

ExNB	Co-ordination of Notified Bodies Electrical Equipment for use in potentially explosive atmospheres on Council Directive 94/9/EC (ATEX)	EOTC/01-007-EN Issued: June 2001 ExNB/99/086/CS
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European ATEX Notified Bodies Group

Clarification/Decision Sheet N° ExNB/99/086/CS

Edition 1.0

Original in English

Status:	Step*5.2.1	Question	Originator	EK4/DMT	Date:	28.05.99
	Step*5.2.3	Initial proposal	Proposer:	EK4/DMT	Date:	28.05.99
	Step*5.2.4	Responses/Final Draft			Date:	08.06.00

**Step refers to ExNB Rules*

Subject: Directive, 94/9/EC Article No.
 Directive, ESR No. 94/9/EC
 Directive, Module Annex No. VIII, paragraph 3
 Standard, No.

Authorised by Chairman: M. BRÉNON

Date: 8/06/2000

Date of application: 08.06.2000

Signature: 

Handling and storage of the dossier for non-electrical equipment category M2 and 2 according to Annex VIII, paragraph 3

Question:

What should a notified body do concerning handling and storage of the dossier for non electrical equipment category M2 and 2 according to Annex VIII, paragraph 3?

Answer:

According to Article 8 (b) ii of Directive 94/9/EC the manufacturer must communicate the dossier to a notified body, which shall acknowledge receipt and shall retain it. An approval of completeness or even correctness by the notified body is neither necessary nor permissible. To get legal safety that the dossier stored is indeed the dossier communicated by the manufacturer **without** having checked the completeness it is recommended to the notified bodies only to accept the dossier sealed by the manufacturer. Although not defined in the directive, for reasons of agreement with the duty of the manufacturer to keep the dossier the notified body should keep the dossier for a period ending at last 10 years after the last piece of equipment was manufactured, too. A yearly fee could be a suited instrument to get the information from the manufacturer when the production has been stopped.

* EK4 is the German group of notified bodies concerning directive 94/9/EC

This ExNB Interpretation/Clarification Sheet has the sole purpose of clarifying the application of the EN Standards and/or of the requirements of Directive 94/9/EC and related documents. It does not in any way change the content of the standards and/or of the requirements. It remains valid until an official answer is received from the European Commission or the relevant standardization bodies.