1977 No. 175

CONSUMER PROTECTION

Oil Heater (Safety) Regulations (Northern Ireland) 1977

Made . . . . . *23rd June* 1977

Coming into operation in accordance with Regulation 1(2)

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

ARRANGEMENTS OF REGULATIONS

1. Citation and commencement
2. Interpretation
3. Tests
4. Warnings and instructions
5. General provisions
6. Fuel containers
7. Fuel system
8. Stability of heaters
9. Safety in overturning
10. Spilling of fuel
11. Flame regulator
12. Removable parts
13. Pressure heaters
14. Emission of carbon monoxide
15. Flame stability
16. Fuel creep
17. Flame creep
18. Emission of smoke
19. Surface temperature
20. Fuel temperature
21. Operation under out-of-level conditions
22. Fire risk to walls and floors
23. Draught resistance
24. Flash flame-back
25. Automatic fuel supply regulators
26. Goods already manufactured
27. Authorised testers

The Department of Commerce, after consultation with such persons and bodies of persons as appear to it to be requisite, in exercise of the powers conferred on it by sections 1 and 2(4) and (5) of, and paragraph 3 of the Schedule to, the Consumer Protection Act (Northern Ireland) 1965(a) and now vested in it(b) and of every other power enabling it in that behalf, hereby makes the following regulations:—

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

Citation and commencement

1.—(1) These regulations may be cited as the Oil Heater (Safety) Regulations (Northern Ireland) 1977.

(2) These regulations, with the exception of regulation 4(2), in relation to goods sold by, or in the possession for the purpose of selling of, the manufacturer or importer into Northern Ireland of those goods, shall come into operation on 1st August 1977 and, in any other case, shall come into operation on 1st January 1978.

(3) Regulation 4(2) shall come into operation on 1st October 1980.

Interpretation

2.—(1) In these regulations—

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

"the British Standard Specification of 1974" means the British Standard Specification for Kerosene (Paraffin) Unflued Space Heaters, Cooking and Boiling Appliances for Domestic Use BS 3300: 1974, published on 30th September 1974;

"barometric feed oil heater" means an oil heater which depends upon atmospheric pressure to retain the fuel in its fuel container;

"floor", except in regulation 22, means a rigid plane surface within two degrees of horizontal;

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

"long-drum burner" means a burner fitted with a flue or chimney to induce the flow of air for combustion;

"oil heater" means an appliance suitable for use in any dwelling and designed for the heating of space by means of the burning of kerosene within the meaning of Chapter 27 in Section V of the Annex to Council Regulation (EEC) No. 3000/75(c) (commonly called paraffin), not being an appliance designed for use with a flue for the removal into the open air, either directly or by connection with another flue or flues, of gases produced by the burning of kerosene;

"pressure heater" means an oil heater which requires for its proper operation any pressure in its fuel container greater than atmospheric pressure;

"self-extinguishing facility" means a device or other provision to extinguish the flame of an oil heater if the heater is overturned when alight;

"short drum burner" means a burner other than a long-drum burner and the burner of a pressure heater;

"wick-fed burner" means a burner to which the fuel is lifted from the fuel container by a wick; and

"working surface" includes the radiating surfaces and guard of a radiant oil heater, that part of any case which acts as a screen round a short drum burner, the outlet grille of a convector oil heater and the cylinder and top of a portable cylindrical oil heater fitted with a long drum burner.

(c) O.J. No. L.304, 24.11.75, p. 1

(2) Any reference in these Regulations to any requirement of or test specified in the British Standard Specification of 1974 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 1974) shall be construed as a reference to that Specification as amended before 30th September 1974.

(4) For the purposes of these Regulations, references in Appendix C to the British Standard Specification of 1974 to the filling of the fuel container of an oil heater to the full capacity indicated by the maker shall, in a case where no such indication is given, be taken to be a reference to filling to the full fuel level; and that Appendix shall be construed and applied accordingly.

Tests

3. For the purposes of any test of an oil heater pursuant to these Regulations—

(*a*) the fuel used shall comply with the appropriate requirements of Appendix A to the British Standard Specification of 1974 and, in these Regulations, "fuel" shall be construed accordingly,

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

(*c*) the heater shall be filled, lit and adjusted as specified in Appendix C to that Specification.

Warnings and instructions

4.—(1) An oil heater shall bear a warning—

(*a*) against using petrol as a fuel;

(*b*) against carrying the heater when alight;

(*c*) against using the heater in an unventilated place;

(*d*) against using the heater where it may be exposed to draughts; and

(*e*) (except in the case of an oil heater having a fuel container which cannot be filled without being removed from the heater) against filling when alight.

(2) The warnings specified in paragraph (1) shall be distinguished by the word "Warning" or the word "Caution" or some other expression indicating that the warning is given for the purpose of safety.

(3) A self-extinguishing oil heater shall bear instructions about any necessary periodical or other attention needed to maintain or restore its self-extinguishing capability.

(4) The warnings and instructions required by this regulation shall be set out in legible and durable characters and displayed either upon the heater itself or upon a durable label stoutly affixed to it.

General provisions

5.—(1) An oil heater shall be of good construction, sound materials and adequate strength.

(2) No part of an oil heater in which a crack or distortion might affect its proper working shall be made of drawn brass unless any stress caused by the process of drawing and capable of causing such a crack or distortion is eliminated.

(3) If it is necessary for its safe operation that it should be levelled, an oil heater shall include a device for levelling it.

Fuel containers

6.—(1) In the case—

(*a*) of an oil heater fitted with a wick-fed burner, any join in the fuel container below the full fuel level shall be firmly joined so as to be fuel tight; and

(*b*) of a barometric feed oil heater, any join in the fuel container shall be firmly joined so as to be air and fuel tight.

(2) The fuel container of a barometric feed oil heater shall not have any soft solder joints and shall be sufficiently rigid to prevent the discharge of fuel or vapour due to distortion of the container.

(3) In the case—

(*a*) of an oil heater fitted with a wick-fed burner, any part of the fuel container which is less than 25mm measured vertically from the inside of the container at its deepest point when the oil heater is standing on a floor, and

(*b*) of a barometric feed oil heater, the fuel container, shall be made of, or shall be coated internally with, a material which is resistant to corrosion by ionisable compounds in any water present in the container and which is not liable to soften or otherwise deteriorate through exposure to kerosene.

Fuel system

7. Where the burner is not mounted immediately on top of the fuel container, any join in the fuel system of an oil heater which may in normal use be exposed at the same time to both fuel and air shall be fuel tight and shall be appropriate to the conditions under which the joint will operate in normal use.

Stability of heaters

8. An oil heater designed to stand on a floor—

(*a*) shall be so constructed that, when it is standing unsecured on a floor and whether it is full or empty of fuel, it can be tilted to an angle of fifteen degrees from the vertical in any direction without overturning; and

(*b*) shall have screw holes, a hook and chain or other means conveniently placed and sufficient for securing it so as to prevent it from being overturned.

Safety in overturning

9.—(1) An oil heater other than one designed to operate only when fixed to a rigid support shall have a self-extinguishing facility.

(2) Any self-extinguishing facility shall be so designed and of such materials that—

(*a*) its operation shall not become impaired by corrosion during the normal life of the heater;

(*b*) it will not require attention more often than at monthly intervals;

(*c*) if it requires attention at any time, it embodies a means of indicating that its condition is such that there is a risk of its being ineffective; and

(*d*) if it is tested in accordance with the tests specified in Parts 1 and 2 of Appendix K to the British Standard Specification of 1974—

(i) the flame of the heater will be extinguished within fifteen seconds after the heater is overturned,

(ii) no flame will appear outside the working surface during the tests;

(iii) the winceyette referred to in that Appendix will not catch fire during the tests; and

(iv) after the flame of the heater has been extinguished, it will not re-ignite spontaneously.

Spilling of fuel

10.—(1) An oil heater other than one designed to operate only when fixed to a rigid support shall be so constructed that, if it is tested in accordance with the tests specified in Part 3 of Appendix K to the British Standard Specification of 1974, any fuel which may escape from the heater during the first fifteen seconds after the heater is overturned, will not exceed the product of 55ml and the number of the heater's burners.

(2) The volume of any fuel which may escape from the heater shall be calculated in the manner specified in Part 3 of the said Appendix K.

Flame regulator

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

Removable parts

12. Any part of an oil heater which is removed in the ordinary course of filling, cleaning or the replacing or trimming of the wick shall be so constructed that it cannot be fitted incorrectly, or an indication of its correct position in the heater shall be clearly marked on it or shall be clearly marked on another part of the heater near that position and in such a manner that the marking may be easily seen when the part is being replaced.

Pressure heaters

13.—(1) The fuel container of a pressure heater shall be so constructed that standing on a floor with any safety valve removed and with all its outlets (including any safety valve) sealed, it will withstand whichever is the greater of the three pressures specified in Part I of Schedule 1.

(2) The burner of a pressure heater shall be so constructed that with all its outlets (including any safety valve) sealed, it will withstand whichever is the greater of the three pressures specified in Part II of Schedule 1.

(3) Any metal-to-metal joint in any part of the burner of a pressure heater shall be soundly welded or brazed with high melting-point brazing metal and all such parts shall be so constructed that they may be readily fitted together in their correct positions.

(4) Any nipple of a pressure heater shall be readily accessible for pricking.