

1989 No. 33

PETROLEUM

**The Gas Cylinders (Conveyance) (Amendment)
Regulations (Northern Ireland) 1989**

Made 9th February 1989

Coming into operation 3rd April 1989

The Department of the Environment, in exercise of the powers conferred by section 6(1) of the Petroleum (Consolidation) Act (Northern Ireland) 1929(a) as applied by Article 1 of the Petroleum (Compressed Gases) Order (Northern Ireland) 1936(b) and now vested in the head of that department(c) and paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974(d) and of every other power enabling it in that behalf, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as The Gas Cylinders (Conveyance) (Amendment) Regulations (Northern Ireland) 1989 and shall come into operation on 3rd April 1989.

Amendment of regulations

2. The Gas Cylinders (Conveyance) Regulations, (Northern Ireland) 1936(e) shall be amended as follows—

(1) In regulation 1 at the beginning insert “Except as provided in regulation 1A”.

(2) After regulation 1 insert the following regulation:—

“1A. These regulations shall not apply to cylinders of a type specified in column 1 of the Third Schedule to the extent specified in column 2 subject to the conditions set out in column 3.”

(3) After the Second Schedule insert the following Schedule:

(a) 1929 c. 13 (N.I.)

(b) S.R. & O. (N.I.) 1936 No. 78 (p. 278)

(c) Formerly the Minister of Home Affairs: *see* 1973 c. 36 Sch. 5 para. 7(1); S.R. & O. (N.I.) 1973 No. 504 Art. 5(b)

(d) 1974 c. 28

(e) S.R. & O. (N.I.) 1936 No. 113 (p. 279) amended by S.R. & O. (N.I.) 1942 No. 138 (p. 160) and S.R. 1979 No. 334

Modification of Requirements for Certain Types of Cylinder

Column 1	Column 2	Column 3
<i>Type of Cylinder</i>	<i>Extent to which the Regulations do not apply to any of the types of cylinder specified in column 1</i>	<i>Conditions applying to all types of cylinder specified in column 1</i>
<p>A. A cylinder designed and manufactured in conformity with Council Directive 84/525/EEC of 17th September 1984 on the approximation of the laws of the Member States relating to seamless, steel gas cylinders(a).</p> <p>B. A cylinder designed and manufactured in conformity with Council Directive 84/526/EEC of 17th September 1984 on the approximation of the laws of the Member States relating to seamless, unalloyed aluminium and aluminium alloy gas cylinders(b):</p> <p>C. A cylinder designed and manufactured in conformity with Council Directive 84/527/EEC of 17th September 1984 on the approximation of the laws of the</p>	<p>Regulations 1(1), 5 and 6 shall not apply.</p>	<p>1. A cylinder shall have been issued with an EEC pattern approval certificate and, if required, an EEC verification certificate in accordance with the relevant Directive referred to in column 1 and Council Directive 76/767/EEC of 27th July 1976 on the approximation of the laws of the Member States relating to common provisions for pressure vessels and methods of inspecting them(c).</p> <p>2. A cylinder shall not have been charged to a pressure greater than that for cylinders conforming to British Standards 5045 (Part 2 1978) and 5355 (1976), taking into account the test pressure marked on the cylinders.</p>

(a) O.J. No. L300, 19.11.1984, p. 1

(b) O.J. No. L300, 19.11.1984, p. 20

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

Column 1	Column 2	Column 3
<i>Type of Cylinder</i>	<i>Extent to which the Regulations do not apply to any of the types of cylinder specified in column 1</i>	<i>Conditions applying to all types of cylinder specified in column 1</i>
Member States relating to welded unalloyed steel gas cylinders(a).		3. For the conveyance of flammable gases, appropriate precautions are taken either by the design of the cylinder, or by the provision of a suitable cap or shroud, or otherwise, to protect the valve against damage.”

Sealed with the Official Seal of the Department of the Environment on 9th February 1989.

(L.S.)

Trevor Pearson

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations implement the provisions of—

- (a) Council Directive 84/525/EEC of 17th September 1984 on the approximation of the laws of the Member States relating to seamless, steel gas cylinders;
- (b) Council Directive 84/526/EEC of 17th September 1984 on the approximation of the laws of the Member States relating to seamless, unalloyed aluminium and aluminium alloy gas cylinders; and
- (c) Council Directive 84/527/EEC of 17th September 1984 on the approximation of the laws of the Member States relating to welded unalloyed steel gas cylinders;

by amending The Gas Cylinders (Conveyance) Regulations, (Northern Ireland) 1936 to provide that the provisions of those regulations relating to instruction, testing, marking and pressure shall not apply to gas cylinders designed and manufactured in accordance with the above Directives, subject to the following conditions:—

- (1) A cylinder shall have been issued with an EEC pattern approval certificate and, if required, an EEC verification certificate in accordance with the relevant Directive.
- (2) A cylinder shall not have been charged to a pressure greater than that for cylinders conforming to British Standards 5045 (Part 2 1978) and 5355 (1976), taking into account the test pressure marked on the cylinders.
- (3) For the conveyance of flammable gases, appropriate precautions must be taken either by the design of the cylinder, or by the provision of a suitable cap or shroud, or otherwise, to protect the valve against damage.

The British Standards specifications referred to are part of a series based upon the recommendations in the report published in 1969 of the Home Office Gas Cylinders and Containers Committee for materials, design, construction, testing, filling and maintenance of containers intended for the conveyance by road of permanent, liquefiable and dissolved gases, under pressure. Copies of these Standards may be obtained from the British Standards Institution, Linford Wood, Milton Keynes, MK14 6LE.

Copies of the EEC Directives referred to in these Regulations may be purchased from Her Majesty's Stationery Office.

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These Orders have been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. Summaries are given in the List of Statutory Rules of a Local Character under the heading ROADS.