

**Guideline**

**C-03**

**CLAP**

**FORM N°X090**

**Version : 1**

**Directive 2014/68/EU**

**Adopted by WGP :** 08/01/2016

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**Directive References:** Article 4 § 2

**Subject:** Assemblies – Effect of the derogation in Article 4 paragraph 2

**Question:** The effect of the derogation in Article 4 paragraph 2 from the introductory paragraph in the same article is not clear. In the circumstances, how should Article 4 paragraph 2 be applied?

**Answer:** The assemblies set out in the 2<sup>nd</sup> subparagraph (the derogation) in Article 4 paragraph 2 must comply with the essential requirements referred to in 2.10, 2.11, 3.4, 5(a) and 5(d) of Annex I of the Directive, even if all the items of pressure equipment comprising the assembly fall under Article 4 paragraph 3.

**Reason:**

This was the intention of the Member States which proposed the text and the intention of the Council when approving the text