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HEVAC position paper on the interpretation of the Pressure Equipment (Safety) Regulations (PE(S)R)

During 2021 there have been several discussions within FETA groups regarding PE(S)R. There are some differences in how these regulations are viewed by various parts of the industry. There are a lot of different guidance notes available (see references), not all of which are very helpful to someone trying to understand how the regulations apply to them.

It is not appropriate for FETA to offer interpretation on these regulations, as we do not have the technical knowledge to do this. However, we are keen to try and get a consensus over how these regulations are interpreted and implemented by our members.

The key issue to be aware of is that PE(S)R applies to **ALL** systems operating at pressure over 0.5 bar. In simple terms this is **ALL RACHP equipment and systems**. From discussions with a number of FETA subgroups, this fact is not necessarily widely understood. What has become clear is that, with the increasing use of A2L refrigerants, some systems have moved up in terms of their hazard category under PE(S)R, which brings extra responsibilities under the regulations.

The fundamental issue we face is that there is a difference in interpretation of the regulation between the air conditioning and refrigeration communities. After much discussion, we do not believe that either party is actually *wrong*, but there is a difference of opinion.

From the guidance available, interpretation of the regulation regards the installer as becoming the manufacturer of the system when they connect pipework, etc. This would mean the responsibility to comply with PE(S)R falls to them. For categories SEP (Sound Engineering Practice) and I this means they have to self-certificate the system; for categories II and above they need to have a notified body assess the system.

The industry is in agreement as to the supply chain processes which apply to any system, as below

- The manufacturer¹ manufactures product(s) to appropriate product standards.
- Product is suitably CE/CA marked supervised by Notified Body where appropriate.
- Manufacturer issues Declaration of Conformity which highlights components in the product. and their relevant PE(S)R Hazard Category, and hence the overall Hazard Category of product.
- The importer² places product on market (EU/UK) for product produced outside Europe and must ensure product is compliant with relevant regulations.

¹ As defined in Section 3.1 of [SAFed PEDG 1 Guidance](#)

² As defined in Section 3.5 of [SAFed PEDG 1 Guidance](#)

- The distributor places product on the market (UK) and must ensure product is compliant with relevant regulations.
- Under the F Gas regulation, a distributor can only sell equipment to:
 - (a) Certified F Gas Engineer with current F Gas Company Certificate
 - (b) End User with “Letter of Assurance” evidencing product will be installed by certified engineer/company³

At this point there is a divergence in interpretation.

From our discussions, we now understand that some parts of the A/C industry interpret the process as follows (for example for packaged A/C systems):

- The outdoor unit is manufactured and sold compliant with PE(S)R and is assessed by a notified body.
- Indoor units are out of scope for PE(S)R but are covered by the Low Voltage Directive and Machinery Directive.
- An engineer connecting outdoor and indoor units must be competent to do so and must follow manufacturer’s instructions.
- Even if the outdoor unit is Category II under PE(S)R, the whole system does not then fall under this category. (The regulation states that systems must be classified under the category of the component part with the highest category)
- The above process has been assessed by notified bodies under PE(S)R and has been agreed to be compliant with the regulations.

Other parts of the industry do not consider the above process to be compliant with PE(S)R.

From the various guidance documents available, the process for other systems (for example large A/C or refrigeration installations) looks like this:

- Under PE(S)R, **the installer becomes the manufacturer** when assembling pressure equipment⁴ and therefore takes on the responsibility for compliance as appropriate to the hazard category of the system.
- For SEP and category I systems, they must self-certify.
- For category II and above they must use a notified body to assess the system.

It is clear that there are differing interpretations of the regulations within different market sectors, the key point must be that the A/C industry view has been assessed by notified bodies as being compliant with the PE(S)R.

With thanks to members of the HEVAC Air Conditioning Group

³ www.gluckmanconsulting.com [F Gas Guidance Note 17 Para 7](#)

⁴ As defined in Section 7.1.3 of [SAFed PEDG 1 Guidance](#)

References

1. SAFed PEDG1 Pressure Equipment Directive – Global Assessment – A Guide to Site Installed Assemblies (EEMUA Publication 237)
2. IOR Guidance Note GN 36
3. Cool Concerns CS23 Pressure Equipment Directive
4. OPSS Guidance [Pressure Equipment Safety Regulations 2016 - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

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