

## Annex A - Joint Statement



### CE Approval for Boilers

From 30 May 2002 pressure equipment and assemblies sold in the United Kingdom must comply with the Pressure Equipment Regulations 1999. Those regulations make it an offence for a boiler, copper or steel, built commercially after that date to be sold unless the boiler is safe, meets essential safety requirements covering design manufacture and testing, satisfies appropriate conformity assessment procedures and is accompanied by a declaration of conformity and carries CE marking. (Boilers up to 2 litres capacity regardless of working pressure are subject to less stringent requirements and whilst they must bear specified markings they must not carry the CE mark).

It has been brought to our attention that there are a number of boilers built commercially after 30 May 2002 that do not comply with the Regulations and which do not carry the CE mark; these boilers are non-CE compliant. It is understood that the boilers concerned are all either miniature traction engine boilers or boilers for locomotives up to 10.1/4in gauge.

Your policy states that for boiler explosion cover to be in force there must be a valid boiler certificate in force. If a non-CE compliant boiler has a 'current' boiler certificate the validity of that certificate is extremely doubtful – how can a boiler certificate be valid if the boiler is non-CE compliant?

Your insurers, Royal & Sun Alliance Insurance, have said that if a claim arose on one of their policies involving one of the non-CE compliant boilers they would consider the policy to be voidable at their option. Translated that means that they would more than likely turn down the claim on the grounds that the boiler is non CE compliant.

The Health and Safety Executive have become involved in this situation and have said 'We would support the position stated that non CE marked units are not used until they have been correctly assessed'.

The 2008 edition of the Model Engineers Boiler Test Code clearly states in paragraph 5.1 'Boilers built commercially after 30 May 2002 which do not bear the appropriate CE marking shall not be tested'.

NTET discs will not be issued to any miniature road engine that has a non-CE compliant boiler.

We have arranged with Royal & Sun Alliance Insurance Engineering the possibility of retrospective CE approval for affected boilers. Other "Notified Bodies" who may be able carry out the work are listed overleaf. Full documentation will need to be submitted including drawings, welders certificate and material certificates etc. If any of your members would like further details please contact -

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8<sup>th</sup> April 2009