

GAR: Gas Appliances Regulation (Regulation (EU) 2016/426), explained

The Gas Appliances Regulation requires appliances burning gaseous fuels, and their fittings, to meet its essential requirements and operate safely, with duties for manufacturers, authorised representatives, importers and distributors. It has applied since 21 April 2018, replacing Directive 2009/142/EC; the emergency procedures added by Regulation (EU) 2024/2748 apply from 29 May 2026.

Reviewed 24 September 2026 by Conphora compliance team · Next review 12 March 2027 · Not legal advice

Key facts

Reference	Regulation (EU) 2016/426	Act type	Regulation
In force	20 April 2016	Applies from	21 April 2018
Amended by	Regulation (EU) 2024/2748	Enforced by	National market surveillance authorities enforce the regulation directly with the powers of Regulation (EU) 2019/1020, which lists it in Annex I.
CELEX	32016R0426		

Key dates

9 March 2016	Regulation (EU) 2016/426 adopted by the European Parliament and the Council, replacing Directive 2009/142/EC with a directly applicable regulation aligned with the New Legislative Framework	title and signature block after Art. 46
20 April 2016	Entry into force, the twentieth day after publication in OJ L 81 of 31 March 2016	Art. 46(1)
21 October 2016	Article 4 on gas supply conditions, Articles 19 to 35 on notified bodies, Article 42 on the committee and Annex II apply	Art. 46(2)(a)
21 October 2017	Deadline for Member States to communicate to the Commission and the other Member States the types of gas and corresponding supply pressures used on their territory, per Annex II	Art. 4(1) and Annex II
21 March 2018	Article 43(1) applies: Member States lay down their penalty rules and notify them to the Commission	Art. 43(1) and Art. 46(2)(b)
21 April 2018	The regulation applies in full and Directive 2009/142/EC is repealed; appliances and fittings conforming to the directive and placed on the market before this date may still be made available and, for appliances, put into service	Art. 44, Art. 45 and Art. 46(2)
15 March 2019	Executive order nr. 236 of 13 March 2019 in force: the penalty provision of executive order nr. 239/2018 is recast as § 47(1), which fines breaches of §§ 7 to 17, §§ 19 to 32 or § 38 of the order and breaches of Articles 3(1) and (2), 5, 7, 9, 10, 12, 14(1), 15, 17(1) to (3), 18, 23(2) to (11), 25, 31 to 33, 37(1) and (3) and 39(2) of the regulation	§ 1, nr. 5
28 November 2024	Regulation (EU) 2024/2748 in force: internal market emergency procedures inserted as Chapter Va (Articles 40a to 40e) and two definitions added to Article 2	Art. 4 and Art. 7
29 May 2026	The emergency procedures of Regulation (EU) 2024/2748 apply	Art. 7
30 May 2026	Executive order nr. 485 of 28 May 2026 in force: executive order nr. 239/2018 is re-based on the gas safety act (consolidated act nr. 257 of 9 February 2026), Erhvervsstyrelsen replaces Sikkerhedsstyrelsen throughout, a new § 45(2) requires the crisis-relevant-good information and labelling in Danish or English, and the fine provision is extended to that duty and to Article 40c(5) and (7)	§ 1, nr. 1 to 6, and § 2

Obligations by role

Manufacturer (including brand owners and own-use manufacturers)

- Design and manufacture appliances so that they operate safely and present no danger to persons, domestic animals or property when normally used, and fittings so that they fulfil their purpose when incorporated, meeting the Annex I essential requirements on risk analysis, materials, design and construction, unburned gas release, ignition, combustion and carbon monoxide, rational use of energy, temperature and contact with food and drinking water. Art. 5, Art. 7(1) and Annex I
- Draw up the Annex III technical documentation with a risk analysis, drawings, the harmonised standards applied or the solutions adopted, calculations, test reports, installation and use instructions and, for a fitting, its EU declaration of conformity, and submit the appliance or fitting to EU type-examination (Module B) by a single notified body of your choice combined with Module C2, D, E or F, or for single units or small quantities Module G. Art. 7(2), Art. 14 and Annex III, point 1.3
- Carry out a risk analysis of the appliance or fitting to identify the risks it presents and the Annex I essential requirements that apply, and record it in the technical documentation.
Art. 7(2) and Annex III, point 1.3
- Draw up the Annex III technical documentation: drawings, the harmonised standards applied or the solutions adopted, calculations, test reports, installation and use instructions and, for a fitting, its EU declaration of conformity. Art. 7(2) and Annex III, point 1.3
- Submit the appliance or fitting to EU type-examination (Module B) by a single notified body of your choice, combined with Module C2, D, E or F, or use Module G for single units or small quantities.
Art. 14 and Annex III
- Draw up the EU declaration of conformity per Annex V, translated into the languages the Member State requires, as a single declaration where other Union acts also apply, and affix the CE marking followed by the identification number of the notified body involved in the production control phase and the last two digits of the year of affixing. Art. 7(2), Art. 15, Art. 17(3) and Annex V
- Draw up the EU declaration of conformity per Annex V, translated into the languages the Member State requires, as a single declaration where other Union acts also apply. Art. 7(2), Art. 15 and Annex V
- Affix the CE marking, followed by the identification number of the notified body involved in the production control phase and the last two digits of the year of affixing. Art. 7(2), Art. 16 and Art. 17(3)
- Keep the technical documentation and the EU declaration of conformity, together with the EU type-examination certificate and its annexes, at the disposal of the national authorities for 10 years after the appliance or fitting was placed on the market; the certificate itself is valid for at most 10 years.
Art. 7(3) and Annex III, points 1.6 and 1.9
- Keep series production in conformity, taking account of design changes and changes in the harmonised standards or other technical specifications relied on, inform the notified body of modifications to the approved type, and where the risks warrant it sample-test marketed appliances, investigate complaints and keep a register of complaints, non-conforming products and recalls, informing distributors.
Art. 7(4) and Annex III, point 1.7
- Keep series production in conformity, taking account of design changes and changes in the harmonised standards or other specifications relied on, and inform the notified body of modifications to the approved type. Art. 7(4) and Annex III, point 1.7
- Where the risks warrant it, sample-test marketed appliances and fittings, investigate complaints, keep a register of complaints, non-conforming products and recalls, and keep distributors informed of that monitoring. Art. 7(4)

- Mark the appliance or fitting with a type, batch or serial number and the Annex IV inscriptions: your name, registered trade name or trade mark and a single postal contact address, the type of electrical supply where applicable, the appliance category marking, the nominal supply pressure and the information needed for correct and safe installation, affixed visibly, legibly and indelibly before placing on the market. Art. 7(5), Art. 7(6), Art. 18 and Annex IV
- Supply each appliance with installation instructions for the installer, use and servicing instructions for the user and warning notices on the appliance and its packaging stating the gas type, supply pressure, appliance category and restrictions on use, in a language the Member State determines; supply each fitting, or each batch delivered to a single user, with a copy of the EU declaration of conformity containing incorporation, adjustment, operation and maintenance instructions.

Art. 7(7) and Annex I, points 1.5 to 1.7

- If you consider or have reason to believe that an appliance or fitting you placed on the market does not conform, immediately bring it into conformity, withdraw or recall it, and where it presents a risk inform the competent authorities of the Member States where you made it available with details of the non-compliance and the corrective measures. Art. 7(8)
- On a reasoned request, provide all information and documentation demonstrating conformity in paper or electronic form in a language the authority understands, cooperate on risk-elimination measures, and be able to identify your suppliers and customers for 10 years after each supply. Art. 7(9) and Art. 12
- On a reasoned request, provide the authority with all information and documentation demonstrating conformity, in paper or electronic form and a language it understands, and cooperate on measures to eliminate the risks. Art. 7(9)
- Be able to identify, for 10 years after each supply, the economic operators that supplied you and the economic operators you supplied. Art. 12

Authorised representative

- Act under a written mandate that at least lets you keep the EU declaration of conformity and the technical documentation at the disposal of the national market surveillance authorities for 10 years after placing on the market, provide conformity information and documentation on reasoned request, and cooperate with the authorities on risk-elimination measures. Art. 8(2)
- Act only under a written mandate from the manufacturer that sets out the tasks you perform on its behalf. Art. 8(1) and Art. 8(2)
- Keep the EU declaration of conformity and the technical documentation at the disposal of the national market surveillance authorities for 10 years after the appliance or fitting was placed on the market. Art. 8(2)(a)
- On a reasoned request, provide the authority with the information and documentation demonstrating conformity, and cooperate with it on measures to eliminate the risks of the products covered by your mandate. Art. 8(2)(b) and Art. 8(2)(c)
- Do not take over the manufacturer's duty to design and manufacture to the essential requirements or to draw up the technical documentation; those cannot form part of the mandate, although the mandate may cover lodging the EU type-examination application and the CE marking and declaration duties of the production modules. Art. 8(1) and Annex III, points 1.10 and 2.5
- Where the notified body instructs it, affix the notified body's identification number after the CE marking on the manufacturer's behalf. Art. 17(3)
- Be able to identify the economic operators that supplied you and that you supplied for 10 years. Art. 12

Importer

- Place only compliant appliances and fittings on the market, and before doing so check that the manufacturer carried out the Article 14 conformity assessment, drew up the technical documentation, affixed the CE marking, supplied the instructions and safety information or, for a fitting, the copy of the EU declaration of conformity, and applied the identification, inscription and address requirements; hold non-conforming products back and inform the manufacturer and the authorities where they present a risk. Art. 9(1) and Art. 9(2)
- Indicate your name, registered trade name or trade mark and a postal contact address on the appliance or fitting or, where not possible, on its packaging or in an accompanying document, in a language end users or appliance manufacturers and the authorities understand. Art. 9(3)
- Ensure the appliance is accompanied by instructions and safety information in the language the Member State determines, and the fitting by a copy of the EU declaration of conformity with incorporation, adjustment, operation and maintenance instructions in a language appliance manufacturers understand. Art. 9(4)
- Keep storage and transport conditions from jeopardising compliance with the essential requirements, and where the risks warrant it sample-test marketed appliances, investigate complaints and keep a register of complaints, non-conforming products and recalls, informing distributors. Art. 9(5) and Art. 9(6)
- While an appliance or fitting is under your responsibility, keep storage and transport conditions from jeopardising its compliance with the essential requirements. Art. 9(5)
- Where the risks warrant it, sample-test marketed appliances and fittings, investigate complaints, keep a register of complaints, non-conforming products and recalls, and keep distributors informed of that monitoring. Art. 9(6)
- If an appliance or fitting you placed on the market does not conform, immediately take corrective measures, withdraw or recall it, and where it presents a risk inform the competent authorities of the Member States concerned. Art. 9(7)
- Keep a copy of the EU declaration of conformity for 10 years and ensure the technical documentation can be made available on request; provide conformity information on reasoned request in a language the authority understands, cooperate on risk-elimination measures, and identify suppliers and customers for 10 years. Art. 9(8), Art. 9(9) and Art. 12
- Keep a copy of the EU declaration of conformity at the disposal of the market surveillance authorities for 10 years after placing on the market, and ensure the technical documentation can be made available on request. Art. 9(8)
- On a reasoned request, provide the authority with the information and documentation demonstrating conformity in a language it understands, and cooperate on measures to eliminate the risks. Art. 9(9)
- Be able to identify, for 10 years after each supply, the economic operators that supplied you and the economic operators you supplied. Art. 12
- If you place an appliance or fitting on the market under your own name or trade mark, or modify one in a way that may affect compliance, you carry the manufacturer's obligations under Article 7. Art. 11

Distributor (wholesaler or retailer)

- Act with due care and, before making an appliance available, verify that it bears the CE marking and is accompanied by instructions and safety information in the language of the Member State where it is sold, and that the manufacturer and importer have applied their identification, inscription and address requirements; hold non-conforming products back and inform the manufacturer or importer and the authorities where they present a risk. Art. 10(1) and Art. 10(2)
- Before making a fitting available, verify that it bears the CE marking and is accompanied by a copy of the EU declaration of conformity with incorporation, adjustment, operation and maintenance instructions in a language appliance manufacturers understand. Art. 10(2)
- Keep storage and transport conditions from jeopardising compliance with the essential requirements. Art. 10(3)
- If an appliance or fitting you made available does not conform, make sure corrective measures are taken to bring it into conformity, withdraw or recall it, and where it presents a risk immediately inform the competent authorities of the Member States concerned. Art. 10(4)
- On reasoned request, provide the information and documentation demonstrating conformity, cooperate on risk-elimination measures, and identify suppliers and customers for 10 years. Art. 10(5) and Art. 12
- On a reasoned request, provide the authority with the information and documentation demonstrating conformity, and cooperate on measures to eliminate the risks of appliances or fittings you made available. Art. 10(5)
- Be able to identify, for 10 years after each supply, the economic operators that supplied you and the economic operators you supplied. Art. 12
- If you sell under your own name or trade mark or modify an appliance or fitting in a way that may affect compliance, you take on the manufacturer's obligations. Art. 11

Penalties

Member States lay down the rules on penalties for infringements of the regulation by economic operators; the penalties must be effective, proportionate and dissuasive, may include criminal penalties for serious infringements, and had to be notified to the Commission by 21 March 2018. Market surveillance authorities evaluate appliances and fittings that present a risk to the health or safety of persons or to domestic animals or property, require corrective action, withdrawal or recall within a period commensurate with the risk, inform the notified body, and if the operator fails to act prohibit or restrict the making available, withdraw or recall the product and notify the Commission and the other Member States; compliant products that still present a risk can be treated the same way. Formal non-compliance, such as CE marking missing or wrongly affixed, Annex IV inscriptions or the notified-body number missing, an EU declaration of conformity not drawn up correctly or not accompanying a fitting, incomplete technical documentation or missing manufacturer or importer identification, must be ended and otherwise leads to restriction, prohibition, withdrawal or recall. In Denmark, the regulation is enforced under produktloven (consolidated act nr. 22 of 8 January 2026), which lists it in section 2(1), point 41, and makes Erhvervsstyrelsen the control authority with powers to sample products, issue temporary bans, order warnings, withdrawal or recall, remove unlawful CE marking and prohibit or destroy non-compliant products; infringements are punished with fines and, under aggravating circumstances such as danger to safety or health, an accident with serious injury or death, repetition or systematic infringement for gain, with imprisonment of up to 2 years. Executive order nr. 239 of 23 March 2018, § 47, as recast by executive order nr. 236 of 13 March 2019 and extended by executive order nr. 485 of 28 May 2026, separately punishes with a fine, unless a higher penalty is due under other law, breaches of §§ 7 to 17, §§ 19 to 32, § 38 and § 45(2) of the order and breaches of Articles 3(1) and (2), 5, 7, 9, 10, 12, 14(1), 15, 17(1) to (3), 18, 23(2) to (11), 25, 31 to 33, 37(1) and (3), 39(2) and 40c(5) and (7) of the regulation, with liability for companies under Chapter 5 of the Danish Criminal Code (§ 48). Executive order nr. 239 of 23 March 2018 on the safety of gas equipment requires Danish instructions and safety information and a Danish or English EU declaration of conformity and entrusts the assessment of notified bodies to DANAK. Since 30 May 2026, § 45(2) of executive order nr. 239/2018 requires appliances or fittings covered by an extension of an authorisation under Article 40c(2) to carry clear, understandable and legible information that they are placed on the market or used for the manufacturer's own purposes as a 'crisis-relevant good', in Danish or English.

Art. 43, Art. 37, Art. 39 and Art. 40; § 2, stk. 1, nr. 41, § 9, §§ 12 to 16 and § 37; §§ 41 to 45, § 47 and § 48; § 1, nr. 5; § 1, nr. 4 to 6

Checklist

1. Confirm the product burns a gaseous fuel for cooking, refrigeration, air-conditioning, space heating, hot water production, lighting or washing, or is a burner, heating body or fitting for such an appliance, and that it is not specifically designed for an excluded industrial, aircraft, railway or laboratory use (Articles 1 and 2).
2. Decide your role for each product, remembering that selling under your own brand, modifying the product or using the appliance for your own purposes makes you the manufacturer (Articles 2 and 11).
3. Check the gas types and supply pressures communicated by each Member State you sell into and design the appliance for the right gas families, groups and pressures, marking the appliance category and nominal supply pressure (Articles 1(2) and 4, Annex II and Annex IV).
4. Identify the harmonised standards published in the Official Journal that cover the product and carry out the risk analysis against the Annex I essential requirements, including unburned gas release, ignition, combustion, carbon monoxide, temperature and rational use of energy (Article 13 and Annex I).
5. Compile the Annex III technical documentation and lodge the EU type-examination application with a single notified body, then choose the production-phase module C2, D, E or F, or Module G for single units or small quantities (Article 14 and Annex III).
6. Draw up the Annex V EU declaration of conformity per model, as a single declaration where other Union acts also apply, and for fittings include the incorporation, adjustment, operation and maintenance instructions (Article 15).
7. Affix the CE marking, the notified body's identification number and the last two digits of the year, plus the type or serial number and the Annex IV inscriptions, before placing on the market (Articles 17 and 18).
8. Supply installation instructions, use and servicing instructions and warning notices in the required language, in Denmark in Danish, and send a copy of the EU declaration of conformity with each fitting (Article 7(7) and Annex I, points 1.5 to 1.7).
9. Keep the technical documentation, the type-examination certificate and the declaration for 10 years, track the certificate's 10-year validity, and set up the corrective-action, notification and 10-year supplier and customer traceability procedures (Articles 7(3), 7(8), 9(8), 12 and Annex III, points 1.6 and 1.9).
10. If you rely on an emergency authorisation that the Commission has extended to the whole Union, remember that since 30 May 2026, § 45(2) of executive order nr. 239/2018 requires appliances or fittings covered by an extension of an authorisation under Article 40c(2) to carry clear, understandable and legible information that they are placed on the market or used for the manufacturer's own purposes as a 'crisis-relevant good', in Danish or English (Article 40c(2); executive order nr. 239/2018, § 45(2)).

Sources

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2. Regulation (EU) 2016/426 as published in OJ L 81, 31 March 2016 (EUR-Lex) — <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32016R0426>
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11. Sikkerhedsstyrelsen, en del af Erhvervsstyrelsen from 1 January 2026 (Sikkerhedsstyrelsen) — <https://www.sik.dk/sikkerhedsstyrelsen-del-erhvervsstyrelsen>
12. Bekendtgørelse af lov om produkter og markedsovervågning, LBK nr. 22 af 8. januar 2026 (Retsinformation) — <https://www.retsinformation.dk/eli/lta/2026/22>
13. Bekendtgørelse om sikkerhed for gasmateriel, BEK nr. 239 af 23. marts 2018 (Retsinformation) — <https://www.retsinformation.dk/eli/lta/2018/239>
14. Bekendtgørelse nr. 236 af 13. marts 2019 om ændring af bekendtgørelse om sikkerhed for gasmateriel (Retsinformation) — <https://www.retsinformation.dk/eli/lta/2019/236>
15. Bekendtgørelse nr. 485 af 28. maj 2026 om ændring af bekendtgørelse om sikkerhed for gasmateriel (Retsinformation) — <https://www.retsinformation.dk/eli/lta/2026/485>
16. Bekendtgørelse af lov om sikkerhed for gasanlæg, gasinstallationer og rørledninger til gas (gassikkerhedsloven), LBK nr. 257 af 9. februar 2026 (Retsinformation) — <https://www.retsinformation.dk/eli/lta/2026/257>
17. Lov om produkter og markedsovervågning, lov nr. 799 af 9. juni 2020, § 43 moving gas equipment from gassikkerhedsloven to produktloven (Retsinformation) — <https://www.retsinformation.dk/eli/lta/2020/799>

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