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STATUTORY INSTRUMENTS

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**2000 No. 128**

**The Pressure Systems Safety Regulations 2000**

**PART II**

**GENERAL**

**Design and construction**

4.—(1) Any person who designs, manufactures, imports or supplies any pressure system or any article which is intended to be a component part of any pressure system shall ensure that paragraphs (2) to (5) are complied with.

(2) The pressure system or article, as the case may be, shall be properly designed and properly constructed from suitable material, so as to prevent danger.

(3) The pressure system or article, as the case may be, shall be so designed and constructed that all necessary examinations for preventing danger can be carried out.

(4) Where the pressure system has any means of access to its interior, it shall be so designed and constructed as to ensure, so far as practicable, that access can be gained without danger.

(5) The pressure system shall be provided with such protective devices as may be necessary for preventing danger; and any such device designed to release contents shall do so safely, so far as is practicable.

**Provision of information and marking**

5.—(1) Any person who—

- (a) designs for another any pressure system or any article which is intended to be a component part thereof; or
- (b) supplies (whether as manufacturer, importer or in any other capacity) any pressure system or any such article, shall provide sufficient written information concerning its design, construction, examination, operation and maintenance as may reasonably foreseeably be needed to enable the provisions of these Regulations to be complied with.

(2) The employer of a person who modifies or repairs any pressure system shall provide sufficient written information concerning the modification or repair as may reasonably foreseeably be needed to enable the provisions of these Regulations to be complied with.

(3) The information referred to in paragraph (1) shall—

- (a) in the case of paragraph (1)(a), be provided with the design;
- (b) in the case of paragraph (1)(b), be provided with the pressure system or article when it is supplied by that person;
- (c) in the case of paragraph (2), be provided to the user of the system immediately after the modification or repair.

(4) Any person who manufactures a pressure vessel shall ensure that before it is supplied by him the information specified in Schedule 3 is marked on the vessel, or on a plate attached to it, in a visible, legible and indelible form; and no person shall import a pressure vessel unless it is so marked.

(5) No person shall remove from a pressure vessel any mark or plate containing any of the information specified in Schedule 3.

(6) No person shall falsify any mark on a pressure system, or on a plate attached to it, relating to its design, construction, test or operation.

### **Installation**

6. The employer of a person who installs a pressure system at work shall ensure that nothing about the way in which it is installed gives rise to danger or otherwise impairs the operation of any protective device or inspection facility.

### **Safe operating limits**

7.—(1) The user of an installed system and owner of a mobile system shall not operate the system or allow it to be operated unless he has established the safe operating limits of that system.

(2) The owner of a mobile system shall, if he is not also the user of it—

- (a) supply the user with a written statement specifying the safe operating limits of that system established pursuant to paragraph (1); or
- (b) ensure that the system is legibly and durably marked with such safe operating limits and that the mark is clearly visible.

### **Written scheme of examination**

8.—(1) The user of an installed system and owner of a mobile system shall not operate the system or allow it to be operated unless he has a written scheme for the periodic examination, by a competent person, of the following parts of the system, that is to say—

- (a) all protective devices;
- (b) every pressure vessel and every pipeline in which (in either case) a defect may give rise to danger; and
- (c) those parts of the pipework in which a defect may give rise to danger,

and such parts of the system shall be identified in the scheme.

(2) The said user or owner shall—

- (a) ensure that the scheme has been drawn up, or certified as being suitable, by a competent person;
- (b) ensure that—
  - (i) the content of the scheme is reviewed at appropriate intervals by a competent person for the purpose of determining whether it is suitable in current conditions of use of the system; and
  - (ii) the content of the scheme is modified in accordance with any recommendations made by that competent person arising out of that review.

(3) No person shall draw up or certify a scheme of examination under paragraph (2)(a) unless the scheme is suitable and—

- (a) specifies the nature and frequency of examination;
- (b) specifies any measures necessary to prepare the pressure system for safe examination other than those it would be reasonable to expect the user (in the case of an installed system) or owner (in the case of a mobile system) to take without specialist advice; and
- (c) where appropriate, provides for an examination to be carried out before the pressure system is used for the first time.

(4) References in paragraphs (2) and (3) to the suitability of the scheme are references to its suitability for the purposes of preventing danger from those parts of the pressure system included in the scheme.

### **Examination in accordance with the written scheme**

**9.**—(1) Subject to paragraph (7), the user of an installed system and the owner of a mobile system shall—

- (a) ensure that those parts of the pressure system included in the scheme of examination are examined by a competent person within the intervals specified in the scheme and, where the scheme so provides, before the system is used for the first time; and
- (b) before each examination take all appropriate safety measures to prepare the system for examination, including any such measures as are specified in the scheme of examination pursuant to regulation 8(3)(b).

(2) Where a competent person undertakes an examination for the purposes of paragraph (1) he shall carry out that examination properly and in accordance with the scheme of examination.

(3) Where a competent person has carried out an examination for the purposes of paragraph (1) he shall, subject to paragraph (4) and regulation 14(4), make a written report of the examination, sign it or add his name to it, date it and send it to the user (in the case of an installed system) or owner (in the case of a mobile system); and the said report shall be so sent as soon as is practicable after completing the examination (or, in the case of integrated installed systems where the examination is part of a series, as soon as is practicable after completing the last examination in that series), and in any event to arrive—

- (a) within 28 days of the completion of the examination (or, in the case of integrated installed systems where the examination is part of a series, within 28 days of the completion of the last examination in that series); or
- (b) before the date specified in the report under paragraph (5)(b),

whichever is sooner.

(4) Where the competent person referred to in paragraph (3) is the user (in the case of an installed system) or owner (in the case of a mobile system) the requirement in that paragraph to send the report to the user or owner shall not apply, but he shall make the report by the time it would have been required to have been sent to him under that paragraph if he had not been the competent person.

(5) The report required by paragraph (3) shall—

- (a) state which parts of the pressure system have been examined, the condition of those parts and the results of the examination;
- (b) specify any repairs or modifications to, or changes in the established safe operating limits of, the parts examined which, in the opinion of the competent person, are necessary to prevent danger or to ensure the continued effective working of the protective devices, and specify the date by which any such repairs or modifications must be completed or any such changes to the safe operating limits must be made;
- (c) specify the date within the limits set by the scheme of examination after which the pressure system may not be operated without a further examination under the scheme of examination; and
- (d) state whether in the opinion of the competent person the scheme of examination is suitable (for the purpose of preventing danger from those parts of the pressure system included in it) or should be modified, and if the latter state the reasons.

(6) The user of an installed system and the owner of a mobile system which has been examined under this regulation shall ensure that the system is not operated, and no person shall supply such a mobile system for operation, after (in each case)–

- (a) the date specified under paragraph (5)(b), unless the repairs or modifications specified under that paragraph have been completed, and the changes in the established safe operating limits so specified have been made; or
- (b) the date specified under paragraph (5)(c) (or, if that date has been postponed under paragraph (7), the postponed date) unless a further examination has been carried out under the scheme of examination.

(7) The date specified in a report under paragraph (5)(c) may be postponed to a later date by agreement in writing between the competent person who made the report and the user (in the case of an installed system) or owner (in the case of a mobile system) if–

- (a) such postponement does not give rise to danger;
- (b) only one such postponement is made for any one examination; and
- (c) such postponement is notified by the user or owner in writing to the enforcing authority for the premises at which the pressure system is situated, before the date specified in the report under paragraph (5)(c).

(8) Where the competent person referred to in paragraph (7) is the user (in the case of an installed system) or owner (in the case of a mobile system) the reference in that paragraph to an agreement in writing shall not apply, but there shall be included in the notification under sub-paragraph (c) of that paragraph a declaration that the postponement will not give rise to danger.

(9) The owner of a mobile system shall ensure that the date specified under paragraph (5)(c) is legibly and durably marked on the mobile system and that the mark is clearly visible.

#### **Action in case of imminent danger**

**10.**—(1) If the competent person carrying out an examination under the scheme of examination is of the opinion that the pressure system or part of the pressure system will give rise to imminent danger unless certain repairs or modifications have been carried out or unless suitable changes to the operating conditions have been made, then without prejudice to the requirements of regulation 9, he shall forthwith make a written report to that effect identifying the system and specifying the repairs, modifications or changes concerned and give it–

- (a) in the case of an installed system, to the user; or
- (b) in the case of a mobile system, to the owner and to the user, if any,

and the competent person shall within 14 days of the completion of the examination send a written report containing the same particulars to the enforcing authority for the premises at which the pressure system is situated.

(2) Where a report is given in accordance with paragraph (1) to–

- (a) the user of a pressure system, he shall ensure that the system (or, if the report only affects a discrete part of the system, that part) is not operated;
- (b) the owner of a mobile system, he shall take all reasonably practicable steps to ensure that the system (or, if the report only affects a discrete part of the system, that part) is not operated,

until the repairs, modifications or changes, as the case may be, have been carried out or made.

(3) Where the competent person referred to in paragraph (1) is the user (in the case of an installed system) or owner (in the case of a mobile system) the requirement in that paragraph to give the report to the user or owner shall not apply, and the reference in paragraph (2) to the giving of the report to the user or owner shall be construed as a reference to the making of the report by him.

## Operation

11.—(1) The user of an installed system and the owner of a mobile system shall provide for any person operating the system adequate and suitable instructions for—

- (a) the safe operation of the system; and
- (b) the action to be taken in the event of any emergency.

(2) The user of a pressure system shall ensure that it is not operated except in accordance with the instructions provided in respect of that system under paragraph (1)(a).

## Maintenance

12. The user of an installed system and the owner of a mobile system shall ensure that the system is properly maintained in good repair, so as to prevent danger.

## Modification and repair

13. The employer of a person who modifies or repairs a pressure system at work shall ensure that nothing about the way in which it is modified or repaired gives rise to danger or otherwise impairs the operation of any protective device or inspection facility.

## Keeping of records, etc.

14.—(1) The user of an installed system and the owner of a mobile system shall keep—

- (a) the last report relating to the system made by the competent person pursuant to regulation 9(3);
- (b) any such previous reports if they contain information which will materially assist in assessing whether—
  - (i) the system is safe to operate, or
  - (ii) any repairs or modifications to the system can be carried out safely;
- (c) any—
  - (i) information provided pursuant to regulation 5 of these Regulations; or
  - (ii) instructions specified in section 3.4 of Annex I to Directive [97/23/EC](#) of the European Parliament and of the Council on the approximation of the laws of the Member States concerning pressure equipment<sup>(1)</sup>, which Annex is set out in Schedule 2 to the Pressure Equipment Regulations 1999<sup>(2)</sup>, and provided pursuant to regulation 7(1) and (3) or 8(1) and (3)(b)(i) of those Regulations,which relate to those parts of the pressure system included in the scheme of examination; and
- (d) any agreement made pursuant to regulation 9(7), and, in a case to which regulation 9(8) applies, a copy of the notification referred to in regulation 9(7)(c), until a further examination has been carried out since that agreement or notification under the scheme of examination.

(2) Anything required to be kept by this regulation shall be kept—

- (a) in the case of an installed system, at the premises where the system is installed, or at other premises approved for the purposes of this sub-paragraph by the enforcing authority responsible for enforcing these Regulations at the premises where the system is installed;

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(1) O.J. No. L181, 9.7.97, p. 1.

(2) S.I.1999/2001.

- (b) in the case of a mobile system, at the premises in Great Britain from which the deployment of the system is controlled;
  - (c) in a case to which regulation 2(2) applies, by means whereby it is capable of being reproduced as required by regulation 2(2)(a) at the premises referred to in sub-paragraph (a) or (b) as appropriate.
- (3) Where the user or owner of a pressure system or part thereof changes, the previous user or owner shall as soon as is practicable give to the new user or owner in writing anything (relating to the system or part thereof, as the case may be) kept by him under this regulation.

**Precautions to prevent pressurisation of certain vessels**

- 15.—(1) Paragraph (2) shall apply to a vessel—
- (a) which is constructed with a permanent outlet to the atmosphere or to a space where the pressure does not exceed atmospheric pressure; and
  - (b) which could become a pressure vessel if that outlet were obstructed.
- (2) The user of a vessel to which this paragraph applies shall ensure that the outlet referred to in sub-paragraph (a) of paragraph (1) is at all times kept open and free from obstruction when the vessel is in use.