

L.N. of 2006

**MALTA RESOURCES AUTHORITY ACT  
(CAP. 423)**

**Bulk Liquefied Petroleum Gas (Installation and Use) Regulations, 2006**

*IN exercise of the powers conferred by article 28 (1) of the Malta Resources Authority Act, the Minister for Resources and Infrastructure, after consultation with the Malta Resources Authority, has made the following regulations:*

**PART I**

**PRELIMINARY**

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| Citation    | <p><b>1.</b> (1) The title of these regulations is the Bulk Liquefied Petroleum Gas (Installation and Use) Regulations, 2006.</p> <p>(2) These regulations shall come into force as the Minister responsible for resources may by order determine and different dates may be appointed in respect of different regulations.</p>  |
| Definitions | <p><b>2.</b> (1) Any reference in these Regulations to the "Act" unless the context otherwise requires, is a reference to the Malta Resources Authority Act, and subject to the provisions of subregulation (2) of this regulation, the provisions of article 2 of the said Act shall apply to these regulations.</p> <p>(2) In these regulations, unless the context otherwise requires:</p> <p>"appropriate fitting" means a fitting which is intended for the purpose of effecting a gas tight seal in a pipe, achieves that purpose when used, and which fitting is secure against unauthorized or accidental opening or removal;</p> <p>"appropriate codes" and "appropriate standards" means any codes and, or standards as may from time to time be approved by the Authority and, or the competent authority in Malta responsible for standards;</p> <p>"the Authority" means the Malta Resources Authority;</p> <p>"bulk gas installation " means the gas storage vessel and any of the following assembled together:</p> |

the service pipe, service pipework, installation pipework, emergency control valves, regulators, meters, other auxiliaries and,

- (a) any gas appliance, excluding an appliance which a lessee is entitled to remove from the residential premises in terms of the law of lease;
- (b) any gas appliance or installation pipework which, directly or indirectly, serves the residential premises and which either is installed in any part of premises in which the lessor has an estate or interest, or is owned by the lessor or is under his control;

“competent person” means a person who has obtained the approval of the Authority to carry out work in relation to a gas fitting or gas storage vessel in accordance with regulation 4 of these regulations;

“consumer” means any person to whom liquefied gas petroleum is provided;

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“engineer” means a person who is qualified to practise the profession of an engineer in accordance with the Engineering Profession Act and who is capable of checking and certifying for safe use any gas fittings or appliance, however so described;

"emergency control valve" means a valve intended for use by a consumer of gas for shutting off the supply of gas in an emergency, or by a competent person for major maintenance;

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

"flue pipe" means a pipe forming a flue, but does not include a gas appliance ventilation duct;

"gas" means liquefied petroleum gas (LPG), butane, propane or a mixture of both butane and propane;

"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 does not include:

- (a) a portable or mobile appliance;
- (b) a domestic appliance used for cooking;
- (c) a domestic appliance supplied with gas from a portable gas refillable cylinder, or the cylinder, pipes and other fittings used for supplying gas to that appliance.

"gas fitting" means gas pipework, valves, regulators, meters, and appliances, but does not mean:

- (a) a portable refillable gas cylinder, or

- (b) a gas storage vessel, or
- (c) a gas cylinder or cartridge designed to be disposed of when empty;

"gas storage vessel" means

- (a) a storage container whose weight is of 75 kg or more and is designed to be filled or re-filled with gas at the place where it is connected for use;
- (b) four or more portable cylinders connected together in one header supplying simultaneously.

but does not include a portable re-fillable cylinder designed to store gas, or 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 after the emergency control valve, which pipework is used for conveying gas for a particular consumer, and any associated valve or other gas fitting including any pipework used to connect a gas appliance to other installation pipework and any shut off device at the inlet to the appliance, but does not mean:

- (a) a service pipe; or
- (b) a pipe comprised in a gas appliance; or
- (c) any valve attached to the storage vessel; or
- (d) service pipework.

"lease" means a contract of lease of residential premises between a lessor and a lessee whereby the lessor binds himself to grant to the lessee the enjoyment of the premises for a specified time and for a specified rent which the latter binds himself to pay;

"LPG" means liquefied petroleum gas;

"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;

"meter by pass" means any pipe and other gas fittings through which gas can be conveyed without passing through the meter;

"the Minister" means the Minister responsible for resources;

"occupier" means a person who is habitually resident in a premises;

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

"person" includes any body corporate and any body of persons whether or not it has a legal personality distinct from that of its members;

"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;

"portable re-fillable cylinder" means a portable cylinder which is filled other than at the place where it is connected for use;

"premises" includes a house, building, flat, condominium, or enclosure;

"residential premises" means any premises used, or intended to be used, either wholly or partially for habitation purposes;

"resident" means the owner of the premises who also uses the premises for his habitual residence, the lessee, or the occupier of a premises in a condominium;

"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:

Provided that in a condominium the responsible person means either:

- (a) the appointed administrator if the number of condominiums is more than three, or
- (b) the person with authority for the time being to take appropriate action in relation to any gas fitting if the number of condominiums is three or less;

"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 directly from the open air outside the premises and which vents the products of combustion directly to open air outside the premises;

"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;

"service pipe" means a pipe for distributing gas to a gas storage vessel from a LPG transport vehicle;

"service pipework" means a pipe for supplying gas to the premises or appliance 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 incorporated in a service pipe, intended for use by a transporter of gas and not situated inside a building;

"supplier" in relation to gas means:

- (a) a person who supplies gas to any premises; or
- (b) a person who supplies gas to a consumer through a transporter whereby the latter fills or refills 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:

Provided that a "supplier" does not include a person to whom gas is supplied and who provides that gas for use in a residential premises under lease;

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"transporter" in relation to gas means a person who conveys gas to any premises by means of a delivery truck duly licensed and complying with the requirements under the Motor Vehicles (Carriage of Dangerous Goods by Road) Regulations, 2003, and fills and, or refills gas storage vessels;

"work" in relation to a gas fitting includes any of the following activities:

- (a) installing, removing or re-connecting the gas fitting and the vessel;
- (b) maintaining, repairing, disconnecting, altering or purging of air or gas;
- (c) where the gas fitting is not readily movable, changing its position;

but does not include the replacement of a hose or regulator on a portable or mobile space heater, or of a hose connecting a re-fillable cylinder to installation pipework, or work on non-combustion parts of appliances.

- (3) For the purposes of these regulations any reference to installing a gas fitting includes a reference to converting any pipe, fitting, appliance or meter to gas use.

Applicability of these regulations

- 3. These regulations shall apply to bulk gas installations where the gas is conveyed from a gas storage vessel, but not from a single portable re-fillable cylinder:

Provided that with regard to the provisions of regulation 28 of these regulations, these regulations shall not apply to:

- (a) the supply of gas to, or anything done in respect of a gas fitting at premises used for the testing of gas fittings; or
- (b) the supply of gas to, or anything done in respect of a gas fitting on a self-propelled vehicle, or a sea-going vessel, or a caravan used for touring; or
- (c) a gas fitting used for the purpose of training gas fitting operatives in a college or other training establishment however so described, or for the purpose of assessing the competence of a gas fitting operative at an assessment centre where such assessment is carried out for the purposes of a nationally accredited certification scheme.

## PART II

### COMPETENCE, AND ADEQUATE WORK PROCEDURES

**Qualification and supervision.**

4. (1) Only a competent person or engineer who has obtained an approval from the Authority in accordance with the provisions of these regulations shall carry out any work or certification in relation to a gas fitting or a gas storage vessel.
- (2) The employer of any person carrying out any work in relation to a gas fitting or a gas storage vessel at any place of work or premises under the control of the said employer, or who is in charge of the work being carried in any place of work or premises, shall ensure that only a competent person shall carry out such work:
- Provided that without prejudice to the generality of subregulations (1) and (2) of this regulation, no employer shall allow any of his employees to carry out any work in relation to a gas fitting or a gas storage vessel, and no self-employed person shall carry out any such work, unless the employer, the employee or self-employed person, as the case may be, is a competent person.
- (3) Any person who wishes to be considered as a competent person for the purposes of these regulations in order to carry out work in relation to a gas fitting or gas storage vessel and any engineer who wishes to inspect and certify bulk gas installations, shall in writing apply to the Authority for its approval, which approval shall be granted if the Authority is satisfied that the person requesting such approval, satisfies any reasonable requirements and, or conditions that the Authority may impose.
- (4) The employer of any person carrying out any work in relation to a gas fitting or a gas storage vessel in the course of his employment shall ensure that the requirements imposed by these regulations on such a person are complied with.
- (5) No person shall pretend, purport or give the impression that he is in possession of any approval granted in terms of these regulations without being in possession of such approval.

**Duty on employer or responsible person.**

5. (1) Where an employer or a responsible person requires any work in relation to a gas fitting to be carried out at any place of work or premises under his control or where an employer, responsible person or self-employed person has control to any extent of any

work in relation to a gas fitting, he shall take all reasonable steps to ensure that the person undertaking that work is a competent person.

(2) In addition and without prejudice to the above, the responsible person of where a bulk gas installation is installed, has to apply for a licence to store bulk LPG, as specified in the 'Petroleum for the Inland Fuel Market Regulations', 2006.

(3) The employer or responsible person in charge of a new bulk gas installation shall take all reasonable steps to ensure that such an installation is checked and certified by an engineer, before and after it is supplied with gas for the first time.

**Materials and workmanship.**

- 6.**
- (1) No person shall install a gas fitting or a gas storage vessel unless every part of it is manufactured according to the appropriate standards, is of adequate strength and size to secure safety, and is of a type appropriate for the gas for which it is to be used.
  - (2) Without prejudice to the generality of subregulation (1) of this regulation, no person shall install in any premises 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:
      - (i) it is a pipe connected to a readily movable gas appliance, or
      - (ii) that part of it within the premises 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 premises 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 appropriate codes, in such a way as to prevent danger to any person.

**General safety precautions.**

- 7.**
- (1) In carrying out work in relation to a gas fitting or gas vessel the competent person shall see that no gas is released that could endanger any person and he shall leave no fitting unattended unless every incomplete gas way has been sealed with an appropriate fitting or the gas fitting is safe for use.

- (2) The responsible person must in relation to the premises for which he is responsible, inform all users of gas of any maintenance or checks being undertaken or that may be undertaken on the bulk gas installation in the aforesaid premises.
- (3) Any person carrying out work in relation to a gas fitting or any person close to the work being carried out, is prohibited from smoking or using any source of ignition in such a manner as may lead to the risk of fire or explosion.
- (4) No person searching for an escape of gas shall use any contrivance or device which creates the risk of explosion including, in particular, any source of ignition.
- (5) 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.
- (6) A gas storage vessel is to be installed only in sites where it is ensured that the vessel can be used, filled or refilled without causing a danger to any person.
- (7) A gas storage vessel or an appliance fuelled by gas which has an automatic ignition device or a pilot light, must never be installed in a cellar or a basement.
- (8) No person shall intentionally or recklessly interfere with a gas storage vessel or do anything that might affect a gas storage vessel so that the subsequent use of that vessel might cause a danger to any person.
- (9) Storage vessels and the service pipe shall never be installed in buildings.
- (10) When installing a gas fitting, the competent person shall ensure that:
  - (a) the gas fitting is properly supported and so placed or protected;
  - (b) a suitable filter or protection is fitted to the installation if there is suspect that foreign matter may block or otherwise interfere with the safe operation of the fitting:

Provided that the filter must be so installed that removal and cleaning can be done in a safe manner;

(c) the fitting or gas storage vessel are protected against corrosion if these are fitted in a position where they are likely to be exposed to corrosion.

(11) No person shall make any alteration to any premises in which a gas fitting or gas storage vessel is fitted if that alteration would adversely affect the safety of the fitting, or make the fitting in such a manner that it does not comply with these regulations or appropriate codes or appropriate standards as may be applicable:

Provided that the responsible person shall after consulting a competent person, ensure that the installation in a premises following alteration, complies with these regulations and any appropriate codes or appropriate standards.

(12) No person shall do anything that would obstruct, hinder, clog or prejudice in any manner the means of ventilation of a gas fitting.

(13) 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.

(14) The responsible person together with the transporter shall be present during the filling of a gas storage vessel.

## PART III

### EMERGENCY CONTROL VALVE, METERS AND REGULATORS

#### Emergency Control Valve.

8. (1) An emergency control valve must be installed in all LPG Bulk Gas Installations.
- (2) The responsible person must ensure there is always adequate access to the emergency control valve.
- (3) No gas is to be supplied for use in any premises unless there is provided an appropriately sited emergency control valve.
- (4) The competent person installing an emergency control valve shall ensure that -
- (a) any key, lever or hand-wheel of the control is securely attached to the operating spindle of the control;
- (b) 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; and
- (c) any hand-wheel indicates the direction of opening or closing of the control.
- (5) The responsible person shall prominently display on or near the means of operating the emergency control valve a suitably worded notice in permanent form indicating the procedure to be followed in the event of an escape of gas.
- (6) Where any person first supplies gas to a premises, he shall ensure that the notice required by paragraph (c) of subregulation (4) and subregulation (5) of this regulation is suitably worded and visible from a reasonable distance.

#### General requirements relating to meters.

9. (1) No person shall install a meter in any premises unless:
- (a) the meter is to be installed in such a way as not to obstruct, hinder, clog or prejudice in any manner the means of escape from those premises in the event of fire or emergency;
- (b) the meter is of sound construction adequate to ensure as far as is reasonably practicable that in the event of fire, gas is not able to escape in hazardous quantities;

- (c) the installation is so placed as to ensure that there is no risk of damage to the meter from electrical apparatus;
- (d) the meter is in a readily accessible position for inspection and maintenance.

- (2) Where a competent person installs a meter and the pipes and other gas fittings associated with the meter, he shall promptly ensure that adequate testing is undertaken to verify that such installations are gas tight and that they have been installed in accordance with these regulations:

Provided that 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.**

- 10.** (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 constructed and installed in such a manner as to ensure that:
  - (a) any gas which may escape from the box or compound cannot enter the premises or any cavity in the wall, and
  - (b) that any gas which may escape from the box is dispersed into the external air.
- (2) No person shall knowingly store readily combustible materials in any meter box or meter compound.
- (3) If the meter box or meter compound is provided with a lock, the responsible person and the consumer have to be provided with a suitably labelled key to that lock.

**Regulators**

- 11.** (1) Without prejudice to the requirements of subregulation (2) of this regulation, no person shall cause gas to be supplied from a gas storage vessel to any gas fitting unless:
  - (a) there is a regulator installed which controls the nominal operating pressure of the gas 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
  - (b) 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 paragraph (a) of this subregulation fail.

- (2) 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 is so installed that it is capable of venting safely.
- (3) 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.
- (4) In relation to gas from a gas storage vessel, no person except a competent person shall break a seal applied under subregulation (3) of this regulation.
- (5) A person who breaks a seal applied under subregulation (3) of this regulation shall apply as soon as is practicable a new seal which is adequate to prevent the setting of the regulator from being interfered with without breaking such seal.

**Emergency notices with regard to meters.**

- 12.** (1) If the primary or secondary meter is at such a distance from the notice referred to in regulation 8(5) of these regulations that it cannot be seen, then a notice in permanent form must be prominently displayed on or near the meter indicating the procedure to be followed in the event of an escape of gas.

- (2) Subject to the provisions of subregulation (1) of this regulation, no person shall supply or provide gas for the first time 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.

**Primary meters.**

- 13. (1) No person shall install a prepayment meter as a primary meter through which gas passes to a secondary meter.
- (2) Where a primary meter is removed, the responsible person before removal shall ensure that a competent person does the following:
  - (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,
    - (ii) seal the outlet of the emergency control valve and the installation pipework with an appropriate fitting,
    - (iii) clearly mark any live gas pipe in the premises 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 twelve months beginning with the date of removal of the meter, and there is no such service valve as is mentioned in paragraph (a)(i) of this subregulation, the responsible person shall ensure that the service pipe or service pipework for those premises is disconnected as near as is reasonably practicable to a 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.**

- 14. (1) Any person supplying or permitting the supply of gas through a primary meter to a secondary meter shall ensure that a line diagram in permanent form is promptly prominently displayed on or near the primary meter or gas storage vessel and on or near all emergency controls connected to the primary meter showing the configuration of all meters, installation pipework and emergency controls.
- (2) Any person who changes the configuration of any meter, installation pipework or emergency control valve in a manner which prejudices the accuracy of the line diagram referred to in subregulation (1) of this regulation, shall ensure that the line diagram is amended so as to show the altered configuration.

- (3) Where a secondary meter is removed, the responsible person before any such removal shall ensure that a competent person does the following:
- (a) where the meter is not forthwith re-installed or replaced by another meter -
    - (i) close any valve which controlled the supply of gas to that meter,
    - (ii) seal the outlet of the valve referred to in subparagraph (i) of this paragraph or seal the installation pipework with an appropriate fitting, and
    - (iii) 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 twelve months commencing from the date of removal of the meter and there is no such valve as is mentioned in paragraph (a)(i) of this subregulation, ensure that the installation pipework which is not removed, is sealed at both ends with the appropriate fitting.

## PART IV

### INSTALLATION PIPEWORK

- Safe use of pipes.**
- 15.** (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) In any case where electrical equipotential bonding may be necessary, any person who connects any installation pipework shall inform the responsible person that such bonding must be carried out by a person suitably qualified to carry out such work.
- Enclosed pipes.**
- 16.** (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 so as to be protected against failure caused by the movement of the wall or the floor as the case may be.
- (2) No person shall install any installation pipework so as to pass through a wall or a floor or a standing of solid construction from one side to the other unless:
- (a) it takes the shortest practicable route; and
- (b) adequate means are provided to prevent, so far as reasonably practicable, any escape of gas from the pipework passing through the wall, floor or standing.
- (3) 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.
- (4) 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.**
- 17.** No person shall install any installation pipework in a way that would impair the structure of a building or impair the fire resistance of any part of its structure.
- Testing and purging of pipes.**
- 18.** (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 subparagraphs (a) and (b) of this subregulation, 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 a premises where installation pipework is installed, the responsible person shall not permit gas into the installation pipework unless a competent person has done purging, testing and other work as is specified in paragraphs (a) to (d) of subregulation (2) of this regulation.
- (4) If gas is not supplied into a installation pipework for over twelve months, the responsible person shall ensure that a competent person either seals off the installation pipework with an appropriate fitting or does the work as specified in paragraphs (a) to (d) of subregulation (2) of this regulation.

**Marking of pipes.**

- 19.**
- (1) Pipework sections that are accessible to inspection shall be permanently marked in such a manner that onlookers may from a reasonable distance be made aware that such pipes are part of a pipe used 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 as long as it is used for conveying gas.

## PART V

### APPLIANCES

Safety precautions for gas appliances.

20. (1) No person shall install a gas appliance unless it can be used without constituting a danger to any person and complies with any appropriate standards as may be applicable:
- Provided that if a gas appliance cannot be used safely, then the gas appliance shall not remain connected to the installation pipework and the gas supply shall be sealed off with an appropriate fitting.
- (2) No person shall install a gas appliance except in such a manner that it is readily accessible for operation, inspection and maintenance.
- (3) No person shall install or knowingly request to install a gas appliance that does not comply with any law imposing a prohibition or restriction of the supply of such an appliance on grounds of safety or any other grounds as may be prescribed at law.
- (4) A gas appliance is to have at its inlet means of shutting off the supply of gas to the appliance unless the provision of such means is not reasonably practicable.
- (5) 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.
- (6) No person shall remove or deface any indication upon a gas appliance indicating that it complies to a specific safety standard.
- (7) Where a competent 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 heat input,
  - (d) its operation so as to ensure its safe functioning,

and forthwith take all reasonable practicable steps to notify any defect to the responsible person and to the supplier of the gas appliance.

- (8) Subregulation (7) of this regulation shall not apply in respect of -
  - (a) the direct disconnection of the gas supply of a gas appliance; or
  - (b) the purging of gas or air from an appliance or its associated pipework or fittings in any case where that purging does not adversely affect the safety of that appliance, pipe or fitting.
- (9) A gas appliance shall be connected to a gas supply system with a fixed rigid pipe, except if the non-fixed section is part of the appliance covered under the safety standards of the specific appliance.
- (10) 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.

**Flues.**

- 21.** (1) No person shall install a gas appliance to any flue unless the flue is suitable for operation with such appliance and in proper condition for safe operation:
  - Provided that if the flue pipe enters into a chimney the seal between the pipe and the chimney has to be manufactured in such a way that it can be inspected.
- (2) No person shall connect the gas appliance to a flue that 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.
- (3) 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.

**Flue dampers.**

- 22.** (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 domestic gas appliance to a flue that incorporates a manually operated damper unless the damper is permanently fixed in the open position.

**Instructions by  
a  
manufacturer.**

**23.** Any person who installs a gas appliance shall ensure that the responsible person of the premises where the appliance is installed, is provided with all the instructions furnished by the manufacturer of the appliance.

**Room-sealed  
appliances.**

**24.** (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 appliance including a gas space heater or a gas water heater of more than 14 kilowatt gross 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 appliance including a gas space heater or a gas water heater of 14 kilowatt gross heat input or less in a room used or intended to be used as sleeping accommodation and no person shall install an instantaneous water heater 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.

(4) The references in subregulations (1) to (3) of this regulation to a room used or intended to be used for the purpose therein referred to, includes a reference to a cupboard or a compartment within such a room, or to a cupboard, compartment or space adjacent to such a room if there is an air vent from the cupboard, compartment or space into such a room.

(5) Every responsible person shall ensure, as far as is reasonably practical that in any room occupied or to be occupied as sleeping accommodation by a resident in a residential premises, no relevant gas fitting of a type the installation of which would

contravene subregulations (2) or (3) of this regulation is fitted.

**Testing of appliances.**

- 25.** (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 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 appliance has been installed with due regard to any instructions of the manufacturer provided with the appliance, and
  - (c) 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 paragraphs (a) to (c) of subregulation (1) of this regulation, he shall either carry out those adjustments or disconnect the appliance from the gas supply and seal off the gas supply with an appropriate fitting.
- (3) Where gas is not being supplied to any premises in which any gas appliance is installed -
- (a) no person shall subsequently permit gas to pass into the appliance unless the responsible person has caused such testing, examination and adjustment as is specified in subregulations (1) and (2) of this regulation to be carried out; and
  - (b) a responsible person who subsequently authorises a gas supply to those premises shall, unless he complies with paragraph (a) of this subregulation, ensure that the appliance is sealed off from the gas supply with an appropriate fitting.

**Use of appliances.**

- 26.** (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 that it cannot be used without constituting a danger to any person.

- (2) Any person engaged in carrying out any work in relation to a gas storage vessel or any gas fitting, who knows or has reason to suspect that any gas appliance cannot be used without constituting a danger to any person, 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 or, in any other case, the transporter.

## PART VI

### MAINTENANCE

**Duties relating  
to  
maintenance.**

- 27.**
- (1) It shall be the duty of every employer or self-employed person to ensure that any bulk gas installation and any flue installed at any place of work under his control is maintained in a safe condition and in accordance with any applicable laws so as to prevent risk of injury to any person.
  - (2) Every responsible person shall ensure that any bulk gas installation and any flue is maintained in a safe and serviceable condition and in accordance with any applicable laws so as to prevent risk of injury to any person.
  - (3) Unless other applicable laws require tighter inspection measures regarding subregulations (1) and (2) of this regulation, every responsible person shall:
    - (a) ensure that each bulk gas installation and flue are checked for safety within 12 months from the date of installation and the date of the first post-installation check and at intervals of not more than 24 months thereafter, in accordance with any applicable laws;
    - (b) ensure that a record in respect of any relevant gas fitting or flue so checked is made and retained for a period of 2 years from the date of that check, which record shall include the following information -
      - (i) the date on which the relevant gas fitting or flue was checked,
      - (ii) the address of the premises at which the bulk gas installation and any flue is installed,
      - (iii) the name and address of the responsible person of the premises, at which the bulk gas installation and any flue is installed,
      - (iv) a description of and the location of each gas fitting, gas storage vessel, or flue checked,
      - (v) any defect identified,
      - (vi) any remedial action taken, and
      - (vii) the name and signature of the engineer carrying out the check and any such other particulars as the Authority may from time to time reasonably require.
  - (4) Every responsible person shall ensure that any work in relation to a bulk gas installation or flue carried out pursuant to the checks referred in subregulations (2) and (3) of this regulation is carried by a competent person.

- (5) The record referred to in subregulation (3)(b) of this regulation, or a copy thereof, shall be made available upon request and upon reasonable notice being given, for the inspection of any person in lawful occupation of the premises or who is lawfully employed at a location of a bulk gas installation, who may be affected by the use or operation of any appliance to which the record relates.
- (6) Notwithstanding subregulation (5) of this regulation, every responsible person shall ensure that -
- (a) a copy of the record made pursuant to the requirements of subregulation (3)(b) of this regulation is given to each resident of the premises to which the record relates within 28 days of the date of the check; and
- (b) a copy of the last record made in respect of each bulk gas installation or flue is given to any new resident of premises to which the record relates before that resident occupies those premises save that, in respect of a resident whose right to occupy those premises is for a period not exceeding 28 days, a copy of the record may instead be prominently displayed within those premises.
- (7) Where there is no gas fitting in a room occupied or to be occupied by a resident, the responsible person may, instead of ensuring that a copy of the record referred to in subregulation (6) of this regulation is given to the resident, ensure that a copy of the record is displayed in a prominent position in the premises:
- Provided that on any request being made by this resident for a copy of the record, the responsible person shall provide him with a copy of the record as soon as is practicable.
- (8) A safety check carried out pursuant to subregulation (3) of this regulation shall include, but shall not be limited to, an examination of the matters referred to in paragraphs (a) to (d) of subregulation (7) of regulation 20 of these regulations.
- (9) Nothing done or agreed to be done by a resident of a residential premises or by any other person in lawful occupation of such premises or lawfully employed in a location of an bulk gas installation, in relation to the maintenance or checking of a bulk gas installation or flue in the premises other than one in part of premises occupied for non-residential purposes, shall be taken into account in determining whether a responsible person has discharged his obligations under this regulation.

- (10) Appliances which are subject to the Steam and Hot Boiler Regulations, 1976, shall not be subject to sub-regulation (3) of this regulation, and shall be governed by such maintenance checks procedures as described therein.



conditions including any time limits as the Authority may from time to time impose:

Provided that the Authority shall not grant any such exemption unless, having regard to the circumstances of the case particular to the conditions, if any, which it proposes to attach to the exemption, and any other requirements imposed by or under any law which apply to the case, the Authority is satisfied that the health and safety of persons likely to be affected by the exemption, shall not be prejudiced as a result of any such exemption.

- Offences.**
- 31.**
- (1) Any person who contravenes or fails to comply with any of the provisions of these regulations shall be guilty of an offence against these regulations.
  - (2) Any person guilty of an offence against these regulations shall, on conviction, be liable to a fine (*multa*) not exceeding five thousand liri.
  - (3) Any proceedings undertaken under these regulations shall be without prejudice to the right of any person to undertake any action to seek compensation because of any loss or damages he may have incurred as a result of the breach of these regulations.
  - (4) The liability of an offender under subregulation (2) shall be without prejudice to the liability of the offender to pay to the Authority any cost incurred in removing the cause of the offence and to undo anything which was done without a licence under these regulations.
  - (5) The Court, besides awarding the punishment referred to in this article, may order the convicted offenders to do or to undo whatever is necessary to stop such infringement.
  - (6) In prosecution for offences against these regulations officials of the authority shall have the right to assist the Police, and to plead the case before the Court.
  - (7) Officers from the Authority may assist the Police in the exercise of any of their powers to prevent the commission of an offence against these regulations or to secure evidence concerning any such offence.
  - (8) The provisions of these regulations shall not affect any criminal proceedings that may be instituted under any other law.