
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 386

**Transportable Pressure Vessels
Regulations (Northern Ireland) 2003**

PART 1

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Transportable Pressure Vessels Regulations (Northern Ireland) 2003 and shall come into operation on 1st December 2003 except for this regulation and regulations 2, 10 and 12(1) to (5) which shall come into operation on 1st October 2003.

Interpretation

2.—(1) In these Regulations –

“ADR” means the European Agreement concerning the International Carriage of Dangerous Goods by Road signed at Geneva on 30th September 1957(1), as revised or re-issued from time to time;

“aerosol” means a non-refillable vessel made of metal, glass or plastic and containing a gas which is compressed, liquefied or dissolved under pressure, with or without a liquid, paste or powder, and fitted with a release device allowing the contents to be ejected as solid or liquid particles in suspension in a gas, as a foam, paste or powder or in a liquid state or a gaseous state;

“approved body” shall be construed in accordance with regulation 9;

“Approved Carriage List” means the list described in regulation 4(1)(a) of the CDGCPL Regulations as revised in accordance with regulation 4(2) of those Regulations;

“bundle of cylinders” means a transportable assembly of cylinders held firmly together and interconnected by a manifold;

“the CDGCPL Regulations” means the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations (Northern Ireland) 1997(2);

“CE marking” means the marking required by regulation 16 of the Pressure Equipment Regulations 1999(3);

“conformity assessment procedures” means those procedures set out in Schedule 3 and “conformity assessment” shall be interpreted accordingly;

“conformity marking” means the marking referred to in regulation 11 and set out in Schedule 7;

(1) Current edition (2001): ISBN 92 1 139069 9

(2) S.R. 1997 No. 247, as amended by S.R. 1997 No. 360, S.R. 1998 No. 438, S.R. 1998 No. 448, S.R. 2000 No. 119 and S.R. 2002 No. 34

(3) S.I.1999/2001

- “conformity reassessment procedure” means the procedure set out in Schedule 5;
- “COTIF” means the Convention concerning International Carriage by Rail⁽⁴⁾, as revised or re-issued from time to time;
- “cryogenic receptacle” means a thermally insulated vessel for the transport of refrigerated liquefied gases with a capacity not exceeding 1,000 litres;
- “cylinder” means a vessel with a capacity not exceeding 150 litres;
- “EEC-type cylinder” means a transportable pressure vessel –
- (a) in respect of which there is an EEC Verification Certificate in force issued by an inspection body which, under the law of any member State, is authorised to grant such a certificate for the purposes of the Pressure Vessels Framework Directive and the separate Directive relating to that type of cylinder, or, in the case of a cylinder not subject to EEC verification under any of the separate Directives, which conforms to the requirements of the Pressure Vessels Framework Directive and the separate Directive relating to that type of cylinder; and
 - (b) which bears all the marks and inscriptions required by the Pressure Vessels Framework Directive and the separate Directive relating to that type of cylinder;
- “gas” means a gas classified as a flammable gas, a toxic gas or a non-flammable, non-toxic gas in accordance with regulation 5 of the CDGCPL Regulations;
- “group” has the same meaning as in the Transportable Pressure Equipment Directive;
- “notified body” shall be construed in accordance with regulation 8;
- “owner” means, in relation to a transportable pressure vessel –
- (a) subject to (b) and (c) below, the employer or the self-employed person who owns it (other than a person who buys it solely to use the gas therein before selling it back to the supplier);
 - (b) subject to sub-paragraph (c), in the case of a lease, the lessee; or
 - (c) where the person referred to in sub-paragraph (a) or (b) does not have a place of business in Northern Ireland –
 - (i) the agent of that person in Northern Ireland, or
 - (ii) if there is no such agent, the user;
- “periodic inspection procedures” means the procedures set out in Schedule 6 and “periodic inspection” shall be interpreted accordingly;
- “Pressure Vessels Framework Directive” means Council Directive [76/767/EEC](#) of 27 July 1976⁽⁵⁾, concerning the approximation of laws of the member States relating to common provision for pressure vessels and methods for inspecting them;
- “reassessment of conformity” shall be construed in accordance with regulation 6;
- “RID” means the Regulations concerning the International Carriage of Dangerous Goods by Rail which form Annex 1 to Appendix B to COTIF;
- “separate Directives” means Council Directives [84/525/EEC](#) of 17 September 1984, [84/526/EEC](#) of 17 September 1984 and [84/527/EEC](#) of 17 September 1984⁽⁶⁾ concerning the approximation of laws of the member States relating to seamless steel gas cylinders, seamless unalloyed aluminium and aluminium alloy gas cylinders, and welded unalloyed steel gas cylinders, respectively;

(4) Cmnd 5897

(5) O.J. No. L262, 27.9.1976, p. 153

(6) O.J. No. L300, 19.11.1984, pp. 1, 20 and 48, respectively

“transport” means transport by road or on a railway, in each case on a vehicle;

“the Transportable Pressure Equipment Directive” means Council Directive [1999/36/EC](#) of 29 April 1999⁽⁷⁾ concerning the approximation of laws of member States relating to common provision for transportable pressure equipment and methods for inspection;

“transportable pressure vessel” means a cylinder, tube or cryogenic receptacle, including –

- (a) any valve or other accessory fitted to the vessel and having a direct safety function; and
- (b) any permanent fitting of such a vessel,

which is used or intended to be used for the storage or transport of a gas, UN 1051 STABILISED HYDROGEN CYANIDE, UN 1052 ANHYDROUS HYDROGEN FLUORIDE or UN 1790 HYDROFLUORIC ACID, solution, with more than 85% hydrofluoric acid, but does not include a bundle of cylinders or an aerosol;

“tube” means a seamless vessel with a capacity greater than 150 litres but not more than 5,000 litres;

“UN number” means United Nations Serial Number, that is to say, one of the four digit numbers devised by the United Nations and specified in the Approved Carriage List as a means of identification for dangerous goods, and any reference to the letters “UN” followed by a number, in relation to certain dangerous goods, means the particular UN number for those goods specified in the Approved Carriage List;

“vehicle” means a conveyance which is used for transporting transportable pressure vessels by road or on a railway;

(2) In these Regulations, the words “used at work”, when referring to a transportable pressure vessel, include the filling, emptying, refilling, storage and transport of that vessel at work and an intention to conduct any of those activities.

Application

3.—(1) Subject to paragraphs (2) and (3) and Schedule 1, these Regulations shall apply to any transportable pressure vessel used at work and manufactured –

- (a) on or after 1st October 2003; and
- (b) on or before 30th September 2003 where that vessel is –
 - (i) subject to reassessment of conformity, or
 - (ii) an EEC-type cylinder.

(2) Until 1st October 2005, any person who places on the market or uses at work a transportable pressure vessel manufactured on or after 1st October 2003 may choose to comply with the provisions of the CDGCPL Regulations rather than these Regulations.

(3) Regulations 4 to 6 shall not apply to an EEC-type cylinder.