1991 No. 471

HEALTH AND SAFETY

Pressure Systems and Transportable Gas Containers Regulations (Northern Ireland) 1991

Made . . . . . 23rd October 1991

Coming into operation—

Regulations 1 to 3, 5 to 7, 13 to 15, 23, 24 and 26	*9th December 1991*
Regulations 4 (to the extent specified in Part I of Schedule 1), 16 to 22, and 25 (to the extent specified in Part I of Schedule 1)	*8th June 1992*
The remainder	*1st July 1994*

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The Department of Agriculture, the Department of Economic Development, the Department of the Environment and the Department of Health and Social Services acting jointly as the Department concerned(**a**), in exercise of the powers conferred by Articles 17(1), (2), (3), (4), (5), and (6), 40(2), (3) and (4), 43(3) and 55(2) of, and paragraphs 1(1), (2) and (3), 13, 14(1), and 15 of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(**b**) and of every other power enabling them in that behalf, after consultation in accordance with Article 46(2) of that Order with the Health and Safety Agency for Northern Ireland, and such other bodies as appeared to them to be appropriate, hereby make the following Regulations:

PART I

INTRODUCTION

Citation and commencement

1. These Regulations may be cited as the Pressure Systems and Transportable Gas Containers Regulations (Northern Ireland) 1991 and shall come into operation in accordance with the provisions of Part I of Schedule 1.

Interpretation

2. In these Regulations—

"the 1978 Order" means the Health and Safety at Work (Northern Ireland) Order 1978;

"approved design standard" and "approved design specification" means a design standard or design specification, as the case may be, approved under regulation 16(2)(*a*);

"competent person" means a competent individual person (other than an employee) or a competent body of persons corporate or unincorporate; and accordingly any reference to a competent person performing a function includes a reference to his performing it through his employees;

"danger" in relation to a pressure system, means reasonably foreseeable danger to a person from system failure, but (except in the case of steam) it does not mean danger from the hazardous characteristics of the relevant fluid other than from its pressure;

"the Department" means the Department of Economic Development;

"design specification" means a specification for the design of one type of transportable gas container;

"design standard" means a standard for the design of more than one type of transportable gas container;

"EEC-type cylinder" has the meaning assigned by regulation 16(2)(*b*);

(**a**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)
(**b**) S.I. 1978/1039 (N.I. 9)

"examination" means a careful and critical scrutiny of a pressure system, part of a pressure system, or a transportable gas container, in or out of service as appropriate, using suitable techniques, including testing where appropriate, to assess—

(*a*) its actual condition; and

(*b*) whether, for the period up to the next examination, it will not cause danger when properly used if normal maintenance is carried out, and for this purpose "normal maintenance" means such maintenance as it is reasonable to expect the user (in the case of an installed system) or owner (in the case of a mobile system or transportable gas container) to ensure is carried out independently of any advice from the competent person making the examination;

"framework directive" means Council Directive 76/767/EEC concerning the approximation of the laws of the Member States relating to common provisions for pressure vessels and methods of inspecting them(**a**);

"installed system" means a pressure system other than a mobile system;

"mobile system" means a pressure system which can be readily moved between and used in different locations but it does not include a steam locomotive;

"owner" in relation to a pressure system or a transportable gas container means the employer or self-employed person who owns the pressure system or the transportable gas container or, if he does not have a place of business in Northern Ireland, his agent in Northern Ireland or, if there is no such agent, the user;

"pipeline" means a pipe or system of pipes used for the conveyance of relevant fluid across the boundaries of premises, together with any apparatus for inducing or facilitating the flow of relevant fluid through, or through a part of, the pipe or system, and any valves, valve chambers, pumps, compressors, and similar works which are annexed to, or incorporated in the course of, the pipe or system;

"pipework" means a pipe or system of pipes together with associated valves, pumps, compressors, and other pressure-containing components and includes a hose or bellows but does not include a pipeline or any protective devices;

"pressure system" means

(*a*) a system comprising one or more pressure vessels of rigid construction, any associated pipework and protective devices;

(*b*) the pipework with its protective devices to which a transportable gas container is, or is intended to be, connected; or

(*c*) a pipeline and its protective devices;

which contains or is liable to contain a relevant fluid, but does not include a transportable gas container;

(**a**) O.J. No. L262, 27.9.1976, p. 153

"protective devices" means devices designed to protect the pressure system against system failure and devices designed to give warning that system failure might occur, and include bursting discs;

"relevant fluid" means—

(*a*) steam;

(*b*) any fluid or mixture of fluids which is at a pressure greater than 0.5 bar above atmospheric pressure, and which fluid or mixture of fluids, is—

(i) a gas, or

(ii) a liquid which would have a vapour pressure greater than 0.5 bar above atmospheric pressure when in equilibrium with its vapour at either the actual temperature of the liquid or 17.5 degrees Celsius; or

(*c*) a gas dissolved under pressure in a solvent contained in a porous substance at ambient temperature and which could be released from the solvent without the application of heat;

"safe operating limits" means the operating limits (incorporating a suitable margin of safety) beyond which system failure is liable to occur;

"scheme of examination" means the written scheme referred to in regulation 8;

"separate directives" means Council Directives 84/525/EEC(**a**), 84/526/EEC(**b**) and 84/527/EEC(**c**) concerning the approximation of the laws of the Member State relating to seamless steel gas cylinders, seamless unalloyed aluminium and aluminium alloy gas cylinders, and welded unalloyed steel gas cylinders respectively;

"system failure" means the unintentional release of stored energy (other than from a pressure relief system) from a pressure system or transportable gas container;

"transportable gas container" means a container, including any permanent fitting of such a container, which is used, or is intended to be used, to contain a relevant fluid and is—

(*a*) designed to be transportable for the purpose of refilling and having an internal volume of at least 0.5 litres and not greater than 3,000 litres;

(*b*) a non-refillable container having an internal volume of at least 1.4 litres and not greater than 5 litres; or

(*c*) for the purposes of regulation 17(3) only, a non-refillable container;

"user" in relation to a pressure system, or a vessel to which Part IV applies, means the employer or self-employed person who has control of the operation of the pressure system or such a vessel, or, in the case

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(**a**) O.J. No. L300, 19.11.84, p. 1
(**b**) O.J. No. L300, 19.11.84, p. 20
(**c**) O.J. No. L300, 19.11.84, p. 48