1980 No. 21

CONSUMER PROTECTION

Oil Lamps (Safety) Regulations (Northern Ireland) 1980

Made . . . . . 18th January 1980

Coming into operation in accordance with Regulation 1(2) and (3)

To be laid before Parliament under paragraph 3(3) of Schedule 1 to the Northern Ireland Act 1974

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The Department of Commerce, in exercise of the powers conferred by section 1 of the Consumer Protection Act (Northern Ireland) 1965(**a**) and now vested in it(**b**) and of every other power enabling it in that behalf, after consultation with such persons and bodies of persons as appear to it to be requisite, hereby makes the following Regulations:—

Citation and commencement

1.—(1) These Regulations may be cited as the Oil Lamps (Safety) Regulations (Northern Ireland) 1980.

(2) These Regulations except Regulation 9 shall come into operation—

(*a*) on 1st June 1980 in relation to the sale or possession for the purpose of sale of goods and component parts by the manufacturer or importer thereof into Northern Ireland; and

(*b*) on 31st December 1980 in any other case.

(3) Regulation 9 shall come into operation on 31st December 1980.

Interpretation

2.—(1) In these Regulations—

"the Act" means the Consumer Protection Act (Northern Ireland) 1965;

"the British Standard Specification of 1976" means the British Standard Specification for Kerosine (Paraffin) Lighting Appliances for Domestic Use BS 2049: 1976 published on 31st August 1976, as amended by Amendment Slip No. 1 published on 30th June 1978;

"full fuel level" in relation to an oil lamp means the level marked on the lamp as the maximum to which it may properly be filled with fuel or, where no such level is marked, the highest level to which the lamp can be filled with fuel without overflowing when it is standing on a level horizontal surface;

"oil lamp" means an appliance intended for indoor domestic use (including hurricane lamps suitable for such use) and designed for or capable of lighting by means of the burning of kerosene with the meaning of Chapter 27 in section V of the Annex to Council Regulation (EEC) No. 3000/75(**c**) (commonly called paraffin), but does not include any appliance which requires for its operation a pressure in its fuel container greater than atmospheric pressure.

(2) Any reference in these Regulations to any requirement of, or any test specified in, the British Standard Specification of 1976 includes a reference to any requirement or test incorporated in that Specification by reference to one or more other British Standard Specifications.

(3) For the purposes of these Regulations any reference to a British Standard Specification (other than the British Standard Specification of 1976) shall be construed as a reference to that Specification as amended before 31st August 1976.

Tests

3. For the purpose of any test of an oil lamp specified in Regulations 11, 13 and 17 to 21—

(*a*) the fuel used shall comply with the requirements of Appendix A to the British Standard Specification of 1976, and in these Regulations "test fuel" shall be construed accordingly;

(**a**) 1965 c. 14 (N.I.)
(**b**) S.R. & O. (N.I.) 1973 No. 504 Art. 5(*c*) (II, p. 2992)
(**c**) O.J. No. L. 304, 24.11.75, p. 1

(*b*) the conditions under which the test is carried on shall comply with the requirements of Appendix B to that Specification; and

(*c*) the oil lamp shall be filled to its full fuel level, lit and adjusted as soon as possible to give the rate of burning at which the test is to be carried out; the flame may be adjusted as necessary but only during the first 30 minutes from lighting up.

Warnings and instructions

4.—(1) Subject to paragraph (2), an oil lamp shall be marked indelibly and legibly with the words:

"Warning: Use only paraffin".

(2) Until 31st December 1980 an oil lamp shall be deemed to comply with paragraph (1) if it is marked indelibly and legibly with a warning that only kerosene should be used as a fuel or with a warning against the use of petrol as a fuel.

(3) Subject to paragraph (4), an oil lamp shall be accompanied by the following warnings and instructions:—

(*a*) the words "Warning: Use only paraffin";

(*b*) the maximum and minimum flame settings recommended by the manufacturer; and

(*c*) any special precautions necessary for the safe use, operation and extinguishment of the lamp.

(4) Until 31st December 1980 an oil lamp shall be deemed to comply with the requirement of paragraph (3)(*a*) if it is accompanied by a warning that only kerosene shall be used or by a warning against the use of petrol as a fuel.

General provisions

5. The construction of and strength of materials of an oil lamp shall be such that no breakage, discharge of fuel or distortion which might affect its safe working shall take place under normal use.

Fuel containers

6.—(1) The fuel container of an oil lamp shall be constructed of, or shall be coated internally with:—

(*a*) a material which is insoluble in test fuel and which does not soften or otherwise deteriorate through exposure to test fuel; and

(*b*) any part of the fuel container which is made of ferrous metal other than stainless steel and which is submerged when the oil lamp is standing on a level horizontal surface and the depth of fuel in the container is 25 mm above its lowest internal point shall be made of, or shall be coated internally with, a material which is resistant to corrosion by ionisable corrosive compounds in any water present in the container.

(2) All joints in the fuel container below the full fuel level shall be thoroughly sweated with solder or welded as appropriate to the metal used or otherwise jointed so that the joint is airtight to a pressure of 0·2 bar. The container and any internal coating material shall not be susceptible to thermal or mechanical damage arising from normal use and operation of the oil lamp.

(3) The maximum capacity of a fuel container shall be 2 litres except that in the case of glass containers the maximum capacity shall be 1 litre.

Flame regulator

7. Any device for regulating the flame of an oil lamp shall be readily accessible and capable of easy adjustment when the lamp is alight and shall adjust the flame evenly.

Inner and outer wick tube

8. The inner and outer wick tubes shall be sufficiently strong to ensure that distortion which might affect its proper working does not arise under normal use.

Removable parts

9. Without prejudice to Regulation 10, any part of an oil lamp which is capable of being removed and the absence or incorrect fitting of which might affect the safe working of the lamp shall—

(*a*) be so constructed that it cannot be fitted incorrectly, or, if that is not reasonably practicable,

(*b*) have an indication of its correct position in the oil lamp clearly marked on it or on another part of the oil lamp near that position in such a manner that the marking may easily be seen when the part is being replaced, or if that is not reasonably practicable,

(*c*) have an indication of its correct position clearly marked in a document accompanying the lamp.

The burner

10.—(1) An oil lamp and any burner or part of any burner which is capable of being detached from the oil lamp shall be so constructed that it is impossible to insert the part on to the burner or the burner into the oil lamp incorrectly.

(2) The burner shall be so constructed that the flame cannot flash back into the fuel container and so arranged that fuel cannot splash on to the flame while the oil lamp is in normal use.

Continuous burning

11. An oil lamp shall be so constructed that it will not fail to satisfy any of the tests specified in Schedule 1.

Strength of joints

12. Without prejudice to Regulation 6(2), any joint which, if it became loose or broke, might cause the oil lamp to become unstable or cause fuel to leak from the oil lamp shall be so constructed as to withstand a pull of 100 Newtons.

Emission of carbon monoxide

13. An oil lamp shall be so constructed that when it is burning at any rate at which it will burn normally it will not emit more than one part by volume of carbon monoxide for every fifty parts of carbon dioxide.

Stability

14. An oil lamp shall be so constructed that, whether full of fuel or empty, it can be tipped to an angle of 20° from the vertical in any direction without overturning.

Safety on overturning

15.—(1) An oil lamp designed for use on horizontal surfaces shall be so constructed that if tested in accordance with the tests specified in Appendix D of the British Standard Specification of 1976 each time the lamp is overturned any fuel which may escape during the first 15 seconds after the lamp is overturned will not exceed the product of 55 ml and the number of the lamp's burners, or, where any burner has more than one wick, the product of 55 ml and the number of wicks which have their own winder.

(2) The volume of any fuel which may escape from the lamp shall be calculated in the manner specified in the said Appendix D.

(3) For the purpose of paragraph (1), the reference in the said Appendix D to the filling of the fuel container to the full capacity indicated by the manufacturer shall be taken to be a reference to filling to the full fuel level.

Fuel creep

16. An oil lamp shall be so constructed that when it is operated under normal conditions no fuel may spread over any part of it so as to cause an increase in the size of the flame of the burner.

Flame creep

17. An oil lamp shall be so constructed that if it is operated at the manufacturer's recommended maximum setting its flame will not increase in size at any time during the 5 hours following its final adjustment.

Emission of smoke

18. An oil lamp shall be so constructed that if it is operated at the manufacturer's recommended maximum setting its flame will not emit visible smoke at any time during a period beginning 30 minutes after the lamp was lit and ending when 90 per cent of the fuel in its container has been consumed.

Surface temperature

19.—(1) Subject to paragraph (2), an oil lamp shall be so constructed that if it is tested in accordance with the test specified in paragraph E.1 of Appendix E to the British Standard Specification of 1976 the surface temperature of any part of the lamp described in Schedule 2 will not exceed the limit specified in that Schedule in relation to that part.

(2) For the purposes of paragraph (1) the words "using BS 2869 type C1 Kerosine" and the third sentence of the said paragraph E.1 of Appendix E shall be omitted.

(3) An oil lamp with a carrying handle shall be so constructed that if tested in accordance with the test specified in paragraph E.2 of Appendix E to the British Standard Specification of 1976 the temperature of the heat baffle, measured on the thermocouple, shall not exceed 65°C converted for a room temperature of 16°C as specified in paragraph E.1 of Appendix E.

Fuel temperature

20. An oil lamp shall be so constructed that if it is filled up to its full fuel level and allowed to burn at any setting within the maximum and minimum recommended by the manufacturer until 95 per cent of the contents of the fuel container have been consumed the temperature of the top 5 mm of the fuel remaining in the fuel container will not exceed 38°C in a room temperature of 16°C.

Draught resistance

21. An oil lamp shall be so constructed that it will satisfy the tests specified in Schedule 3.

Prohibition on sale

22. Section 2(1) and (2) of the Act (which prohibit sale and possession for sale of goods and component parts not complying with regulations) shall apply in relation to goods and component parts manufactured before the imposition of these requirements notwithstanding anything in section 2(4) (which exempts such goods and parts unless regulations otherwise provide).