

<b>Gas Appliance Directive (2009/142EC)</b>	
<b>GUIDANCE B15</b>	<b>Approved by WG-GA 11-2016</b>

**Guideline related to:**

<b>ANNEX</b>	<b>I</b>	<b>Essential requirements</b>
<b>Section</b>	<b>1</b>	<b>General conditions</b>
<b>Paragraph</b>	<b>1.2.1</b>	<b>Instructions</b>
<b>Subject</b>	<b>Reference to national, regional and local regulations</b>	

<p>E.R. 1.2.1.  The technical instructions intended for the installer must contain all the instructions for installation, adjustment and servicing required to ensure that those operations are correctly performed and that the appliance may be used safely. In particular, the instructions must specify:</p> <ul style="list-style-type: none"> <li>– the type of gas used;</li> <li>– the gas supply pressure used;</li> <li>– the flow of fresh air required: <ul style="list-style-type: none"> <li>– for the combustion air supply,</li> <li>– to avoid the formation of dangerous unburned gas mixtures for appliances not fitted with the device referred to in point 3.2.3;</li> </ul> </li> <li>– the conditions for the dispersal of combustion products;</li> <li>– for forced draught burners and heating bodies intended to be equipped with such burners, their characteristics, the requirements for assembly, to assist compliance with the essential requirements applicable to finished appliances and, where appropriate, the list of combinations recommended by the manufacturer.</li> </ul>
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**Questions**

In some harmonised European Standards, a reference to national regulations is mentioned and linked in the Annex ZA to the essential requirement 1.2.1. of GAD.

For example:

EN30-1-1:2008, clause 8.3.2.2, the last paragraph states:

*These instructions shall also give precise indications for connecting the appliance to the gas and a reference to the installation regulations in force in the country in which the appliance is to be used.*

EN 203-1:2005+A1:2008, clause 9.3.3 states:

*The technical manual intended for the installer shall give all the necessary instructions for installation, adjustment and servicing. They refer to the installation regulations in force in the country in which the appliance is to be installed. □*

The question arises whether this “reference” must be taken strictly into account in the technical instructions intended for the installer by specifying the applicable national regulations or whether it is sufficient that the instructions draw attention to the need to “take into account the national regulations” without specifying these regulations?

**Discussion**

The GAD constitutes the legal framework for the placing on the market and putting into service of gas appliances in the EU Member States. It aims to provide access to the EU market for appliances (and fittings) so far as the gas

*This guidance is for information only; it has no formal status*

Reference: 2009/142/EC “Gas appliance directive” O.J. L 330, 16.12.2009, p.10

Source of guidance document: GADAC

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safety of these products is concerned. Consequently, gas appliances marketed in one country can freely move throughout the EU.

The above is stipulated in Article 4.1 of the GAD as follows:

*“Member States may not prohibit, restrict or impede the placing on the market and the putting into service of appliances which comply with this Directive and which bear the CE marking provided for in Article 10. “*

The so-called installation issues fall within the competence of the Member States and are put in place by their installation and other relevant regulations. However, the Member States cannot impose in their regulations any such provisions which would have design related impacts to gas appliances as far as gas risks are concerned.

Consequently, it should be noted that the GAD deals with the gas safety of an appliance for the free circulation purposes on the EU market while the installation regulations of the Member States deal with the correct and safe incorporation of a gas appliance into the installation environment of the appliance.

Furthermore, the GAD in order to ensure that the special conditions at the place of installation of an appliance are appropriately taken into account requires that the instructions must specify, among other things, the type of gas used, the gas supply pressure used and the flow of fresh air required. It also stipulates in essential requirement 1.2.3. that the warning notices on the appliance and its packaging must clearly state the type of gas used, the gas supply pressure and any restrictions on use, in particular the restriction whereby the appliance must be installed only in areas where there is sufficient ventilation. The appliance or its data plate must also bear the CE marking together with indication on e.g. the appliance category.

It can be concluded that the GAD contains all the necessary provisions as far as gas safety of appliances (and fittings) is concerned for the purposes of the free movement of these appliances. It would not be consistent to refer to aspects related to special national installation conditions in the framework of a piece of European product harmonisation regulation, but only to draw the installers and users attention to the fact that the incorporation of appliances to their installation environment is subject to national regulations.

Member States remain fully competent to regulate the installation of gas appliances as far as the regulations do not have design related impacts. Member States are also competent to regulate e.g. the qualification requirements laid down for (gas) installers.

In cases where it may be expected that non-qualified users are expected to install or connect appliances to the gas supply or gas installation or to LPG cylinders or cartridges, the instructions accompanying appliances must pay special attention to provide clear instruction on how such installation or connections shall be performed. Furthermore, the installers and the users must be informed about the necessary ventilation conditions for such appliances, where relevant.

In executing the conformity assessment of a gas appliance a Notified Body is, according to its designation, responsible for the examination that the appliance meets the requirements of the GAD.

## **Conclusion**

The technical instructions for the installer: The manufacturer must ensure that appliances are so designed and built as to operate safely and present no danger to persons, domestic animals or property when normally used. The concept of "normal use" means that, amongst others, appliances are correctly installed and regularly serviced in accordance with the manufacturer's instructions. The manufacturer may assume that adequate installation codes and qualification requirements for installers are in place in the country where the appliance is installed and that the installers are aware of these codes. A general reference to "national installation codes" is sufficient.

In cases where it is expected that the appliance may be installed by the consumer or any other non-competent person: the instructions should be clear to the consumer in describing how to install and/or connect and use the appliance safely.

In carrying out the conformity assessment of an appliance, a GAD Notified Body must thoroughly examine whether the appliance meets the applicable provisions of the GAD.

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