1995 No. 3

HEALTH AND SAFETY

Gas Safety (Installation and Use) Regulations (Northern Ireland) 1995

Made . . . . . 10th January 1995

Coming into operation in accordance with regulation 1(2) to (4)

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The Department of Economic Development, being the Department concerned(**a**), in exercise of the powers conferred on it by Articles 17(1), (2), (4), (5) and (6) and 55(2) of, and paragraphs 1(1), (2) and (3), 3(1), 11, 15 and 19 of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(**b**) and of every other power enabling it in that behalf, after consultation in accordance with Article 46(1) of that Order with the Health and Safety Agency for Northern Ireland and such other bodies as appeared to the Department to be appropriate, hereby makes the following Regulations:—

PART I

GENERAL

Citation and commencement

1.—(1) These Regulations may be cited as the Gas Safety (Installation and Use) Regulations (Northern Ireland) 1995.

(2) Subject to paragraphs (3) to (4), these Regulations shall come into operation on 20th February 1995.

(3) Regulations 3(3), 30(2) and (3) and 35(3) and (4) shall come into operation on 1st January 1996.

(4) Regulation 14 shall come into operation on 1st September 1996.

General interpretation and application

2.—(1) In these Regulations—

"Department" means the Department of Economic Development;

"distribution main" means any main through which a supplier or a transporter is for the time being distributing gas and which is not being used only for the purpose of conveying gas in bulk;

"emergency control" means a valve (not being a service valve) for shutting off the supply of gas in an emergency;

"flue" means a passage for conveying the products of combustion from a gas appliance to the external air and includes any part of the passage in a gas appliance duct which serves the purpose of a flue;

"gas" has the meaning assigned to it by Article 4(4) of the Offshore, and Pipelines, Safety (Northern Ireland) Order 1992(**c**);

"gas appliance" means an appliance designed for use by a consumer of gas for heating, lighting, cooking or other purposes for which gas can be used, but, save for the purposes of regulations 3 and 35, it does not include a portable or mobile appliance supplied with gas from a cylinder, or the cylinder, pipes and other fittings used for supplying gas to that appliance;

(**a**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)
(**b**) S.I. 1978/1039 (N.I. 9); the general purposes of Part II referred to in Article 17(1) were extended by S.I. 1992/1728 (N.I. 17) Article 4(1)
(**c**) S.I. 1992/1728 (N.I. 17)

"gas fittings" means gas pipework, valves, regulators and meters, and fittings, apparatus and appliances designed for use by consumers of gas for heating, lighting, cooking or other purposes for which gas can be used (other than the purpose of an industrial process carried out on industrial premises), but it does not include—

(*a*) any part of a service pipe;

(*b*) any part of a distribution main or other pipe upstream of the service pipe;

(*c*) a gas storage vessel; or

(*d*) a gas cylinder or cartridge designed to be disposed of when empty;

"gas storage vessel" means a storage container designed to be filled or re-filled with gas at the place where it is connected for use or a refillable cylinder designed to store gas, and includes the vapour valve; but it does not include a cylinder or cartridge designed to be disposed of when empty;

"installation pipework" means any pipework for conveying gas for a particular consumer and any associated valve or other gas fitting, but it does not include—

(*a*) a service pipe;

(*b*) a pipe comprised in a gas appliance;

(*c*) any valve attached to a storage container or cylinder;

(*d*) service pipework; or

(*e*) any part of a primary meter installation;

"meter by pass" means any pipe and other gas fittings used in connection with it through which gas can be conveyed from a service pipe or service pipework to installation pipework without passing through the meter;

"premises" shall not include any place which is within United Kingdom territorial waters adjacent to Northern Ireland;

"primary meter" means a meter connected to a service pipe or service pipework for ascertaining the quantity of gas supplied through that pipe or pipework;

"primary meter installation" means a primary meter and the pipes and other gas fittings used in connection with it, including any meter by pass, installed between the outlet of the emergency control and the outlet connection of the meter or the outlet of the common connection of the meter and any meter by pass or any other primary meter as the case may be;

"the responsible person", in relation to any premises, means the occupier of the premises or, where there is no occupier or the occupier is unavailable, the owner of the premises or any person with authority for the time being to take appropriate action in relation to any gas fitting therein;

"room-sealed appliance" means an appliance whose combustion system is sealed from the room in which the appliance is located and which obtains air for combustion from a ventilated uninhabited space within the premises or from the open air outside the premises and which vents the products of combustion to open air outside the premises;

"service pipe" means a pipe for supplying gas to premises from a distribution main, being any pipe between the distribution main and the emergency control nearest upstream to the primary meter;

"service pipework" means a pipe for supplying gas to premises from a gas storage vessel, being any pipe between the gas storage vessel and the outlet of the emergency control;

"service valve" means a valve for controlling a supply of gas incorporated in a service pipe and not situated inside a building;

"supplier" in relation to gas means—

(*a*) a person who supplies gas to any premises through a primary meter;

(*b*) a person who provides a supply of gas to a consumer by means of the filling or re-filling of a storage container designed to be filled or re-filled with gas at the place where it is connected for use whether or not such container is or remains the property of the supplier; or

(*c*) a person who provides gas in refillable cylinders for use by a consumer whether or not such cylinders are filled or re-filled directly by that person and whether or not such cylinders are or remain the property of that person, but a retailer shall not be deemed to be a supplier when he sells a brand of gas other than his own;

"transporter" in relation to gas means a person, other than a supplier, who conveys gas through a distribution main;

"undertaker" has the meaning assigned to it by Article 2(2) of the Gas (Northern Ireland) Order 1977(**a**);

"work" in relation to a gas fitting includes any of the following activities carried out by any person, whether an employee or not, that is to say—

(*a*) installing the fitting;

(*b*) maintaining, servicing, permanently adjusting, repairing, altering or renewing the fitting or purging it of air or gas;

(*c*) where the fitting is not readily movable, changing its position; and

(*d*) removing the fitting.

(2) For the purposes of these Regulations—

(*a*) any reference to installing a gas fitting includes a reference to converting any pipe, fitting, meter, apparatus or appliance to gas use; and

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(**a**) S.I. 1977/596 (N.I. 7)