



GAS SAFETY LEGISLATION

as applied to the Isle of Man

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THE HEALTH AND SAFETY AT WORK ETC. ACT 1977

THE GAS SAFETY (APPLICATION) ORDER 1996

Approved by Tynwald

12th July 1996

Coming into operation

1st October 1996

In exercise of the powers conferred on the Department of Local Government and the Environment by section 1 of the Health and Safety at Work Etc. Act 1977(a), and of all other enabling powers, and after the consultations required by subsection (4) of that section, the following Order is hereby made:-

Citation, commencement and application

1. (1) This Order may be cited as the Gas Safety (Application) Order 1996 and, subject to section 1(5) of the Health and Safety at Work Etc. Act 1977, shall come into operation on the 1st October 1996.

(2) This Order applies to all places within the Island.

Application of UK gas safety regulations

2. The following regulations (being regulations made or, by virtue of paragraph 6 of Schedule 8 to the Gas Act 1986 (an Act of Parliament)(b), having effect as if made under section 15 of the Health and Safety at Work etc. Act 1974 (an Act of Parliament)(c)) shall apply to the Island subject to the modifications and adaptations specified in the Schedule -

- (a) the Gas Safety (Rights of Entry) Regulations 1983(d);
- (b) the Gas Safety (Installation and Use) Regulations 1994(e); and
- (c) the Gas Safety (Installation and Use) (Amendment) Regulations 1996(f).

(a) 1977 c.1 (b) 1986 c.44 (c) 1974 c.37 (d) SI 1983/1575 (e) SI 1994/1886
(f) SI 1996/550

**MODIFICATIONS AND ADAPTATIONS SUBJECT TO WHICH THE APPLIED
REGULATIONS HAVE EFFECT IN THE ISLAND**

General modifications

1. Any reference to a matter specified in the column 1 of the following table shall be construed as a reference to the matter specified in column 2 of the table:

a provision of the Regulations	that provision as it has effect in the Island
gas	gas within the meaning of the Gas Regulation Act 1995(g)
the Health and Safety Executive	the Department of Local Government and the Environment
the relevant authority	a public gas supplier within the meaning of the Gas Regulation Act 1995
the Secretary of State	the Department of Local Government and the Environment

Particular modifications of SI 1983/1575

2. In regulation 1, for "21st November 1983" substitute "1st October 1996"
3. In regulation 2(b), for "regulations made under section 31 of the Gas Act 1972" substitute "regulations made or having effect as if made under section 15 of the Health and Safety at Work etc. Act 1974, as it has effect in the Isle of Man(h), for the purpose of protecting the public against risks to health and safety arising from the transmission, distribution, supply or use of gas".
4. Omit regulations 8 and 9.

Particular modifications of SI 1994/1886 as amended

5. In regulation 1 -
- (a) in paragraph (2), for "31st October 1994" substitute "1st October 1996";

- (b) for paragraph (3) substitute -
 - "(3) Regulation 3(3) shall come into force on the 1st April 1997.";
 - (c) in paragraph (4), for "1997" substitute "1998";
 - (d) for paragraph (5) substitute -
 - "(5) Regulation 35A(3) to (6) shall come into force on the 1st April 1997."
- 6.
- (1) In regulation 2(1), omit the definition of "gas".
 - (2) In regulation 2(4) -
 - (a) in sub-paragraph (a), for "Mines and Quarries Act 1954" substitute "Mines and Quarries Regulation Act 1950 (an Act of Tynwald)(i)";
 - (b) in sub-paragraph (b), for the words from "Factories" onwards substitute "Factories and Workshops Act 1909 (an Act of Tynwald)(j); or";
 - (c) in sub-paragraph (d), for "Factories Act 1961" substitute "Construction (Health and Safety) Regulations 1985(k)".
- 7.
- (1) In regulation 24(1) and (2), for "50mm" substitute "55mm".
 - (2) In regulation 24(1), for paragraph (b) substitute —
 - "(b) a line diagram in permanent form is attached to the building in a readily accessible position as near as practicable to the primary meter or gas storage vessel, as the case may be, indicating the position of all installation pipework of internal diameter of —
 - (i) 25mm or more, where gas is supplied from a gas storage vessel, or
 - (ii) 35mm or more, in any other case,
 and all meters, emergency controls, valves and pressure test points of the gas supply systems in the building."
8. In regulations 26(9) and 34(2), for the words from "in the case of" onwards (substituted by SI 1996/550) substitute "the supplier of gas to the appliance".

9. In regulation 33(1), for paragraph (b) substitute —

"(b) the operating pressure is as recommended by —

- (i) the supplier of the gas to the appliance, or by some other properly qualified person, in the case of an appliance converted for use with a mixture of liquefied petroleum gas;
or
- (ii) the manufacturer of the appliance, in any other case;"

10. In regulation 35A(1) (inserted by SI 1996/550) —

- (a) in the definition of "landlord", in paragraph (a), omit "(a) in England and Wales —" and the words from "or who," to "of the premises", and omit paragraph (b);
- (b) in the definition of "lease", omit paragraphs (c) and (iv) and the word "and" immediately preceding them, and in paragraph (i) the words "in England and Wales,";
- (c) omit the definition of "statutory tenancy";
- (d) in the definition of "tenant", in paragraph (a), omit "(a) in England and Wales —", and omit paragraph (b);

11. Omit regulation 36(7).

12. Omit regulation 39.

MADE

5th June

1996



Minister for Local Government and the Environment

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order applies to the Isle of Man, subject to modifications and adaptations, regulations made or having effect as if made under the Health and Safety at Work etc. Act 1974 (of Parliament) and relating to gas safety, namely -

- (a) the Gas Safety (Rights of Entry) Regulations 1983 (SI 1983/1575), which give authorised officers of a public gas supplier power to enter premises to examine and test gas fittings for safety, and
- (b) the Gas Safety (Installation and Use) Regulations 1994 (SI 1994/1886) as amended, which impose requirements for protecting the public from dangers arising from the transmission, distribution, supply or use of gas.

STATUTORY INSTRUMENTS

1983 No. 1575

The Gas Safety (Rights of Entry) Regulations 1983

The Secretary of State, in exercise of the powers conferred on him by sections 31(1) to (4) and 42(2) of the Gas Act 1972 and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement and interpretation

1. These Regulations may be cited as the Gas Safety (Rights of Entry) Regulations 1983 and shall come into operation on **1st October 1996**.

Rights of entry, disconnection and discontinuance of supply

2. Any officer authorised by the **public gas supplier** may, on the production of some duly authenticated document showing his authority, with such other persons (if any) as may be necessary —
 - (a) enter any premises in which there is a service pipe connected with gas mains, for the purpose of inspecting any gas fitting on the premises, any flue or means of ventilation used in connection with any such gas fitting, or any service pipe or other apparatus (not being a gas fitting) which is on the premises and is used for the supply of gas or is connected with gas mains,
 - (b) where he so enters any such premises, examine or apply any test to any such object as is mentioned in paragraph (a) above and (where the object is a gas fitting) verify what supply of air is available for it, with a view to ascertaining whether the provisions of any regulations made or having effect as if made under section 15 of the Health and Safety at Work etc. Act 1974, as it has effect in the Isle of Man, for the purpose of protecting the public against risks to health and safety arising from the transmission, distribution, supply or use of gas have been complied with or whether the object is in such a condition, or (in the case of a gas fitting) the supply of air available for it is so inadequate, that it (or, in the case of a flue or means of ventilation, the gas fitting in connection with which it is used) is likely to constitute a danger to any person or property, and
 - (c) where in his opinion it is necessary to do so for the purpose of averting danger to life or property, and notwithstanding any contract previously existing, disconnect and seal off any gas fitting or any part of the gas supply system on the premises, or cut off the supply of gas to the premises or, if no such supply is being given, signify the refusal of the **public gas supplier** to give or, as the case may be, allow such a supply.

Notification to consumer

3. (1) Where an officer authorised by the **public gas supplier** takes any action in relation to any premises in the exercise of a power conferred by Regulation 2(c) above, the **public gas supplier** shall, within five clear working days after the action is taken, serve on the consumer a notice in writing -

- (a) specifying –
 - (i) the nature of the defect or other circumstances in consequence of which the power has been exercised; and
 - (ii) the nature of the danger in question and the action taken in the exercise of the power; and
- (b) stating –
 - (i) that the consumer has a right to appeal under these Regulations to the **Department** against the action taken in the exercise of the power within the period of 21 days beginning with the date of service of the notice, or such longer period as the **Department** may at any time in any particular case allow;
 - (ii) the grounds on which and the manner in which he can appeal; and
 - (iii) the effect of Regulations 7 and 8 below.

(2) In this Regulation "working day" does not include a Saturday, Sunday or a bank or other public holiday.

4. (1) Where an officer authorised by the **public gas supplier** takes any action in relation to any premises in the exercise of a power conferred by Regulation 2(c) above, he shall at the same time affix prominently a notice of the effect of the relevant part of Regulations 7 and 8 below to, or to a part of the premises near to, the gas fitting or part of the gas supply system in question or, where he has cut off the supply of gas to the premises or signified the refusal of the **public gas supplier** to give or, as the case may be, allow such a supply, to, or to a part of the premises near to, every primary meter therein, or, if there is no such meter, to a conspicuous part of the premises.

(2) In this Regulation "primary meter" means a meter connected to a service pipe for ascertaining the quantity of gas supplied through that pipe.

Appeals

5. The consumer on whom is served such notice as is mentioned in Regulation 3 above may, within the period of 21 days beginning with the date of service of the notice, or such longer period as the **Department** may at any time in any particular case allow, appeal to the **Department** against the action taken in the exercise of a power conferred by Regulation 2(c) above on any of the following grounds, that is to say –

- (a) that the defect or other circumstances specified in the notice did not constitute a danger such as to justify the action taken specified in the notice;
- (b) that the defect or other circumstances so specified did not exist at the time the action was taken; or
- (c) that the defect or other circumstances so specified have ceased to exist.

6. (1) An appeal under Regulation 5 above shall be of no effect unless it is made by notice in writing given to the **Department** for the time being discharging the functions conferred by paragraphs (2) and (3) below at his principal office and indicates the grounds of the appeal.

(2) On any such appeal the **Department** may, if either the consumer or the **public gas supplier** so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the **Department** for the purpose.

(3) On the determination of the appeal the **Department** may direct that, subject to any right of the supplier to withhold supply –

- (a) any gas fitting or part of the gas supply system on the premises which has been disconnected under these Regulations either shall remain disconnected or shall or may be reconnected;
- (b) any supply of gas to the premises which has been cut off under these Regulations either shall remain cut off or shall or may be restored; or
- (c) where the refusal of the **public gas supplier** to give or, as the case may be, allow such a supply has been signified under these Regulations, the supplier either shall not give a supply of gas or shall or may cause gas to be supplied to the premises,

and may give such supplementary directions as he considers to be appropriate in consequence of the appeal.

Prohibition of reconnection or restoration of supply or causing a supply to be given

7. No person shall, except with the consent of the **public gas supplier** or in pursuance of any directions given by the **Department** under Regulation 6(3) above, –

- (a) reconnect any gas fitting or part of a gas supply system which has been disconnected by or on behalf of the **public gas supplier** in the exercise of a power conferred by these Regulations where he knows or has reason to believe that it has been so disconnected; or
- (b) restore the supply of gas to any premises where it has been cut off by or on behalf of the **public gas supplier** in the exercise of any such power and he knows or has reason to believe that it has been so cut off; or
- (c) cause gas from the gas mains to be supplied to any premises where in pursuance of these Regulations the refusal of the **public gas supplier** to give or, as the case may be, allow a supply to those premises has been signified and that refusal has not been withdrawn and he knows or has reason to believe that such refusal has been signified and has not been withdrawn.

Penalties

8.

Revocation

9.

STATUTORY INSTRUMENTS

1994 No. 1886

The Gas Safety (Installation and Use) Regulations 1994

The Secretary of State, in exercise of the powers conferred on him by sections 15(1), (2), (4)(a), (5), (6)(b), and 82(3)(a) of, and paragraphs 1(1), (2) and (3), 4(1), 12 and 16 of Schedule 3 to, the Health and Safety at Work etc. Act 1974 ("the 1974 Act") and of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:—

PART A
GENERAL

Citation and commencement

1. (1) These Regulations may be cited as the Gas Safety (Installation and Use) Regulations 1994.
- (2) Subject to paragraphs (3) to (5), these Regulations shall come into force on **1st October 1996**.
- (3) **Regulation 3(3) shall come into force on the 1st April 1997.**
- (4) (a) Regulation 14(2), [(3) and (3A)] . . . shall come into force on **1st January 1998**;
(b) Regulation 14(4) insofar as it applies to the installing of a regulator for regulating the pressure of gas from a gas storage vessel shall come into force on **1st January 1998**.
- (5) **Regulation 35A(3) to (6) shall come into force on the 1st April 1997.**

General interpretation and application

2. (1) In these Regulations, unless the context otherwise requires —

"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 for shutting off the supply of gas in an emergency, being a valve intended for use by a consumer of gas;]

"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 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 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, save that, for the purposes of regulations 3, 35 and 35A of these Regulations, it does include a portable or mobile space heater supplied with gas from a cylinder, and the cylinder, pipes and other fittings used for supplying gas to that heater;]

"gas fittings" means gas pipework, valves [(other than emergency controls)], 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 mean –

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

["gas water heater" includes a gas fired central heating boiler;]

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

- (a) a service pipe; or
- (b) a pipe comprised in a gas appliance; or
- (c) any valve attached to a storage container or cylinder; or
- (d) service pipework; [. . .]

"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;

["primary meter" means the meter nearest to and downstream of a service pipe or service pipework for ascertaining the quantity of gas supplied through that pipe or pipework by a supplier;]

[. . .]

[refillable cylinder means a cylinder which is filled other than at the place where it is connected for use;]

"the responsible person", in relation to any premises, means the occupier of the premises or, where there is no occupier or the occupier is away, 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 outlet of the first emergency control downstream from the distribution main;]

"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 (other than an emergency control) for controlling a supply of gas, being a valve –

- (a) incorporated in a service pipe; and
- (b) intended for use by a supplier or transporter of gas; and
- (c) 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 re-fillable 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;

"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
- (b) a person to whom gas is supplied and who provides that gas for use in a flat or part of premises let by him shall not in so doing be deemed to be supplying gas.

(3) Subject to paragraphs (4) and (5) below, these Regulations shall apply to or in relation to gas fittings used in connection with –

- (a) gas which has been conveyed to premises through a distribution main, or

(b) gas conveyed from a gas storage vessel.

(4) Save for regulation 36 below, these Regulations shall not apply in relation to the supply of gas to, or anything done in respect of a gas fitting at, the following premises, that is to say –

(a) a mine or quarry within the meaning of the **Mines and Quarries Regulation Act 1950 (an Act of Tynwald)** or any place deemed to form part of a mine or quarry for the purposes of that Act; or

(b) a factory within the meaning of the **Factories and Workshops Act 1909 (an Act of Tynwald)**; or

(c) agricultural premises, being agricultural land, including land being or forming part of a market garden, and any building thereon which is used in connection with agricultural operations; or

(d) temporary installations used in connection with any building operation or work of engineering construction (both within the meaning of the **Construction (Health and Safety) Regulations 1985**); [or

(e) premises used for the testing of gas fittings; or

(f) premises used for the treatment of sewage,]

but they shall apply in relation to such premises or part thereof used for domestic or residential purposes or as sleeping accommodation.

(5) Nothing in these Regulations shall apply in relation to the supply of gas to, or anything done in respect of a gas fitting on:

(a) a self-propelled vehicle [except when such vehicle is –

(i) hired out in the course of a business; or

(ii) made available to members of the public in the course of a business carried out from that vehicle]; or

(b) a sea-going ship; or

(c) a vessel not requiring a national or international load line certificate except when such vessel [is –

(i) hired out in the course of a business; or

(ii) made available to members of the public in the course of a business carried out from that vessel; or]

(d) a hovercraft; or

(e) a caravan used for touring otherwise than when hired out in the course of a business.

[(6) Nothing in these Regulations shall apply in relation to –

(a) the supply of gas to the propulsion system of any vehicle or to any gas fitting forming part of such a propulsion system; or

(b) the supply of gas to, or anything done in respect of, a bunsen burner used in a laboratory in an educational establishment.]

PART B
GAS FITTINGS – GENERAL PROVISIONS

Qualification and supervision

3. (1) No person shall carry out any work in relation to a gas fitting or gas storage vessel unless he is competent to do so.

(2) The employer of any person carrying out such work for that employer shall ensure that paragraph (1) above is complied with.

(3) Without prejudice to the generality of paragraphs (1) and (2) above, [and subject to paragraph (3A) below,] no employer shall allow any of his employees to carry out any work in relation to a gas fitting or [service pipework] and no self-employed person shall carry out any such work, unless the employer or self-employed person, as the case may be, is a member of a class of persons approved for the time being by the **Department** for the purposes of this paragraph.

[3A) The requirements of paragraph (3) above shall not apply in respect of the replacement of –

- (a) a hose or regulator on a portable or mobile space-heater; or
- (b) a hose connecting a re-fillable cylinder to installation pipework.]

(4) An approval given pursuant to paragraph (3) above (and any withdrawal of such approval) shall be in writing and notice of it shall be given to such persons and in such manner as the **Department** considers appropriate.

(5) The employer of any person carrying out any work in relation to a gas fitting or gas storage vessel in the course of his employment shall ensure that such of the following provisions of these Regulations as impose duties upon that person and are for the time being in force are complied with by that person.

(6) No person shall falsely pretend to be a member of a class of persons required to be approved under paragraph (3) above.

Duty on employer

4. Where an employer or a self-employed person requires any work in relation to a gas fitting to be carried out at any place of work under his control, he shall take reasonable steps to ensure that the person undertaking that work is, or is employed by, a member of a class of persons approved by the **Department** under regulation 3(3) above.

Materials and workmanship

5. (1) No person shall install a gas fitting unless every part of it is of good construction and sound material, of adequate strength and size to secure safety and of a type appropriate for the gas with which it is to be used.

(2) Without prejudice to the generality of paragraph (1) above, no person shall install in a building any pipe or pipe fitting for use in the supply of gas which is –

- (a) made of lead or lead alloy; or
- (b) made of a non-metallic substance unless it is –

- (i) a pipe connected to a readily movable gas appliance designed for use without a flue; or
- (ii) a pipe entering the building and that part of it within the building is placed inside a metallic sheath which is so constructed and installed as to prevent, so far as is reasonably practicable, the escape of gas into the building if the pipe should fail.

(3) No person shall carry out any work in relation to a gas fitting or gas storage vessel otherwise than in accordance with appropriate standards and in such a way as to prevent danger to any person.

General safety precautions

6. (1) No person shall carry out any work in relation to a gas fitting in such a manner that gas could be released unless steps are taken to prevent the gas so released constituting a danger to any person.

(2) No person carrying out work in relation to a gas fitting shall leave the fitting unattended unless every incomplete gasway has been sealed with the appropriate fitting so as to be gastight or the gas fitting is otherwise safe.

(3) Any person who disconnects a gas fitting shall, with the appropriate fitting, seal off every outlet of every pipe to which it was connected.

(4) No person carrying out work in relation to a gas fitting which involves exposing gasways which contain or have contained flammable gas shall smoke or use any source of ignition in such a manner as may lead to the risk of fire or explosion.

(5) No person searching for an escape of gas shall use any source of ignition.

(6) Where a person carries out any work in relation to a gas fitting which might affect the gas tightness of the gas installation he shall immediately thereafter test the installation for gas tightness at least as far as the nearest valves upstream and downstream in the installation.

(7) No person shall install a gas storage vessel unless the site where it is to be installed is such as to ensure that the gas storage vessel can be used, filled or re-filled without causing a danger to any person.

(8) No person shall install in a cellar or basement –

(a) a gas storage vessel; or

(b) an appliance fuelled by liquefied petroleum gas which has an automatic ignition device or a pilot light.

(9) No person shall intentionally or recklessly interfere with a gas storage vessel or otherwise do anything which might affect a gas storage vessel so that the subsequent use of that vessel might cause a danger to any person.

[(10) No person shall store or keep gas consisting wholly or mainly of methane on domestic premises, and for the purpose of this paragraph, such as from time to time present in pipes or in the fuel tank of any vehicle propelled by gas shall be deemed not to be so stored or kept.]

Protection against damage

7. (1) Any person installing a gas fitting shall ensure that it is properly supported and so placed or protected as to avoid any undue risk of damage to the fitting.

(2) No person shall install a gas fitting if he has reason to suspect that foreign matter may block or otherwise interfere with the safe operation of the fitting, unless he has fitted to the gas inlet of, and any airway in, the fitting of a suitable filter or other suitable protection.

(3) No person shall install a gas fitting in a position where it is likely to be exposed to any substance which may corrode gas fittings unless the fitting is constructed of materials which are inherently resistant to being so corroded or it is suitably protected against being so corroded.

Existing gas fittings

8. (1) No person shall make any alteration to any premises which would adversely affect the safety of a gas fitting or a gas storage vessel in such a manner that, if the fitting or the vessel had been installed after the alteration, there would have been a contravention of, or failure to comply with, these Regulations.

(2) No person shall do anything which would affect a gas fitting or any flue or means of ventilation used in connection with the fitting in such a manner that the subsequent use of the fitting might constitute a danger to any person.

[(3) In relation to any place of work under his control, an employer or a self-employed person shall ensure, so far as reasonably practicable, that the provisions of paragraphs (1) and (2) above are complied with.]

Emergency controls

9. (1) No person shall for the first time enable gas to be supplied for use in any premises unless there is provided an appropriately sited emergency control to which there is adequate access.

(2) Any person installing an emergency control shall ensure that –

(a) any key, lever or hand-wheel of the control is securely attached to the operating spindle of the control;

(b) any such key or lever is attached so that –

(i) the key or lever is parallel to the axis of the pipe in which the control is installed when the control is in the open position, and

(ii) where the key or lever is not attached so as to move only horizontally, gas cannot pass beyond the control when the key or lever has been moved as far as possible downwards;

(c) either the means of operating the key or lever is clearly and permanently marked or a notice in permanent form is prominently displayed near such means so as to indicate when the control is open and when the control is shut;

(d) any hand-wheel indicates the direction of opening or closing of the control.

(3) Where a person installs an emergency control which is not adjacent to a primary meter [. . .], he shall immediately thereafter prominently display on or near the means of operating the control a suitably worded notice in permanent form indicating the procedure to be followed in the event of an escape of gas.

(4) Where any person first supplies gas to premises where an emergency control is installed, he shall ensure that the notice required by paragraph (3) above remains suitably worded or shall, where necessary, forthwith amend or replace that notice so as to give effect to the provisions of that paragraph.

(5) This regulation shall not apply where gas is supplied in a refillable cylinder except where two or more cylinders are connected by means of an automatic change-over device.

Equipotential bonding

10. In any case where it is necessary to prevent danger, no person shall carry out work in relation to a gas fitting without using a suitable bond to maintain electrical continuity until the work is completed and permanent electrical continuity has been restored.

PART C METER INSTALLATIONS AND REGULATORS

Interpretation of Part C

11. In this Part –

"meter box" means a receptacle or compartment designed and constructed to contain a meter with its associated fittings;

"meter compound" means an area or room designed and constructed to contain one or more meters with their associated fittings;

"secondary meter" means a meter, other than a primary meter, for ascertaining the quantity of gas provided by a person for use by another person [. . .]

Meters – general provisions

12. (1) No person shall install a meter in any premises unless the site where it is to be installed is such as to ensure so far as is reasonably practicable that the means of escape from those premises in the event of fire is not adversely affected.

(2) No person shall install a meter in any premises unless it is of sound construction adequate to ensure so far as is reasonably practicable that in the event of fire gas is not able to escape in hazardous quantities, save that this paragraph shall not apply to any meter installed in non-domestic premises to which gas is supplied through a readily accessible service valve.

(3) No person shall install a meter unless the installation is so placed as to ensure that there is no risk of damage to it from electrical apparatus.

(4) No person shall install a meter except in a readily accessible position for inspection and maintenance.

(5) Where a meter has bosses or side pipes attached to the meter by a soldered joint only, no person shall make rigid pipe connections to the meter.

(6) Where a person installs a meter and the pipes and other gas fittings associated with it, he shall ensure that –

(a) immediately thereafter they are adequately tested to verify that they are gas tight and examined to verify that they have been installed in accordance with these Regulations; and

(b) immediately after such testing and examination, purging is carried out throughout the meter and every other gas fitting through which gas can then flow so as to remove safely all air and gas other than the gas to be supplied.

Meter housings

13. (1) Where a meter is housed in a meter box or meter compound attached to or built into the external face of the outside wall of any premises, the meter box or meter compound shall be so constructed and installed that any gas escaping within the box or compound cannot enter the premises or any cavity in the wall but must disperse to the external air.

(2) No person shall knowingly store readily combustible materials in any meter box or meter compound.

(3) No person shall install a meter in a meter box provided with a lock, unless the consumer has been provided with a suitably labelled key to that lock.

(4) No person shall install a meter within a meter compound which is capable of being secured unless the consumer has been provided with a suitably labelled key for that compound.

Regulators

14. (1) No person shall install a primary meter or meter by pass used in connection with a primary meter unless –

(a) there is a regulator controlling the pressure of gas supplied through the meter or the by pass, as the case may be, which provides adequate automatic means for preventing the gas fittings connected to the downstream side of the regulator from being subjected to a pressure greater than that for which they were designed;

(b) where the normal pressure of the gas supply is 75 millibars or more at the inlet to the regulator, there are also adequate automatic means for preventing, in case the regulator should fail, those gas fittings from being subjected to such a greater pressure; and

(c) where the regulator contains a relief valve or liquid seal, such valve or seal is connected to a vent pipe of adequate size and so installed that it is capable of venting safely.

(2) Without prejudice to the requirements of paragraph (1), no person shall cause gas to be supplied from a gas storage vessel [(other than a re-fillable cylinder or a cylinder or cartridge designed to be disposed of when empty)] to any service pipework or gas fitting unless –

[(a) there is a regulator installed which controls the nominal operating pressure of the gas;

(b) there is adequate automatic means for preventing the installation pipework and gas fittings downstream of the regulator from being subjected to a pressure different from that for which they were designed; and

(c) there is an adequate alternative automatic means for preventing the service pipework from being subjected to a greater pressure than that for which it was designed should the regulator referred to in sub-paragraph (a) above fail.]

[(3) No person shall cause gas to be supplied through an installation consisting of one or more re-fillable cylinders unless the supply of gas passes through a regulator which controls the nominal operating pressure of the gas.

(3A) Without prejudice to paragraph (3) above, no person shall cause gas to be supplied through an installation consisting of four or more re-fillable cylinders connected to an automatic change-over device unless there is an adequate alternative means for preventing the installation pipework and any gas fitting downstream of the regulator from being subjected to a greater pressure than that for which it was designed should the regulator fail.]

(4) Where a person installs a regulator for controlling the pressure of gas through a primary meter, a meter by pass used in connection with a primary meter or from a gas storage vessel, or installs a gas appliance itself fitted with a regulator for controlling the pressure of gas to that appliance, he shall immediately thereafter ensure, in either case, that the regulator is adequately sealed so as to prevent its setting from being interfered with without breaking of the seal.

(5) In relation to –

- (a) gas from a distribution main, no person except the transporter or a person authorised to act on his behalf; and
- (b) gas from a gas storage vessel, no person except the supplier or a person authorised to act on his behalf,

shall break a seal applied under paragraph (4) above [other than a seal applied to a regulator for controlling the pressure of gas to the appliance to which the regulator is fitted].

Meters – emergency notices

15. (1) No person shall supply gas through a primary meter installed after the coming into force of these Regulations or for the first time supply gas through an existing primary meter after the coming into force of these Regulations unless he ensures that a suitably worded notice in permanent form is prominently displayed on or near the meter indicating the procedure to be followed in the event of an escape of gas.

(2) Where a meter is installed in any premises at a distance of more than 2 metres from, or out of sight of, the nearest upstream emergency control in the premises, no person shall supply or provide gas for the first time through the meter unless he ensures that a suitably worded notice in permanent form is prominently displayed on or near the meter indicating the position of that control.

Primary meters

16. (1) No person shall install a prepayment meter as a primary meter through which gas passes to a secondary meter.

(2) Any person who first allows gas through any service pipe or service pipework after the coming into force of these Regulations to more than one primary meter shall ensure that a notice in permanent form is prominently displayed on or near each primary meter indicating that this is the case.

(3) Where a primary meter is removed, the person who last supplied gas through the meter before removal shall –

- (a) where the meter is not forthwith re-installed or replaced by another meter –
 - (i) close any service valve which controlled the supply of gas to that meter and did not control the supply of gas to any other primary meter; and
 - (ii) clearly mark any live gas pipe in the premises in which the meter was installed to the effect that the pipe contains gas; and
- (b) where the meter has not been re-installed or replaced by another meter before the expiry of the period of 12 months beginning with the date of removal of the meter and there is no such service valve as is mentioned in sub-paragraph (a)(i) above, ensure that the service pipe or service pipework for those premises is disconnected as near as is reasonably practicable to the main or storage vessel and that any part of the pipe or pipework which is not removed is sealed at both ends with the appropriate fitting.

Secondary meters

17. Any person providing gas through a secondary meter shall ensure that a notice in permanent form is prominently displayed on or near the primary meter or gas storage vessel, as the case may be, indicating the number and location of secondary meters installed.

**PART D
INSTALLATION PIPEWORK**

Safe use of pipes

18. (1) No person shall install any installation pipework in any position in which it cannot be used with safety having regard to the position of other pipes, pipe supports, drains, sewers, cables, conduits and electrical apparatus and to any parts of the structure of any premises in which it is installed which might affect its safe use.

(2) Any person who connects any installation pipework to a primary meter [. . .] shall, in any case where electrical cross-bonding may be necessary, inform the responsible person that such cross-bonding should be carried out by a competent person.

Enclosed pipes

19. (1) No person shall install any part of any installation pipework in a wall or a floor or standing of solid construction unless it is so constructed and installed as to be protected against failure caused by the movement of the wall, the floor or the standing as the case may be.

(2) No person shall install any installation pipework so as to pass through a wall or a floor or standing of solid construction from one side to the other unless any part of the pipe within such wall, floor or standing as the case may be –

(a) takes the shortest practicable route; and

(b) is enclosed in a gastight sleeve and the pipe and the sleeve are so constructed and installed as to prevent, as far as is reasonably practicable having regard to paragraph (1) above, gas passing along any space between the pipe and the sleeve or between the sleeve and such a wall, floor or standing as the case may be.

(3) No person shall install any part of any installation pipework in the cavity of a cavity wall unless the pipe is to pass through the wall from one side to the other.

(4) No person shall install any installation pipework or any service pipework under the foundations of a building or in the ground under the base of a wall or footings unless adequate steps are taken to prevent damage to the installation pipework or service pipework in the event of the movement of those structures or the ground.

(5) Where any installation pipework is not itself contained in a ventilated duct, no person shall install any installation pipework in any shaft, duct or void which is not adequately ventilated.

Protection of buildings

20. No person shall install any installation pipework in a way which would impair the structure of a building or impair the fire resistance of any part of its structure.

Clogging precautions

21. No person shall install any installation pipework in which deposition of liquid or solid matter is likely to occur unless a suitable vessel for the reception of any deposit which may form is fixed to the pipe in a conspicuous and readily accessible position and safe means are provided for the removal of the deposit.

Testing and purging of pipes

22. (1) Where a person carries out work in relation to any installation pipework which might affect the gastightness of any part of it, he shall immediately thereafter ensure that –

- (a) that part is adequately tested to verify that it is gastight and examined to verify that it has been installed in accordance with these Regulations; and
- (b) after such testing and examination, any necessary protective coating is applied to the joints of that part.

(2) Where gas is being supplied to any premises in which any installation pipework is installed and a person carries out work in relation to the pipework, he shall also ensure that –

- (a) immediately after complying with the provisions of sub-paragraphs (a) and (b) of paragraph (1) above, purging is carried out throughout all installation pipework through which gas can then flow so as to remove safely all air and gas other than the gas to be supplied;
- (b) immediately after such purging, if the pipework is not to be put into immediate use, it is sealed off at every outlet with the appropriate fitting;
- (c) if such purging has been carried out through a loosened connection, the connection is retested for gastightness after it has been retightened; and
- (d) every seal fitted after such purging is tested for gastightness.

(3) Where gas is not being supplied to any premises in which any installation pipework is installed –

- (a) no person shall permit gas to pass into the installation pipework unless he has caused such purging, testing and other work as is specified in sub-paragraphs (a) to (d) of paragraph (2) above to be carried out;
- (b) a person who provides a gas supply to those premises shall, unless he complies with sub-paragraph (a) above, ensure that the supply is sealed off with an appropriate fitting.

Marking of pipes

23. (1) Any person installing, elsewhere than in any premises or part of premises used only as a dwelling or for living accommodation, a part of any installation pipework which is accessible to inspection shall permanently mark that part in such a manner that it is readily recognisable as part of a pipe for conveying gas.

(2) The responsible person for the premises in which any such part is situated shall ensure that the part continues to be so recognisable so long as it is used for conveying gas.

Large consumers

24. (1) Where the service pipe to any building having two or more floors to which gas is supplied or (whether or not it has more than one floor) a floor having areas with a separate supply of gas, has an internal diameter of 55mm or more, no person shall install any incoming installation pipework supplying gas to any of those floors or areas, as the case may be, unless –

- (a) a valve is installed in the pipe in a conspicuous and readily accessible position; and
- (b) a line diagram in permanent form is attached to the building in a readily accessible position as near as practicable to the primary meter or gas storage vessel, as the case may be, indicating the position of all installation pipework of internal diameter of –
 - (i) 25mm or more, where gas is supplied from a gas storage vessel, or
 - (ii) 35mm or more, in any other case,and all meters, emergency controls, valves and pressure test points of the gas supply systems in the building.

(2) Paragraph (1) above shall apply to service pipework as it applies to a service pipe except that reference therein to "55mm or more" is to be reference to "30mm or more".

(3) In paragraph (1)(b) above "pressure test point" means a gas fitting to which a pressure gauge can be connected.

PART E
GAS APPLIANCES

Interpretation of Part E

25. In this Part –

"flue pipe" means a pipe forming a flue but does not include a pipe built as a lining into either a chimney or a gas appliance ventilation duct;

"operating pressure", in relation to a gas appliance, means the pressure of gas at which it is designed to operate.

Gas appliances – safety precautions

26. (1) No person shall install a gas appliance unless it can be used without constituting a danger to any person.

(2) No person shall connect a flued domestic gas appliance to the gas supply system except by a permanently fixed rigid pipe.

(3) No person shall install a used gas appliance without verifying that it is in a safe condition for further use.

(4) No person shall install a gas appliance which does not comply with any enactment imposing a prohibition or restriction on the supply of such an appliance on grounds of safety.

(5) No person carrying out the installation of a gas appliance shall leave it connected to the gas supply unless the appliance can be used safely.

(6) No person shall install a gas appliance without there being at the inlet to it means of shutting off the supply of gas to the appliance unless the provision of such means is not reasonably practicable.

(7) No person shall carry out any work in relation to a gas appliance which bears an indication that it conforms to a type approved by any person as complying with safety standards in such a manner that the appliance ceases to comply with those standards.

(8) No person carrying out work in relation to a gas appliance which bears an indication that it so conforms shall remove or deface the indication.

(9) Where a person performs work on a gas appliance, he shall immediately thereafter examine -

- (a) the effectiveness of any flue,
- (b) the supply of combustion air,
- (c) its operating pressure [or] heat input [or, where necessary, both,]
- (d) its operation so as to ensure its safe functioning,

and forthwith take all reasonably practicable steps to notify any defect to the responsible person and, where different, the owner of the premises in which the appliance is situated or, where neither is reasonably practicable, [the supplier of gas to the appliance].

Flues

27. (1) No person shall install a gas appliance to any flue unless the flue is suitable and in a proper condition for the safe operation of the appliance.

(2) No person shall install a flue pipe so that it enters a brick or masonry chimney in such a way that the seal between the flue pipe and the chimney cannot be inspected.

(3) No person shall connect a gas appliance to a flue which is surrounded by an enclosure unless that enclosure is so sealed that any spillage of products of combustion cannot pass from the enclosure to any room or internal space other than the room or internal space in which the appliance is installed.

(4) No person shall install a power operated flue system for a gas appliance unless it safely prevents the operation of the appliance if the draught fails.

Access

28. No person shall install a gas appliance except in such a manner that it is readily accessible for operation, inspection and maintenance.

Manufacturer's instructions

29. Any person who installs a gas appliance shall leave for the use of the owner or occupier of the premises in which the appliance is installed all instructions provided by the manufacturer accompanying the appliance.

Room-sealed appliances

30. (1) No person shall install a gas appliance in a room used or intended to be used as a bathroom or a shower room unless it is a room-sealed appliance.
- (2) No person shall install a gas fire, other gas space heater or a gas water heater of more than 14 kilowatt heat input in a room used or intended to be used as sleeping accommodation unless the appliance is a room-sealed appliance.
- (3) No person shall install a gas fire, other gas space heater or a gas water heater of 14 kilowatt heat input or less in a room used or intended to be used as sleeping accommodation unless –
- (a) it is a room-sealed appliance; or
 - (b) it incorporates a safety control designed to shut down the appliance before there is a build up of a dangerous quantity of the products of combustion in the room concerned.

Suspended appliances

31. No person shall install a suspended gas appliance unless the installation pipework to which it is connected is so constructed and installed as to be capable of safely supporting the weight imposed on it and the appliance is designed to be so supported.

Flue dampers

32. (1) Any person who installs an automatic damper to serve a gas appliance shall –
- (a) ensure that the damper is so interlocked with the gas supply to the burner that burner operation is prevented in the event of failure of the damper when not in the open position, and
 - (b) immediately after installation examine the appliance and the damper to verify that they can be used together safely without constituting a danger to any person.
- (2) No person shall install a manually operated damper to serve a domestic gas appliance.
- (3) No person shall install a domestic gas appliance to a flue which incorporates a manually operated damper unless the damper is permanently fixed in the open position.

Testing of appliances

33. (1) Where a person installs a gas appliance at a time when gas is being supplied to the premises in which the appliance is installed, he shall immediately thereafter test its connection to the installation pipework to verify that it is gastight and examine the appliance and the gas fittings and other works for the supply of gas and any flue or means of ventilation to be used in connection with the appliance for the purpose of ascertaining whether –
- (a) the appliance has been installed in accordance with these Regulations;
 - (b) the operating pressure is as recommended by –
 - (i) the supplier of the gas to the appliance, or by some other properly qualified person, in the case of an appliance converted for use with a mixture of liquefied petroleum gas; or

- (ii) the manufacturer of the appliance, in any other case;
- (c) the appliance has been installed with due regard to any manufacturer's instructions provided to accompany the appliance; and
- (d) all gas safety controls are in proper working order.

(2) Where a person carries out such testing and examination in relation to a gas appliance and adjustments are necessary to ensure compliance with the requirements specified in sub-paragraphs (a) to (d) of paragraph (1) above, he shall either carry out those adjustments or disconnect the appliance from the gas supply.

- (3) Where gas is not being supplied to any premises in which any gas appliance is installed –
 - (i) no person shall subsequently permit gas to pass into the appliance unless he has caused such testing, examination and adjustment as is specified in paragraphs (1) and (2) above to be carried out;
 - (ii) a person who subsequently provides a gas supply to those premises shall, unless he complies with sub-paragraph (1) above, ensure that the appliance is sealed off from the gas supply with an appropriate fitting.

Unsafe appliances

34. (1) The responsible person for any premises shall not use a gas appliance or permit a gas appliance to be used if at any time he knows or has reason to suspect –

- (a) that there is insufficient supply of air available for the appliance for proper combustion at the point of combustion;
- (b) that the removal of the products of combustion from the appliance is not being or cannot safely be carried out;
- (c) that the room or internal space in which the appliance is situated is not adequately ventilated for the purpose of providing air containing a sufficiency of oxygen for the persons present in the room, or in, or in the vicinity of, the internal space while the appliance is in use;
- (d) that any gas is escaping from the appliance or from any gas fitting used in connection with the appliance; or
- (e) that the appliance or any part of it or any gas fitting or other works for the supply of gas used in connection with the appliance is so faulty or maladjusted that it cannot be used without constituting a danger to any person.

[(1A) For the purposes of paragraph (1) above, the responsible person means the occupier of the premises, the owner of the premises and any person with authority for the time being to take appropriate action in relation to any gas fitting therein.]

(2) Any person engaged in carrying out any work in relation to a gas main, service pipe, service pipework, gas storage vessel or gas fitting who knows or has reason to suspect that any defect or other circumstance referred to in paragraph (1) above exists shall forthwith take all reasonably practicable steps to inform the responsible person for the premises in which the appliance is situated and, where different, the owner of the appliance or, where neither is reasonably practicable, [the supplier of gas to the appliance].

(3) In paragraph (2) above the expression "work" shall be construed as if, in the definition of "work" in regulation 2(1) above, every reference to a gas fitting were a reference to a gas main, service pipe, service pipework, gas storage vessel or gas fitting.

PART F MISCELLANEOUS

[Maintenance

35. It shall be the duty of every employer or self-employed person to ensure that any gas appliance or installation pipework installed at any place of work under his control is maintained in a safe condition so as to prevent risk of injury to any person.

Duties of landlords

35A. (1) In this regulation –

"landlord" means –

- (i) where the relevant premises are occupied under a lease, the person for the time being entitled to the reversion expectant on that lease; and
- (ii) where the relevant premises are occupied under a licence, the licensor, save that where the licensor is himself a tenant in respect of those premises, it means the person referred to in paragraph (i) above;

"lease" means –

- (a) a lease for a term of less than 7 years; and
- (b) a tenancy for a periodic term; [. . .]

and in determining whether a lease is one which falls within sub-paragraph (a) above –

- (i) any part of the term which falls before the grant shall be left out of account and the lease shall be treated as a lease for a term commencing with the grant;
- (ii) a lease which is determinable at the option of the lessor before the expiration of 7 years from the commencement of the term shall be treated as a lease for a term of less than 7 years;
- (iii) a lease (other than a lease to which sub-paragraph (b) above applies) shall not be treated as a lease for a term of less than 7 years if it confers on the lessee an option for renewal for a term which, together with the original term, amounts to 7 years or more; [. . .]

"relevant gas fitting" means –

- (a) any gas appliance (other than an appliance which the tenant is entitled to remove from the relevant premises) or any installation pipework installed in any relevant premises; and
- (b) any gas appliance or installation pipework which, directly or indirectly, serves the relevant premises and which either –

- (i) is installed in any part of the premises in which the landlord has an estate or interest; or
- (ii) is owned by the landlord or is under his control;

"relevant premises" means premises or any part of premises occupied, whether exclusively or not, for residential purposes (such occupation being in consideration of money or money's worth) under –

- (a) a lease; or
- (b) a licence;

"tenant" means a person who occupies relevant premises being –

- (i) where the relevant premises are so occupied under a lease, the person for the time being entitled to the term of the lease; and
- (ii) where the relevant premises are so occupied under a licence, the licensee.

- (2) Every landlord shall ensure that there is maintained in a safe condition –
 - (a) any relevant gas fitting; and
 - (b) any flue which serves any relevant gas fitting,

so as to prevent risk of injury to any person in lawful occupation of relevant premises.

- (3) Without prejudice to the generality of paragraph (2) above, a landlord shall –
 - (a) ensure that each appliance to which that duty extends is checked for safety at intervals of not more than 12 months; and
 - (b) keep a record in respect of the appliances to which that duty extends of the dates of inspection, the defects identified and any remedial action taken.

(4) Every landlord shall ensure that any work in relation to a relevant gas fitting or any check of a gas appliance carried out pursuant to paragraph (2) or (3) above is carried out by, or by an employee of, a member of a class of persons approved for the time being by the **Department** for the purposes of regulation 3(3) of these Regulations.

(5) The record referred to in paragraph (3)(b) above shall be made available upon request and upon reasonable notice for the inspection of any person in lawful occupation of relevant premises who may be affected by the use or operation of any appliance to which the record relates.

(6) A safety check carried out pursuant to paragraph (3)(a) above shall include, but shall not be limited to, an examination of the matters referred to in sub-paragraphs (a) to (d) of regulation 26(9) of these Regulations.

(7) Nothing done or agreed to be done by a tenant of relevant premises or by any other person in lawful occupation of them in relation to the maintenance or checking of a relevant gas fitting or flue in the premises shall be taken into account in determining whether a landlord has discharged his obligations under this regulation (except in so far as it relates to access to that gas fitting or flue for the purposes of such maintenance or checking).]

Escape of gas

36. (1) Where any gas escapes from any pipe of a gas supplier, or from any pipe, other gas fitting or gas storage vessel used by a person supplied with gas by a gas supplier, the supplier of the gas shall, within 12 hours of being so informed of the escape, prevent the gas escaping (whether by cutting off the supply of gas to any premises or otherwise).

(2) If the responsible person for any premises knows or has reason to suspect that gas is escaping into those premises, he shall immediately take all reasonable steps to cause the supply of gas to be shut off at such place as may be necessary to prevent further escape of gas.

(3) If gas continues to escape into those premises after the supply of gas has been shut off or when a smell of gas persists, the responsible person for the premises discovering such escape or smell shall immediately give notice of the escape or smell to the supplier of the gas.

(4) Where an escape of gas has been stopped by shutting off the supply, no person shall cause or permit the supply to be re-opened (other than in the course of repair) until all necessary steps have been taken to prevent a recurrence of such escape.

(5) In any proceedings for an offence under paragraph (1) above it shall be a defence for the supplier of the gas to prove that it was not reasonably practicable for him effectually to prevent the gas from escaping within the period of 12 hours referred to in that paragraph, and that he did effectually prevent the escape of gas as soon as it was reasonably practicable for him to do so.

(6) Nothing in paragraphs (1) and (5) above shall prevent the supplier of the gas appointing another person to act on his behalf to prevent an escape of gas supplied by that supplier.]

Exception as to liability

37. No person shall be guilty of an offence by reason of contravention of regulation 3(2) or (5), 5(1), 7(3), 15, 16(2) or (3), 17, 30, 33(1) [35 or 35A] in any case in which he can show that he took all reasonable steps to prevent that contravention.

Exemption certificates

38. (1) Subject to paragraph (2), the **Department** may, by a certificate in writing, exempt any person or class of persons from any requirement or prohibition imposed by these Regulations, and any such exemption may be granted subject to conditions and to a limit of time and may be revoked at any time by a certificate in writing.

(2) The **Department** shall not grant any such exemption unless, having regard to the circumstances of the case and in particular to –

- (a) the conditions, if any, which it proposes to attach to the exemption; and
- (b) any other requirements imposed by or under any enactment which apply to the case;

it is satisfied that the health and safety of persons likely to be affected by the exemption, will not be prejudiced in consequence of it.

Revocation

39.



THE HEALTH AND SAFETY AT WORK ETC. ACT 1974
(OF PARLIAMENT)

THE GAS SAFETY (SERVICE PIPES AND FITTINGS) REGULATIONS 1996

Approved by Tynwald

12th July 1996

Coming into operation

1st October 1996

In exercise of the powers conferred on the Department of Local Government and the Environment by section 15 of the Health and Safety at Work etc. Act 1974 (an Act of Parliament)(a), as it has effect in the Isle of Man(b), and of all other enabling powers, and for the purpose of protecting the public against risks to health and safety arising from the transmission, distribution, supply and use of gas, the following Regulations are hereby made:—

PART 1
GENERAL

Citation and commencement

1. These Regulations may be cited as the Gas Safety (Service Pipes and Fittings) Regulations 1996 and, subject to section 82(5) of the Health and Safety at Work etc. Act 1974 (an Act of Parliament), as it has effect in the Isle of Man, shall come into operation on the 1st October 1996.

Interpretation

2. (1) In these Regulations —

"gas" has the same meaning as in the Gas Regulation Act 1995(c);

"governor" means a device for regulating the pressure of gas;

"installation pipe" means any pipe not being a service pipe for the use of gas on the premises of a consumer and includes any valve or cock inserted therein;

(a) 1974 c.37 (b) GC 58/80 (c) 1995 c.7

"outlet pressure governor" means a governor for automatic control of pressure of gas at a point on its outlet;

"public gas supplier" has the same meaning as in the Gas Regulation Act 1995;

"purging" means the removal from a service pipe, meter or installation pipe or other gas fitting of all air and gas other than the gas to be supplied;

"service" means pipes, drains, sewers, cables, conduits and electrical apparatus serving any premises;

"service governor" means an outlet pressure governor installed in a service pipe;

"service pipe" means the pipe between the gas main of a public gas supplier and a primary meter control for the use of gas on the premises of a consumer;

"service valve" means a valve or cock inserted in the service pipe outside a building for shutting off the supply of gas;

"sleeve" means a tubular case inserted in a prepared hole in a structure for the reception of a service pipe or installation pipe;

"temporary continuity bonding" means an electrical connection made to bridge a gap caused by the temporary absence of a continuous single gas pipe or any gas fitting to safeguard against the risk of fire, explosion or electric shock caused by contact with other services;

"venting" means the removal of gas from a service governor to the external air.

(2) References in these regulations to the supply of gas shall be construed as references to gas supplied by a public gas supplier to a consumer and references to the use of gas shall be construed as references to the use of gas so supplied.

PART II INSTALLATION OF SERVICE PIPES

3. No person shall install a service pipe, service pipe fitting, service valve or service governor on any premises unless he is employed by a public gas supplier under a contract of service, a person approved in writing by a public gas supplier for the purpose or a person employed by such a person under a contract of service.

(2) Any person who installs a service pipe, service pipe fitting, service valve or service governor on any premises shall comply in so doing with the following provisions in this Part.

(3) Where such a person carries out the installation in the performance of a contract of service his employer shall ensure that the following provisions in this Part are duly complied with.

4. (1) All service pipes, service pipe fittings, service valves and service governors installed shall be of good construction and sound material and of adequate strength and size to secure safety.

(2) All service pipes, service pipe fittings, service valves and service governors shall be installed and jointed in a sound and workmanlike manner and so as to be gastight.

5. Where —

- (a) a service pipe is installed of internal diameter of 50 millimetres or more; or
- (b) a service pipe is installed for the supply of gas to any premises where the nature of the premises or of any activity carried on or to be carried on upon the premises is such that the person who installs the service pipe knows or has reason to suspect that there is a special risk of personal injury, fire, explosion or other dangers arising from the use of gas; or
- (c) a service pipe is installed which supplies more than one primary meter in a building,

a service valve shall be fixed in the service pipe in a readily accessible position as near as practicable to the boundary of the premises through or to which the service pipe is laid and the position of the service valve shall be clearly indicated.

6. A service pipe shall not be installed in any position in which it cannot be used with safety having regard to the position of other nearby services and to such parts of the structure of any building through which it is laid as might affect its safe use.

7. (1) No service pipe shall be installed in a cavity wall nor so as to pass through a cavity wall otherwise than by the shortest practicable route.

(2) Where a service pipe is installed so as to pass through any wall or is installed so as to pass through any floor of solid construction —

- (a) the service pipe shall be enclosed in a sleeve; and
- (b) the service pipe and sleeve shall be so constructed and installed as to prevent gas passing along the spaces between the pipe and the sleeve and between the sleeve and the wall or floor and so as to allow normal movement of the pipe.

(3) No service pipe shall be installed in an unventilated void space.

(4) No service pipe shall be installed under the foundations of a building or under the base of walls or footings.

8. All service pipes installed shall be constructed of material which is inherently resistant to corrosion or shall be protected against corrosion externally and, unless there is no risk of internal corrosion, internally.

9. (1) No service pipe shall be connected to the gas main except by a suitable connector.

(2) Every service pipe installed shall be of such diameter as will permit it to be connected to the main without causing damage to the main.

10. All service pipes installed underground shall be installed in accordance with the following conditions —

- (a) the pipes shall be bedded on firm ground throughout their length;
- (b) the pipes shall be laid at such a depth as to ensure that there is no undue risk of accidental damage to the pipes or of damage by frost;
- (c) the pipes shall not be laid in the same trench as other services unless the authorities responsible for those other services have first been consulted;
- (d) where condensation of water is likely to occur the pipes shall be laid, where practicable, with a fall of at least 25 millimetres in 3 metres from the meter to the gas main; and
- (e) where condensation of water is likely to occur and such a fall is not practicable —
 - (i) a suitable vessel for the reception of any condensate which may form in any pipe shall be fixed to the pipe in a conspicuous and readily accessible position and means shall be provided for the removal of the condensate; and
 - (ii) a notice in permanent form to the effect that there is a vessel for the collection of condensate shall be fixed to the service pipe adjacent to the meter control.

11. All service pipes installed above ground shall be properly supported and so placed or protected as to ensure that there is no undue risk of accidental damage to the pipes.

12. No service pipe shall be installed in such a way as to impair the structure of any building nor so as to impair the fire resistance of any part of its structure.
13. Where both a service governor and a bypass to the governor are installed a governor shall be fitted on the bypass.
14. Where a service governor is installed and the pressure at which the gas will be supplied at the inlet of the governor is not less than 75 millibars a relief valve or seal and vent pipe of adequate size and capable of venting safely shall be installed in the outlet of the governor.
15. A person who has installed a service governor shall forthwith after installation adequately seal the governor to prevent unauthorised persons interfering with it without breaking the seal.
16. A person who has installed a service pipe, service pipe fitting, service valve or service governor shall ensure —
- (a) that it is forthwith after installation adequately tested to verify that it is gastight and examined to verify that it has been installed in accordance with the foregoing provisions of this Part;
 - (b) that after such testing any necessary protective coating is applied to the joints of all service pipes installed;
 - (c) that after complying with the provisions of sub-paragraphs (a) and (b) purging is carried out throughout every service pipe installed to the external air and throughout any gas fitting installed on a previous occasion through which gas could not flow at the time of installation; and
 - (d) that immediately after such purging every service pipe which has been installed and is not to be put into immediate use is temporarily sealed off, capped or plugged at the meter control with the appropriate pipe fitting.

PART III
REMOVAL, DISCONNECTION, ALTERATION, REPLACEMENT
AND MAINTENANCE OF GAS FITTINGS, ETC.

17. An electrical connection shall be maintained by means of temporary continuity bonding while a service pipe or associated pipe fitting is being removed or replaced until the work of disconnecting or connecting the service pipe or associated pipe fitting, as the case may be, has been completed.

18. A person who disconnects a service pipe or associated pipe fitting shall seal it off, cap it or plug it at every outlet of every pipe to which it is connected with the appropriate pipe fitting.

19. (1) No alteration shall be made to a service pipe or associated pipe fitting (whether it has been installed before or after the date of coming into operation of these regulations) if as a result of such alteration there would have been a contravention of or failure to comply with any provision of Part II if the service pipe or associated pipe fitting in question had been installed at the date of the alteration.

(2) On every replacement of a service pipe or associated pipe fitting (whether it has been installed before or after the date of coming into operation of these regulations) the provisions of Part II shall apply to its replacement as they apply to its installation after the said date.

(3) A person who makes any alteration to or replacement of a service pipe or associated pipe fitting subsequent to installation shall ensure that it is forthwith adequately tested to verify that it is gastight.

(4) A person who makes any such alteration of a service pipe or associated pipe fitting shall ensure that it is forthwith after such testing examined to verify that there would have been no such contravention of or failure to comply with any provision of Part II as is referred to in paragraph (1).

(5) A person who makes any such replacement of a service pipe or associated pipe fitting shall ensure that it is forthwith after such testing examined to verify that it complies with such requirements of Part II as apply to the replacement by virtue of paragraph (2).

(6) A person who makes any such replacement of a service pipe shall ensure that, as soon as is reasonably practicable, any part of the old pipe which is not removed is disconnected as near to the main as is reasonably practicable.

20. A public gas supplier supplying gas to any building shall at all times at its own expense keep all service valves inserted in the service pipes in proper working order.

MADE

5th June

1996

Minister for Local Government and the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations make provision for securing safety in relation to the installation of service pipes for the supply of gas by a public gas supplier (Part II) and the removal, disconnection, alteration, replacement and maintenance of gas fittings (Part III). They are based on Parts II and VII of the United Kingdom Gas Safety Regulations 1972 (SI 1972/1178) as amended.



THE HEALTH AND SAFETY AT WORK ETC. ACT 1974 (OF PARLIAMENT)

INSTRUMENT APPROVING CODES OF PRACTICE

In exercise of the powers conferred on the Department of Local Government and the Environment by section 16(1) of the Health and Safety at Work etc. Act 1974 (an Act of Parliament)(a), as it has effect in the Isle of Man(b), and of all other enabling powers, and after the consultations required by section 16(2) of that Act, the following codes of practice approved and issued by the Health and Safety Commission in Great Britain are approved for the purpose of providing practical guidance with respect to sections 2(1), 2(2)(c) and 3(1) and (2) of that Act and the Gas Safety (Installation and Use) Regulations 1994(c), as those Regulations have effect in the Isle of Man(d):—

Standards of training in safe gas installation (ISBN 0 11 883966 7)(e)

Safety in the installation and use of gas systems and appliances (ISBN 0-7176-0797-6)

MADE 18th September 1996

Duly authorised by the Minister of
Local Government and the Environment

(a) 1974 c.37 (b) GC 58/80 (c) SI 1994/1886 (d) SD 326/96