

SCHEDULE 3

Regulation 16(3)

OLD PRESSURE RECEPTACLES

Interpretation

1. In this Schedule, the expressions mentioned in column 1 of the Table shall have the meanings given in column 2 of that Table and related expressions shall be construed accordingly.

Table

<i>Column 1</i>	<i>Column 2</i>
“approved person”	A person approved pursuant to paragraph 10 of this Schedule for the purposes of carrying out the tasks of an approved person under paragraphs 4 and 8 of this Schedule.
“design standard”	A standard for the design of more than one type of old pressure receptacle.
“examination”	In respect of an old pressure receptacle, a careful and critical scrutiny of that receptacle in or out of service, as appropriate, using suitable techniques, including testing where appropriate, to assess its actual condition and whether, for the period up to the next examination, it will not cause danger when properly used if normal maintenance is carried out.
“filling ratio”	The ratio of the volume of the liquid gas in the old pressure receptacle to the total volume of the old pressure receptacle.
“inspection body”	A person approved pursuant to paragraph 10 of this Schedule for the purposes of carrying out the tasks under paragraphs 5 and 6 of this Schedule.
“major repair”	Any repair involving hot work or welding on the body of an old pressure receptacle and, except in relation to paragraph 8(1)(a)(ii), does not include any repair involving heat treatment applied for the purpose of restoring the metallurgical properties of the old pressure receptacle.
“normal maintenance”	Such maintenance as is reasonable to expect the owner of an old pressure receptacle to ensure is carried out independently of any advice from the inspection body making the examination.
“re-rating”	Reassessing the capability of an old pressure receptacle to contain compressed gas safely with a view to improving its capacity by means of an increase in— (a) the charging pressure; or

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<i>Column 1</i>	<i>Column 2</i>
	(b) in the case of liquefied gas, the filling ratio, from that originally assessed and marked on the old pressure receptacle at the time of manufacture.

Further matters relating to interpretation

2.—(1) For the purposes of this Schedule—

(a) dangerous goods shall be deemed to be carried from the time when they are placed on a vehicle or on a wagon for the purpose of carrying them by road or by rail until either—

- (i) they are removed from the vehicle or wagon; or
- (ii) any old pressure receptacle containing the goods which is on the vehicle or wagon has been cleaned or purged so that any of the goods or their vapour which remain in the old pressure receptacle is not sufficient to create a significant risk to the health or safety of any person,

and in either case whether or not the vehicle or wagon is on the road or railway at the material time; and

(b) the carriage of dangerous goods and the consignment of dangerous goods in old pressure receptacles shall be deemed to include the carriage or consignment of uncleaned, empty old pressure receptacles which have contained dangerous goods where those old pressure receptacles still contain sufficient of those dangerous goods, or vapours from them, to create a significant risk to the health or safety of any person.

(2) Any requirement or prohibition imposed in this Schedule on a person who designs an old pressure receptacle or any article which is intended to be a component part of that receptacle, shall extend only to—

- (a) such old pressure receptacle or article designed in the course of a trade, business or some other undertaking carried on by him (whether for profit or not); and
- (b) matters within his control.

(3) This Schedule applies to a self-employed person as it applies to an employer and an employee as if that self-employed person were both an employer and an employee.

Duties on those designing, manufacturing, importing, supplying, modifying or repairing old pressure receptacles

3.—(1) Any person who designs, manufactures, imports or supplies any old pressure receptacle or any component part of an old pressure receptacle shall ensure that he complies with subparagraph (2).

(2) The old pressure receptacle or component part shall be—

- (a) properly designed and constructed from suitable material, so as to prevent danger;
- (b) designed and constructed so that all necessary examinations for preventing danger can be carried out; and
- (c) provided with such protective devices as may be necessary for preventing danger and any such device which is designed to release contents shall do so safely to the extent that it is reasonably practicable to do so.

(3) The employer of a person who modifies or repairs an old pressure receptacle at work⁽¹⁾ shall ensure that nothing about the way in which it is modified or repaired—

- (a) gives rise to any danger; or
- (b) in any other way impairs the operation of any protective device or inspection facility.

Conformity to approved design standard or specification

4.—(1) No person is to—

- (a) supply or import; or
- (b) to the extent it is reasonably practicable, fill,

an old pressure receptacle unless the old pressure receptacle has been verified, either by a certificate in writing or by means of stamping on the old pressure receptacle in accordance with sub-paragraph (2), as conforming to a design standard or design specification approved by the GB competent authority.

(2) An old pressure receptacle shall be verified—

- (a) by an approved person; or
- (b) in accordance with a quality assurance scheme approved by the GB competent authority.

Examination of old pressure receptacles

5.—(1) The owner of an old pressure receptacle shall ensure, for the purpose of determining whether it is safe, that the old pressure receptacle is examined by or under the control of an inspection body, at the intervals specified in Tables 1 to 3 of Packaging Instruction P200 and Packing Instruction P203 in Section 4.1.4.

(2) If an examination of an old pressure receptacle has not taken place by the end of the interval determined in accordance with sub-paragraph (1), that old pressure receptacle shall not be filled.

(3) If an examination of an old pressure receptacle has not taken place by the end of the interval determined in accordance with sub-paragraph (1), that old pressure receptacle shall only be carried—

- (a) if it is being carried to the place of examination in order to be examined;
- (b) if it is being carried to a place where it will be stored for onward carriage to the place of examination in order to be examined;
- (c) for the purpose of carrying out that examination; or
- (d) for the purpose of disposing of the old pressure receptacle.

(4) Where an inspection body undertakes a proper examination for the purposes of sub-paragraph (1) then that inspection body shall, if satisfied that the old pressure receptacle is safe on completing that examination, ensure that marks are affixed to it showing the date of the examination and the identity of the inspection body that carried out the examination.

(5) No person other than—

- (a) an inspection body; or
- (b) a body under the control of an inspection body,

is to affix to an old pressure receptacle the mark referred to in sub-paragraph (4).

(6) The mark referred to in sub-paragraph (4) showing the date of the examination shall indicate the date by using two or four digits representing the year followed by two digits representing the month, separated by a forward slash (“/”).

(1) See section 52 of the Health and Safety at Work etc Act 1974 (c. 37).

Filling of old pressure receptacles

6.—(1) The employer of a person who is to fill an old pressure receptacle at work, shall ensure that the old pressure receptacle is not filled unless the marks on the old pressure receptacle indicate that it—

- (a) has been examined in accordance with paragraph 5(1); and
- (b) is suitable for containing the goods,

and all other appropriate safety checks have been made.

(2) The employer of a person who fills an old pressure receptacle at work shall ensure that—

- (a) that person checks that—
 - (i) after filling, it is within its safe operating limits; and
 - (ii) any valves do not leak;
- (b) in the event of overfilling, any excess dangerous goods are removed in a safe manner; and
- (c) any old pressure receptacle that leaks after filling is not offered for carriage.

(3) An employer shall ensure that no person employed by him refills at work a non-refillable old pressure receptacle with dangerous goods.

Approved design specification

7.—(1) The manufacturer, or if he does not have a place of business in Great Britain, his agent in Great Britain, or if he has no agent, the importer of an old pressure receptacle which is made to an approved design specification, shall keep a copy of—

- (a) the design specification to which the old pressure receptacle was manufactured; and
- (b) any certificate of conformity issued under paragraph 4(1).

(2) The manufacturer, or if he does not have a place of business in Great Britain, his agent in Great Britain, or if he has no agent, the importer of an old pressure receptacle which is—

- (a) refillable;
- (b) used solely for containing liquefied petroleum gas; and
- (c) has a water capacity no greater than 6.5 litres,

shall keep a copy of the design specification to which the old pressure receptacle was manufactured.

(3) The owner of an old pressure receptacle used or intended to be used for acetylene shall keep records of the—

- (a) tare weight of the old pressure receptacle, including the porous substance and, where relevant, acetone or other solvent;
- (b) nature of the solvent; and
- (c) maximum pressure allowed in the old pressure receptacle.

Modification, repair and re-rating of old pressure receptacles

8.—(1) Every employer shall ensure that no person employed by him modifies at work the body of—

- (a) an old pressure receptacle, which is used or intended to be used for carriage by road or by rail, and which—
 - (i) is of seamless construction; or
 - (ii) has contained acetylene; and

- (b) any type of old pressure receptacle not referred to in paragraph (a), if that modification would put it outside the scope of the design standard or design specification to which it was originally constructed.
- (2) No person is to supply any modified old pressure receptacle for use unless following such modification an approved person has marked or certified it as being fit for use.
- (3) But sub-paragraphs (1) and (2) do not apply in relation to any modification constituting the remaking of a thread if that modification is carried out in accordance with a standard approved by the GB competent authority.
- (4) Every employer shall ensure that no person employed by him carries out at work any major repair on the body of an old pressure receptacle—
 - (a) of seamless construction; or
 - (b) which has contained acetylene.
- (5) Every employer shall ensure that no person employed by him carries out at work any major repair on the body of any old pressure receptacle not referred to in sub-paragraph (4) unless he is competent to do so.
- (6) No person is to supply an old pressure receptacle which has undergone a major repair unless following such work an approved person has marked or certified it as being fit for use.
- (7) Every employer shall ensure that no person employed by him re-rates an old pressure receptacle at work unless he is competent to do so and does so in accordance with suitable written procedures drawn up by the owner of the old pressure receptacle.
- (8) No person is to supply an old pressure receptacle which has been re-rated unless, following the re-rating, an approved person has certified it as being safe for use.

Additional requirements for old pressure receptacles containing certain dangerous goods not classified as class 2 goods

- 9.—(1) If an old pressure receptacle is used for the carriage of a substance listed in Table 3 of Packaging Instruction P200 in Section 4.1.4, the requirements of that Table are to apply in addition to the requirements of this Schedule.
- (2) For the purposes of this paragraph, special packing provision 10(k) of Table 3 of Packaging Instruction P200 in Section 4.1.4 does not apply to the extent that it limits the capacity of cylinders to a capacity of not more than 85 litres.

Appointment of approved persons or inspection bodies by the GB competent authority

- 10.—(1) The GB competent authority may appoint such persons as it thinks fit to be—
- (a) an approved person; or
 - (b) an inspection body,
- for the purpose of this Schedule.
- (2) A person approved as—
- (a) an approved person pursuant to paragraph 2(4)(a) of Schedule 8 to the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996(2); or
 - (b)
 - (i) an approved person pursuant to paragraph 3(2); or
 - (ii) an inspection body pursuant to paragraph 9(1),

(2) [S.I. 1996/2092](#); revoked by [S.I. 2004/568](#), Schedule 14.

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of Schedule 2 to the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004,

whose approval is in force immediately before the coming into force of these Regulations shall be deemed to have been appointed as an approved person or inspection body on the same terms as applied to the appointment under paragraph 2(4)(a), 3(2) or 9(1).