

**GAS SAFETY (INSTALLATION AND USE)
REGULATIONS**

(Cap. 51 sub. leg. C)

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(Cap. 51, section 8)

[1 April 1991]

PART I

PRELIMINARY

1. Citation

These regulations may be cited as the Gas Safety (Installation and Use) Regulations.

2. Interpretation

In these regulations, unless the context otherwise requires—

“domestic gas appliance” (住宅式氣體用具) means a gas appliance which is designed, or intended, to be used primarily in domestic premises, irrespective of whether it is so used;

“emergency control” (緊急控制閥) means a valve for shutting off the supply of gas in an emergency;

“flue” (煙道) means a passage for conveying the products of combustion from a gas appliance to the external air, and includes any part of the passage in a gas appliance ventilation duct which serves the purpose of a flue;

“flue pipe” (煙道管) means a pipe forming a flue, but does not include a pipe built as a lining into a chimney or a gas appliance ventilation duct;

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- “gas supply company” (氣體供應公司) means a gas supply company within the meaning of the Gas Safety (Registration of Gas Supply Companies) Regulations (Cap. 51 sub. leg. E);
- “isolation valve” (切斷閥) means a gas valve which may be used to stop the supply of gas downstream of such valve;
- “low pressure” (低壓) means a pressure of not more than 7.5 kPa;
- “meter box” (氣體錶箱) means a receptacle or compartment designed and constructed to contain a gas meter and gas fittings used in connection with such meter;
- “operating pressure” (操作壓力), in relation to a gas appliance, means the pressure of gas at which it is designed to operate;
- “pressure test point” (試壓點) means a gas fitting to which a pressure gauge can be connected;
- “shut off” (切斷), in relation to the supply of gas, includes disconnecting the supply of gas and ceasing to supply cylinders; (*L.N. 222 of 1999*)
- “work” (工程) means gas installation work within the meaning of the Gas Safety (Registration of Gas Installers and Gas Contractors) Regulations (Cap. 51 sub. leg. D).

3. Application

- (1) Subject to subregulation (2), these regulations shall apply to the reinstallation of a gas fitting in any premises as they apply to the installation of a gas fitting in any premises.
- (2) Where a gas fitting has been installed in any premises before the commencement of these regulations such that, if such fitting had been so installed on or after that commencement, there would have been a contravention of any provision of these regulations, there shall be deemed not to be such a contravention of any such provision in relation to the reinstallation of such fitting in the premises following—

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- (a) the removal of such fitting for the purpose of carrying out maintenance on it; or
 - (b) the removal of such fitting necessitated by work (other than work as defined in regulation 2) carried out in or in relation to the premises.
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PART II

GAS FITTINGS-GENERAL PROVISIONS

4. Materials and workmanship

- (1) No person shall install a gas fitting unless every part of it is of good construction and sound material and of adequate strength and size to secure safety.
- (2) Without prejudice to the generality of subregulation (1), no person shall install in any premises a gas pipe which is—
 - (a) made of lead or lead alloy; or
 - (b) made of a non-metallic substance unless it is—
 - (i) connected to—
 - (A) a readily movable gas appliance designed for use without a flue; or
 - (B) a portable cylinder; and
 - (ii) not more than 2 metres in length.
- (3) No person shall carry out work in relation to a gas fitting otherwise than in a proper and workmanlike manner.

5. General safety precautions

- (1) No person shall carry out work in relation to a gas fitting in such a manner that gas could escape unless steps are taken to prevent any escape of gas which constitutes a danger to any person or property.
- (2) No person carrying out work in relation to a gas fitting shall leave such fitting unattended unless every incomplete

gasway has been sealed so as to be gastight or such fitting is otherwise safe.

- (3) A person who disconnects a gas fitting shall seal off each outlet of each gas pipe to which it was connected so that each such outlet is gastight.
- (4) No person carrying out work in relation to a gas fitting which involves exposing gasways which contain or have contained flammable gas shall smoke or use any source of ignition unless those gasways have been purged so as to remove all such gas or have otherwise been made safe from risk of fire or explosion.
- (5) No person searching for an escape of gas from a gas fitting shall use any source of ignition.
- (6) Where a person carries out work in relation to a gas fitting which might affect the gastightness of the gas supply system of which such fitting is a part, he shall immediately thereafter test such system for gastightness at least as far as the nearest gas valves upstream and downstream in such system.

6. Protection against damage

- (1) A person installing a gas fitting shall ensure that each part of it is so supported, and so placed or protected, as to avoid any undue risk of damage to such fitting.
- (2) No person shall install a gas fitting if he has reason to suspect that foreign matter may block or otherwise interfere with the safe operation of such fitting unless he has fitted a filter or other like protection to the gas inlet of, and any airway in, such fitting.
- (3) No person shall install a gas fitting in a position where it is likely to be exposed to any substance which may corrode it unless such fitting is—

- (a) constructed of materials which are inherently resistant to being so corroded; or
- (b) otherwise protected against being so corroded.

7. Existing gas fittings

- (1) No person shall make any alteration to any premises which would affect a gas fitting installed in the premises in such a manner that, if such fitting had been so installed after the alteration, there would have been a contravention of any provision of these regulations.
- (2) No person shall do anything which would affect a gas fitting, or a flue or means of ventilation used in connection with such fitting, in such a manner that the subsequent use of such fitting constitutes a danger to any person or property.

8. Emergency controls

- (1) No person shall provide a new supply of gas for use in any premises unless there is provided an emergency control to which there is access situated—
 - (a) if there are domestic premises to be supplied with gas in the premises—
 - (i) as near, so far as is reasonably practicable, to the point where the gas pipe through which gas is to be supplied enters the domestic premises; and
 - (ii) if the gas pipe through which gas is to be supplied enters the premises at a place not comprised within any domestic premises, as near, so far as is reasonably practicable, to the point of entry; or
 - (b) if there are no such domestic premises in the premises, as near, so far as is reasonably practicable, to the point where the gas pipe through which the gas is to be supplied enters the premises.

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- (2) A person installing an emergency control shall ensure that—
- (a) any key, lever or hand wheel of such control is securely attached to the operating spindle of such control;
 - (b) any such key or lever is attached so that—
 - (i) the key or lever is parallel to the axis of the pipe in which such control is installed when such control is in the open position; and
 - (ii) where the key or lever is not attached so as to move only horizontally, gas cannot pass beyond such control when the key or lever has been moved, so far as is practicable, downwards; and
 - (c) the means of operating such control are clearly and permanently marked, or a notice in permanent form is prominently displayed, in the English and Chinese languages, near such means so as to indicate when such control is open and when such control is shut.
- (3) Where a person installs an emergency control which is not to form part of a primary meter installation, he shall immediately thereafter prominently display on or near the means of operating such control a notice in permanent form bearing, in the English and Chinese languages, the words or characters “Gas Emergency Control 氣體緊急控制閥”—
- (a) indicating that the consumer should—
 - (i) shut off the supply of gas immediately in the event of an escape of gas in the premises for which such control is provided;
 - (ii) where any gas continues to escape after such control has been closed, as soon as practicable give notice of the escape to—
 - (A) the Emergency Services, by dialling telephone number 999; and

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- (B) the gas supply company concerned or its agent; and
 - (iii) not re-open such control until all necessary steps have been taken to prevent gas from escaping again; and
- (b) stating—
 - (i) the name of the gas supply company concerned or its agent; and
 - (ii) the emergency telephone number of the gas supply company or its agent.

9. Electrical continuity-general

Where it is necessary to avoid danger, no person shall carry out work in relation to a gas fitting without first providing electrical cross-bonding and maintaining the electrical cross-bonding until the work is completed.

PART III

GAS METERS

10. Gas meter-general provisions

- (1) No person shall install a gas meter in any common area of any premises which has more than one occupier where that area provides the only means of escape from the premises, or any part of the premises, in case of fire unless such meter replaces an existing gas meter and—
- (a) such meter is—
 - (i) of fire-resisting construction; or
 - (ii) housed in a meter box with automatic self-closing doors and which is of fire-resisting construction; or
 - (b) the gas pipe immediately upstream of such meter or, where a pressure-regulator is adjacent to such meter, immediately upstream of that pressure-regulator, incorporates a device designed to cut off automatically the supply of gas if the temperature of the device is more than 95 degrees centigrade.
- (2) For the purposes of subregulation (1)(a), the expression “fire-resisting construction” (結構耐火) means that, if the gas meter, or the meter box housing such meter, concerned were subjected to a fire test specified by the Authority—
- (a) by notice in the Gazette; or
 - (b) in writing,
- for the purposes of this subregulation, the construction of such meter would not be so adversely affected that gas could escape in hazardous quantities.

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- (3) No person shall install a gas meter unless it is so placed as to ensure, so far as is reasonably practicable, that there is no risk of damage to it from electrical apparatus.
- (4) No person shall install a gas meter except in a readily accessible position for inspection and maintenance.
- (5) Where a gas meter has bosses or side pipes attached to it by a soldered joint only, no person shall make rigid pipe connections to such meter.
- (6) Where a person installs a gas meter and the gas fittings used in connection with such meter, he shall ensure that—
 - (a) immediately thereafter they are—
 - (i) tested to verify that they are gastight; and
 - (ii) examined to verify that they have been installed in accordance with these regulations; and
 - (b) immediately after such testing and examination, purging is carried out throughout such meter and gas fittings through which gas can flow so as to remove safely all air and gas other than the gas to be supplied.

11. Meter boxes

- (1) No person shall house a gas meter in a meter box attached to or built into the external face of the outside wall of any premises unless such box is so constructed and installed that any gas escaping within it cannot enter the premises or any cavity in such wall but must disperse to the external air.
- (2) No person shall knowingly store flammable materials in a meter box.
- (3) No person shall install a gas meter in a meter box provided with a lock unless the consumer concerned has been provided with a key to the lock clearly labelled, in the English and Chinese languages, “Gas Meter Box 氣體錶箱”.

12. Pressure-regulators

- (1) No person shall install a primary meter or a meter bypass used in connection with a primary meter unless—
 - (a) there is a pressure-regulator regulating the pressure of gas supplied through such meter or bypass, as the case may be, which provides automatic means for preventing the gas fittings connected to the downstream side of the pressure-regulator from being subjected to a pressure more than that for which they were designed;
 - (b) where the normal pressure of the supply of gas to the pressure-regulator referred to in paragraph (a) is more than low pressure and the gas is being supplied to a low pressure gas supply system, there are automatic means for preventing, in case such pressure-regulator should fail, the gas fittings referred to in that paragraph from being subjected to a pressure more than low pressure; and
 - (c) where the pressure-regulator referred to in paragraph (a) contains a relief valve or liquid seal, such valve or seal is connected to a vent pipe capable of venting safely.
- (2) Where a person installs a pressure-regulator for regulating the pressure of gas supplied through a primary meter or a meter bypass used in connection with a primary meter, he shall immediately thereafter adequately seal the pressure-regulator to prevent its setting from being interfered with without breaking of the seal.
- (3) No person except the gas supply company concerned or its agent shall break a seal applied under subregulation (2).

13. Gas meters-emergency notices

- (1) No person shall supply gas through a primary meter installed

after the commencement of these regulations unless he ensures that a notice in permanent form, in the English and Chinese languages, is prominently displayed on or near such meter—

- (a) indicating that the consumer should—
 - (i) shut off the supply of gas immediately in the event of an escape of gas in the consumer's premises;
 - (ii) where any gas continues to escape after the supply of gas has been shut off, immediately give notice of the escape to—
 - (A) the Emergency Services, by dialling telephone number 999; and
 - (B) the gas supply company concerned or its agent; and
 - (iii) not re-open the supply of gas until all necessary steps have been taken to prevent gas from escaping again; and
 - (b) stating—
 - (i) the name of the gas supply company concerned or its agent; and
 - (ii) the emergency telephone number of the gas supply company concerned or its agent.
- (2) Where a gas meter is installed in any premises at a distance of more than 2 metres from, or out of sight of, the nearest upstream emergency control in the premises, no person shall supply gas through such meter unless he ensures that a notice in permanent form, in the English and Chinese languages, is prominently displayed on or near such meter indicating the position of such control.

14. Primary meters

- (1) No person shall install a prepayment meter as a primary meter through which gas is supplied to a secondary meter.
- (2) Where a primary meter is removed, the person who last supplied gas through such meter before its removal shall—
 - (a) where such meter is not forthwith reinstalled or replaced by another primary meter—
 - (i) close any service valve which controlled the supply of gas to such meter and did not control the supply of gas to any other primary meter; and
 - (ii) clearly mark, in the English and Chinese languages, any live gas pipe in the premises in which such meter was installed to the effect that such pipe contains gas; and
 - (b) where such meter has not been reinstalled or replaced by another primary meter before the expiration of a period of 12 months commencing on and from the date of removal of such meter and there is no service valve referred to in paragraph (a)(i), ensure that the service pipe for the premises concerned is disconnected as near, so far as is reasonably practicable, to the gas main and that any part of such pipe which is not removed is sealed at both ends.

15. Secondary meters

A person supplying gas through a secondary meter shall ensure that a notice in permanent form, in the English and Chinese languages, is prominently displayed on or near the primary meter indicating the number and location of secondary meters installed downstream of the primary meter.

PART IV

INSTALLATION PIPES

16. Safe use of installation pipes

- (1) No person shall install an installation pipe in any position in which it cannot be used with safety having regard to the position of other pipes, 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) A person who connects an installation pipe to a primary meter installation in any premises shall, in any case where electrical cross-bonding may be necessary—
 - (a) for the purpose of facilitating such cross-bonding, provide an earth terminal on such pipe at a position not more than 600 millimetres downstream from such installation; and
 - (b) inform the responsible person for the premises that such cross-bonding should be carried out.
- (3) The Authority may, by notice in the Gazette, vary the distance specified in subregulation (2)(a).

17. Enclosed installation pipes

- (1) No person shall install any part of an installation pipe through a wall, floor or standing of solid construction unless such part is so constructed and installed as to be protected against failure caused by movement.
- (2) No person shall install an installation pipe so as to pass through a wall, floor or standing of solid construction from

- one side to the other unless that part of such pipe within such wall, floor or standing, as the case may be—
- (a) takes the shortest practicable route;
 - (b) in the case of a wall, is protected against corrosion by painting and is enclosed in a sleeve or is wrapped; and
 - (c) in the case of a floor or standing, is protected against corrosion by painting and is enclosed in a sleeve.
- (3) No person shall install any part of an installation pipe in the cavity of a cavity wall unless such pipe—
- (a) is to pass through such wall from one side to the other by the shortest practicable route; and
 - (b) is enclosed in a gastight sleeve and such pipe and such sleeve are so constructed and installed as to prevent, so far as is reasonably practicable having regard to subregulation (1), gas passing along any space between—
 - (i) such pipe and such sleeve; and
 - (ii) such sleeve and such wall.
- (4) No person shall install an installation pipe—
- (a) under the foundations of any premises; or
 - (b) in the ground under—
 - (i) the base of a load bearing wall; or
 - (ii) footings.
- (5) No person shall install an installation pipe in an unventilated shaft, duct or void.

18. Protection of premises

No person shall install an installation pipe in a way which would impair—

- (a) the structure of any premises; or
- (b) the fire-resistance of any part of the structure.

19. Clogging precautions

No person shall install an installation pipe in which deposition of liquid or solid matter is likely to occur unless—

- (a) a suitable vessel for the reception of any deposit which may form is fixed to such pipe in a conspicuous and readily accessible position; and
- (b) safe means are provided for the removal of the deposit.

20. Testing and purging of installation pipes

- (1) Where a person carries out work in relation to an installation pipe which might affect the gastightness of any part of such pipe, he shall immediately thereafter ensure that—
 - (a) such part is—
 - (i) tested to verify that it is gastight; and
 - (ii) examined to verify that it has been installed in accordance with these regulations; and
 - (b) after such testing and examination, a protective coating is applied to the joints of such part if such joints are likely to be exposed to any substance which may corrode them.
- (2) Where gas is being supplied to any premises in which an installation pipe is installed and a person carries out work in relation to such pipe, he shall ensure that—
 - (a) immediately after complying with subregulation (1), purging is carried out throughout every installation pipe 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 such pipe is not to be put into immediate use, it is sealed off at each outlet;
 - (c) if such purging has been carried out through a loosened connection, such connection is retested for gastightness after it has been retightened; and
 - (d) each seal fitted after such purging is tested for gastightness.
- (3) Where gas is not being supplied to any premises in which an installation pipe is installed at a time when work is carried out in relation to such pipe, no person shall supply gas to the premises unless he has caused such purging and other work as is specified in subregulation (2) to be carried out.

21. Marking of installation pipes

- (1) A person installing in any premises, elsewhere than in any domestic premises, a part of an installation pipe which is accessible to inspection shall permanently mark such part, in the English and Chinese languages, in such a manner that it is readily recognisable as part of a gas pipe.
- (2) The responsible person for any premises in which a part of an installation pipe referred to in subregulation (1) is situated shall ensure that such part continues to be recognisable in accordance with that subregulation for so long as it is used for supplying gas.

22. Large consumers

Where a service pipe which has an internal diameter of not less than 50 millimetres supplies gas to—

- (a) not less than 2 floors in non-domestic premises; or
- (b) a floor in non-domestic premises (and irrespective of whether such premises have more than one floor) having areas with a separate supply of gas,

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no person shall install an incoming installation pipe to any of those floors or areas, as the case may be, unless—

- (i) an isolation valve is installed in such pipe in a conspicuous and readily accessible position; and
 - (ii) a line diagram in permanent form is attached to such premises in a readily accessible position as near, so far as is practicable, to the primary meters indicating the position of all installation pipes of internal diameter of 25 millimetres or more, gas meters, emergency controls, isolation valves, pressure test points, condensate receivers and electrical cross-bonding of the gas supply systems in such premises.
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PART V

GAS APPLIANCES

23. Gas appliances-safety precautions

- (1) No person shall install a gas appliance unless—
 - (a) such appliance and the gas fittings and other works for the supply of gas to be used in connection with it;
 - (b) the means of removal of the products of combustion from such appliance;
 - (c) the availability of sufficient permanent supply of air for such appliance for proper combustion;
 - (d) the means of ventilation to the room or internal space in which such appliance is installed; and
 - (e) the general conditions of installation, including the stability of such appliance and its connection to any gas fitting,are such as to ensure, so far as is reasonably practicable, that such appliance can be used without constituting a danger to any person or property.
- (2) No person shall connect a domestic gas appliance which has a flue to a piped gas supply system except by a permanently fixed rigid pipe.
- (3) No person carrying out the installation of a gas appliance shall leave it connected to a supply of gas unless such appliance can be used safely.
- (4) No person shall install a gas appliance without there being at the inlet to it means of shutting off the supply of gas to such appliance unless the provision of such means is not reasonably practicable.

- (5) No person shall carry out 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 such appliance ceases to comply with such standards.
- (6) No person carrying out work in relation to a gas appliance which bears an indication referred to in subregulation (5) shall remove or deface the indication.
- (7) Where a person services a domestic gas appliance, he shall immediately thereafter examine—
 - (a) the effectiveness of any flue;
 - (b) the supply of combustion air;
 - (c) its operating pressure; and
 - (d) its safe functioning,and forthwith notify the responsible person for the premises in which such appliance is installed of any defect.

23A. Installation of domestic gas appliance

- (1) Subject to subregulation (2), no person shall install a domestic gas appliance which burns gas to provide lighting, heating or cooling unless the appliance complies with regulation 3B(1)(d) of the Gas Safety (Miscellaneous) Regulations (Cap. 51 sub. leg. F).
- (2) Subregulation (1) does not apply to the reinstallation of a domestic gas appliance which has been installed in any premises before 1 January 2003.

(L.N. 43 of 2002)

24. Flues

- (1) No person shall install a gas appliance to a flue unless the flue is so constructed and in such a condition that such appliance

can operate safely with it.

- (2) No person shall install a flue pipe so that it enters a brick or masonry chimney in such a way that the seal between such pipe and chimney cannot be inspected.
- (3) No person shall connect a gas appliance to a flue which is surrounded by an enclosure unless the 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 such appliance is installed.
- (4) No person shall install a power-operated fan for a flue unless means are provided to safely prevent the operation of the gas appliance for which the flue is provided if such fan fails.

25. Access

No person shall install a gas appliance except in such a manner that it is readily accessible for operation, inspection and maintenance.

26. Manufacturer's instructions

A person who installs a gas appliance shall leave with the responsible person for the premises in which such appliance is installed all operating instructions and instructions covering maintenance requirements provided by the manufacturer of such appliance.

27. Room-sealed gas water heaters

- (1) Subject to subregulation (3), where suitable provision has been made for the installation of a room-sealed gas water heater to serve a bathroom in any premises, irrespective of whether such provision is made in the bathroom or in any other part of the premises, no person shall install a gas water heater in the premises to serve that bathroom unless the heater is a room-sealed gas water heater.

- (2) Where suitable provision has been made for the installation of a room-sealed gas water heater to serve a bathroom in any premises, irrespective of whether such provision is made in the bathroom or in any other part of the premises, no person shall install a room-sealed gas water heater in the premises to serve that bathroom except by using that suitable provision.
- (3) With effect on and from 1 January 1994, no person shall install a gas water heater other than a room-sealed gas water heater in any bathroom in any premises except that an open-flued (fanned draught) gas water heater may be installed to replace an open-flued (fanned draught) gas water heater which—
 - (a) is in a bathroom in any premises; and
 - (b) was installed—
 - (i) before that date; or
 - (ii) on or after that date in pursuance of this regulation.
- (4) For the purposes of this regulation, “room-sealed gas water heater” (密封式氣體熱水爐) and “suitable provision” (適當設施) shall have the meanings respectively assigned to them by regulation 35A(4) of the Building (Planning) Regulations (Cap. 123 sub. leg. F).

28. Suspended gas appliances

No person shall install a suspended gas appliance unless the installation pipe to which it is connected is so constructed and installed as to be capable of safely supporting the weight imposed on it and such appliance is designed to be so supported.

29. Flue dampers

- (1) A person who installs an automatic damper to serve a gas appliance shall—

- (a) ensure that such damper is so interlocked with the supply of gas to the burner that burner operation is prevented in the event of failure of such damper when not in the open position; and
 - (b) immediately after installation examine such appliance and such damper to verify that they can be used together safely without constituting a danger to any person or property.
- (2) No person shall install a manually operated damper to serve a domestic gas appliance.
- (3) No person shall install a domestic gas appliance to a flue which incorporates a manually operated damper unless such damper is permanently fixed in the open position.

30. Testing of gas appliances

- (1) Where a person installs a gas appliance at a time when gas is being supplied to any premises in which such appliance is installed, he shall immediately thereafter test its connection to the installation pipe to verify that it is gastight and examine such appliance, and the gas fittings and other works for the supply of gas and any flue or means of ventilation to be used in connection with such appliance, for the purpose of ascertaining whether—
- (a) such appliance has been installed in accordance with these regulations;
 - (b) the operating pressure of such appliance is as recommended by its manufacturer;
 - (c) such appliance has been installed with due regard to its manufacturer's instructions, if any, accompanying such appliance; and
 - (d) all gas safety controls are in proper working order.

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- (2) Where a person carries out testing and examination specified in subregulation (1) in relation to a gas appliance and adjustments are necessary to ensure compliance with the requirements specified in that subregulation, he shall—
- (a) carry out those adjustments; or
 - (b) disconnect such appliance from the supply of gas.
- (3) Where a person installs a gas appliance in any premises at a time when gas is not being supplied to the premises, no person shall supply gas to such appliance unless he has caused such testing and examination and adjustments as are specified in subregulations (1) and (2) to be carried out.

31. Unsafe gas appliances

No person shall use a gas appliance if at any time he knows or has reason to suspect—

- (a) that there is insufficient supply of air available for such appliance for proper combustion at the point of combustion;
- (b) that the removal of the products of combustion from such appliance is not being or cannot safely be carried out;
- (c) that the room or internal space in which such appliance is installed is not adequately ventilated for the purpose of providing air containing a sufficiency of oxygen for the persons present in the room, or in, or in the vicinity of, the internal space while such appliance is in use;
- (d) that any gas is escaping from such appliance or from any gas fitting used in connection with such appliance;
(*L.N. 222 of 1999*)
- (e) that such appliance or any part of it or any gas fitting or other works for the supply of gas used in connection

with such fitting is so faulty or maladjusted that it cannot be used without constituting a danger to any person or property; or (*L.N. 222 of 1999*)

- (f) that the appliance has been installed or used in contravention of regulation 35. (*L.N. 222 of 1999*)

32. Unsafe gas fittings

- (1) Where—

- (a) a gas supply company which supplies gas to any premises; or
- (b) a person engaged in carrying out work in relation to a gas fitting in any premises,

knows or has reason to suspect that any defect or other circumstance referred to in regulation 31 exists, or that gas is escaping from any other gas fitting, in the premises, then, where paragraph (a) is applicable, the company shall take all reasonable steps to cause a person to, and, where paragraph (b) is applicable, the person referred to therein shall—

- (i) so far as is reasonably practicable, forthwith take all steps to carry out repair work to remove the defect or remedy that circumstance, or to prevent the further escape of gas, as the case may be; or
- (ii) if it is not reasonably practicable to carry out the repair work referred to in paragraph (i)—
- (A) cause the supply of gas to the gas fitting concerned to be shut off;
- (B) attach to such fitting, or to the gas valve which has shut off the supply of gas to it, a notice prepared and issued by the Authority for the purposes of this subparagraph, completed in accordance with any directions specified therein; and

- (C) as soon as practicable, submit to his employer or, if he is self-employed, shall retain for not less than 2 years, a notice prepared and issued by the Authority for the purposes of this subparagraph, completed in accordance with any directions specified therein.
- (2) The employer to whom a notice is submitted under subregulation (1)(ii)(C) shall retain it for not less than 2 years after the day on which it was so submitted.
- (3) Subject to regulation 33, no person shall remove or mark, or damage or destroy, a notice referred to in subregulation (1)(ii)(B) attached to a gas fitting or gas valve.
- (4) Where subregulation (1)(a) is applicable and the gas supply company concerned is unable to cause a person to take the action required under subregulation (1)(i) or (ii) notwithstanding the company taking all reasonable steps to do so, then the company shall shut off the supply of gas to the premises concerned unless it is not reasonably practicable to do so without shutting off the supply of gas to any other premises to which this subregulation is not applicable.
- (5) Subregulation (4) shall not prejudice the operation of any other right, privilege or obligation that a gas supply company has to shut off the supply of gas to any premises.

(L.N. 222 of 1999)

33. Reinstatement of supply of gas

- (1) Where a supply of gas to a gas fitting is shut off under regulation 32(1), no person shall reinstate such supply unless—
- (a) the defect or other circumstance, or the further escape of gas, specified in the notice concerned referred to

- in regulation 32(1)(ii)(B), is removed or remedied, or prevented, as the case may be; or
- (b) upon the request of the responsible person for the premises in which such fitting is installed, the Authority, being of the opinion that such shut off was not justified, states in writing that he is of that opinion.
- (2) Where a supply of gas to premises is shut off under regulation 32(4), no person shall reinstate such supply unless—
- (a) the gas supply company concerned states in writing that in relation to the premises it is satisfied that it is no longer necessary to cause a person to take the action required under regulation 32(1)(i) or (ii);
- (b) upon the request of the responsible person for the premises, the Authority, being of the opinion that such shut off was not justified, states in writing that he is of that opinion; or
- (c) subregulation (1)(a) or (b) becomes applicable to the gas fitting concerned in the premises.
- (3) Where a person reinstates a supply of gas to a gas fitting as provided under subregulation (1), he shall—
- (a) immediately thereafter remove the notice referred to in regulation 32(1)(ii)(B) which relates to such fitting; and
- (b) as soon as practicable, submit to his employer or, if he is self-employed, shall retain for not less than 2 years, the notice removed under paragraph (a) completed in accordance with any directions specified therein.
- (4) The employer to whom a notice is submitted under subregulation (3) shall retain it for not less than 2 years after the day on which it was so submitted.

(L.N. 222 of 1999)

PART VI

MISCELLANEOUS

34. Escape of gas

- (1) Where the responsible person for any premises knows or has reason to suspect that gas is escaping into the premises, he shall, so far as is reasonably practicable, forthwith take all steps to cause the supply of gas to be shut off at such place as may be necessary to prevent the further escape of gas.
- (2) Where gas continues to escape into any premises after the supply of gas has been shut off, or when a smell of gas persists, the responsible person for the premises discovering such escape or smell shall immediately give notice of the escape or smell to—
 - (a) the Emergency Services, by dialling telephone number 999; and
 - (b) the gas supply company concerned or its agent.
- (3) Where an escape of gas has been stopped by shutting off the supply of gas, no person shall reinstate such supply until all necessary steps have been taken to prevent gas from escaping again.

35. Flueless gas water heaters

- (1) No person shall install a flueless gas water heater.
- (2) Subject to subregulation (4), no person shall use a flueless gas water heater to serve a bathroom or shower.
- (3) Where immediately before the commencement of this regulation a flueless gas water heater serves a bathroom or shower, then the responsible person for the premises in which

the heater is installed shall, not later than 3 months after the commencement of this regulation, cause the supply of gas to the heater to be permanently disconnected.

- (4) Subregulation (2) shall not apply to a flueless gas water heater referred to in subregulation (3) until the expiration of the period specified in subregulation (3).

(L.N. 222 of 1999)

36. Instantaneous open-flued (natural draught) gas water heaters

No person shall install an instantaneous open-flued (natural draught) gas water heater.

37. Offences

- (1) Subject to regulation 38, any person who contravenes any provisions of regulation 4, 5, 6, 7, 8, 9, 10(1), (3), (4), (5) or (6), 11, 12, 13, 14, 15, 16(1) or (2), 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35(2) or (3) or 36 commits an offence and is liable on conviction to a fine at level 2.
- (1A) Any person who contravenes regulation 23A(1) commits an offence and is liable on conviction to a fine at level 3.
(L.N. 43 of 2002)
- (2) Any person who contravenes regulation 27(1), (2) or (3) commits an offence and is liable on conviction to a fine at level 3 and to imprisonment for 3 months.
- (3) Any person who contravenes regulation 35(1) commits an offence and is liable on conviction to a fine at level 3.
(L.N. 43 of 2002)

(L.N. 43 of 2002)

38. Defence

It shall be a defence to a charge under regulation 37 alleging a contravention of regulation 4(1), 6(3), 13, 14(2), 15 or 30(1) if the person charged shows that he took all reasonable steps to prevent such contravention.

39. Exemptions

- (1) The Authority may exempt in writing any person from any of the provisions of these regulations specified in such exemption—
 - (a) where the Authority is of the opinion that the safety of members of the public will not be prejudiced by such exemption; and
 - (b) subject to such reasonable conditions as the Authority thinks fit specified in such exemption.
- (2) The Authority may by notice in the Gazette exempt any class of persons from any of the provisions of these regulations specified in such exemption—
 - (a) where the Authority is of the opinion that the safety of members of the public will not be prejudiced by such exemption; and
 - (b) subject to such reasonable conditions as the Authority thinks fit specified in such exemption.