Machinery (Safety) Regulations

The Supply of Machinery (Safety) Regulations require manufacturers and suppliers of new machinery to ensure that the machinery they supply is safe. This means that:

- The machinery meets all relevant essential health and safety requirements as listed in the regulations, including the provision of adequate instructions
- A technical file for the machine must be **compiled, and, for certain 'dangerous' machinery**, the machine must be type examined by a notified body
- There is a Declaration of Conformity (or in some cases a Declaration of Incorporation), which must be supplied along with the machine
- There is a CE mark affixed to the machine, unless it comes with a Declaration of Incorporation

Responsibility for CE Marking

Responsibility for CE marking depends on the circumstances under which it was supplied.

- Where the manufacturer or supplier is located within the EEA, they are responsible for CE marking and are the main duty holder
- Where the user manufactures machinery in-house, or imports from outside the EEA, the responsibility for CE marking rests with the user
- Where a machine is imported from outside the EEA (e.g. by importers, agents, suppliers, users, etc.), it's the **importer's** responsibility to ensure that the machine is CE marked

The Supply of Machinery (Safety) Regulations state that machinery with the CE mark affixed may be taken as complying with the Essential Health and Safety Requirements unless there are reasonable grounds for suspecting otherwise. However, it should never be assumed that machinery is safe just because it has been CE marked. **It's** recommended that you conduct more robust documentation and record checks.

Checklist

A generic CE Marking Checklist is presented in Appendix 1 which can be tailored to your own organisation.

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Sources and Useful Links

- [Safe Use of Work Equipment: Provision and Use of Work Equipment Regulations 1998](#) – Approved Code of Practice and Guidance L22 - Health and Safety Executive
- [Supply of Machinery \(Safety\) Regulations 2008: Guidance for Businesses](#) – GOV.UK
- [Buying New Machinery INDG271](#) – Health and Safety Executive
- [Providing and Using Work Equipment Safely INDG291](#) - Health and Safety Executive
- [BS EN ISO 12100:2010 Safety of machinery – General principles for design – Risk assessment and risk reduction](#)
- [BS EN ISO 13849-1:2015 Safety of machinery – Safety-related parts of control systems – General principles for design](#)
- [The British Standards Institution](#)
- [CEN – The European Committee for Standardization](#)

To find out more, please visit [Aviva Risk Management Solutions](#) or speak to one of our advisors.

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Appendix 1 – CE Marking for the Manufacturing Industry Checklist



Location	
Date	
Completed by (name and signature)	

	CE Marking	Y/N	Comments
1.	Have you identified all machinery in your business that falls under the scope of the Supply of Machinery (Safety) Regulations, taking account of the broad definition of machinery?		
2.	Have you identified any second-hand equipment and assessed the CE marking requirements?		
3.	Have you identified that any machinery meets all relevant essential health and safety requirements as listed in the Supply of Machinery (Safety) Regulations, which include the provision of sufficient instructions?		
4.	Have you compiled a technical file for the machine(s) where required, including for certain 'dangerous' machinery types and have the machine(s) been type examined by a notified body where required?		
5.	Is there a Declaration of Conformity (or in some cases a Declaration of Incorporation) for the machine(s)?		
6.	Have you identified the person(s) or organisation(s) responsible for CE marking machines?		
7.	Is there a CE mark affixed to the machine(s) unless it comes with a Declaration of Incorporation?		
8.	Have you prepared an action plan to address any negative answers to questions 1 to 7 of this checklist and taken appropriate corrective actions?		

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	CE Marking Contd.	Y/N	Comments
9.	Additional comments:		

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