

I. EU Regulation on appliances burning gaseous fuels

Regulation (EU) 2016/426 of the European Parliament and of the Council of 9 March 2016 *on appliances burning gaseous fuels and repealing Directive 2009/142/EC* ('GAR') is directly applicable. Nevertheless, it must be read in conjunction with the Act of 13 April 2016 *on conformity assessment and market surveillance systems*.

II. Conformity assessment of products

Before being placed on the market, appliances or fittings covered by Regulation (EU) 2016/426 must be assessed for conformity with the essential requirements of that Regulation. A third party, i.e. a notified body, must participate in the conformity assessment process.

The conformity of series-manufactured appliances and fittings with the requirements of that Regulation is assessed by means of EU type-examination (module B – production type) combined with one of the following modules, at the choice of a manufacturer: conformity to type based on internal production control plus supervised product checks at random intervals (module C2), conformity to type based on quality assurance of the production process (module D), conformity to type based on product quality assurance (module E) or conformity to type based on product verification (module F).

In the case of an appliance or fitting produced as a single unit or in small quantities, the manufacturer may choose one of the procedures described above or assess conformity using module G – conformity based on unit verification.

The above third party must be accredited by the Polish Centre for Accreditation (Polskie Centrum Akredytacji, PCA).

Search engine for product certification bodies accredited by the PCA

<https://www.pca.gov.pl/akredytowane-podmioty/akredytacje-aktywne/jednostki-certyfikujace-wyroby/>

III. Standardisation

Harmonised standards are developed in order to help manufacturers demonstrate the conformity of their appliances or fittings with the essential requirements and to facilitate access to the market. Their reference numbers are published in the Official Journal of the European Union. In harmonised standards, the essential requirements are translated into detailed technical requirements, with, for example, measurement methods and/or figures used for assessing the conformity of products with the essential requirements being specified. Harmonised standards provide a presumption of conformity with the essential requirements. The national standardisation body in Poland is the Polish Committee for Standardisation (Polski Komitet Normalizacyjny, PKN).

No standards harmonised with Regulation (EU) 2016/426 (GAR) have been developed yet, while the harmonisation of standards with Directive 2009/142/EC (GAD), which was previously in force, expired on 21 April 2018.

Therefore, please note that if manufacturers are unable to carry out a full conformity assessment on the basis of standards, they may have their products or parts thereof that have not been assessed due to deficiencies in the standards examined by a conformity assessment body that will be able to carry out such examinations.

Irrespective of the above, manufacturers may always have such examinations carried out if, for example, there are any doubts as to whether they have correctly carried out conformity assessments.

Search engine for standards

<https://wiedza.pkn.pl/wyszukiwarka-norm>

IV. Requirements set out in the GAR

Any appliance or fitting placed on the EU market must meet all the essential requirements applicable to the product concerned. In order to determine these requirements, manufacturers first carry out a risk analysis and identify all possible risks associated with the appliance or fitting concerned. The list of the essential requirements set out in the GAR starts with general requirements to be met by appliances and fittings, covering, inter alia, the content of instructions intended for installers and users as well as warning notices to be placed on appliances and their packaging. These requirements are followed by requirements for the materials used, including materials coming into contact with food or water intended for human consumption. Aspects related to the functioning of appliances and fittings, such as the stability of appliances, the risk of explosion, condensation, fluctuation of auxiliary energy, hazards of electrical origin or hazards originating from electromagnetic phenomena, pressurisation, failure of controlling or regulating device, and hazards and functionalities related to unburned gas release, ignition, combustion or temperature, must also be taken into account. Manufacturers must also design appliances in such a way as to ensure rational use of energy. This requirement does not apply to appliances falling within the scope of the measure adopted under Article 15 of Directive 2009/125/EC (Ecodesign). Appliances or fittings falling within the scope of the GAR may also be subject to other legal rules. In such a case, manufacturers must demonstrate the conformity of their products with the requirements of all applicable provisions.

V. Market Surveillance Authorities

The market surveillance authorities responsible for the GAR are:

National Labour Inspectorate (Państwowa Inspekcja Pracy)

<https://www.pip.gov.pl/pl/>

Trade Inspectorate (Inspekcja Handlowa)

https://www.uokik.gov.pl/wazne_adresy.php#faq595

VI. Technical inspection

Selected appliances are also subject to technical inspection. The rules, scope and forms of technical inspection are set out in the Technical Inspection Act of 21 December 2000. The Office of Technical Inspection (Urząd Dozoru Technicznego) and specialised technical inspection authorities – the Transport Technical Inspection (Transportowy Dozór Techniczny) and the Military Technical Inspection (Wojskowy Dozór Techniczny) – are responsible for technical inspection.

Appliances subject to technical inspection

<https://www.udt.gov.pl/co-i-kiedy-podlega-dozorowi>