
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations re-enact, with amendments, the Gas Safety (Installation and Use) Regulations 1994, as amended by the Gas Safety (Installation and Use)(Amendment) Regulations 1996 and the Gas Safety (Installation and Use)(Amendment)(No 2) Regulations 1996 (“the 1994 Regulations”). The 1994 Regulations made provision in respect of the installation and use of gas fittings for the purpose of protecting the public from dangers arising from the distribution, supply or use of gas.

1. In addition to minor and drafting amendments, these Regulations make the following changes. The Regulations:—

- (a) limit the application of the Regulations by excluding hydrogen used in non-domestic premises from the definition of “gas” (*regulation 2(1)*);
- (b) add a definition of “appropriate fitting” and amend the definitions of “installation pipework”, “room sealed appliance”, “service pipe” and “work” (*regulation 2(1)*);
- (c) are extended to vessels not requiring a national or international load line certificate when used primarily for domestic or residential purposes (*regulation 2(5)(c)(iii)*);
- (d) are disapplied in respect of control devices on gas appliances in certain circumstances (*regulation 2(6)(c)*);
- (e) are disapplied in part in respect of—
 - (i) the formal training of gas fitters (*regulation 2(7)*); and
 - (ii) the formal assessment of gas fitters for purposes of accreditation (*regulation 2(8)*);
- (f) extend the duty to ensure the competence of gas fitters to employers and self-employed persons having control of the work or who require the carrying out of that work (*regulation 3(2)*);
- (g) make provision for the competence of gas installers and the safe installation of fittings and flues when carrying out work in a factory in relation to vehicles, vessels or caravans (*regulation 3(8)*);
- (h) extend to any employer or self-employed person who has a degree of control over work in relation to a gas fitting the duty to ensure that such work, when carried out at a place of work, is carried out by an employee of, or self-employed person who is, a member of an approved class of persons (*regulation 4*);
- (i) restrict the premises to which alterations are prohibited to those in which a gas appliance or gas storage vessel is fitted (*regulation 8(1)*);
- (j) extend to cases where a meter is relocated the requirement to display a notice identifying the nearest upstream emergency control (*regulation 15(2)*);
- (k) extend the duty to provide a notice where there is more than one primary meter to any person who makes a material modification (*regulation 16(2)*);
- (l) require a line diagram to be displayed and, in specified cases, amended where gas is provided to a secondary meter (*regulation 17*);
- (m) modify the requirements in relation to enclosed pipes (*regulation 19(2)*) and disapply the prohibition on the installation of pipework in cavity walls in respect of “living flame effect gas fires” (as defined) (*regulation 19(4)*);

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- (n) disapply the requirement for specified safety checks in specified circumstances (*regulation 26(10)*);
- (o) extend the meaning of “room” for the purposes of regulation 30 (*regulation 30(4)*);
- (p) extend the prohibition on the use of gas appliances to circumstances where they may constitute a danger to any person (*regulation 34(1)*);
- (q) amend the definition of “relevant gas fitting” for the purpose of regulation 36 (*regulation 36(1)*);
- (r) make further provision with regard to safety checks in rented accommodation (*regulation 36(3)(a) and (b)*) and to the display and provision of records (*regulation 36(7) and (8)*);
- (s) extend the duty imposed on suppliers in cases of escape of gas to the escape of carbon monoxide gas and modify the duty of suppliers in relation thereto (*regulation 37(8)*).

3. The Regulations also contain new provisions which:—

- (a) require a person who breaks a regulator seal to apply a new seal (*regulation 14(7)*);
- (b) require the outlet of the emergency control to be sealed when a primary meter is removed (*regulation 16(3)(a)(ii)*) and notice to be given to the supplier when such removal is proposed (*regulation 16(4)*);
- (c) prohibit the installation of a flue otherwise than in a safe position (*regulation 27(5)*);
- (d) impose restrictions in relation to the installation of instantaneous water heaters (*regulation 30(3)*);
- (e) extend to flues the employer’s duty of maintenance (*regulation 35*);
- (f) provide that specified gas fittings shall not be fitted in specified accommodation (*regulation 36(11) and (12)*);
- (g) impose requirements on consumers of gas in circumstances liable to cause pressure fluctuation or the introduction of extraneous substances into the gas supply (*regulation 38*).

4. The Regulations revoke the Gas Safety (Installation and Use) Regulations 1994, the Gas Safety (Installation and Use) (Amendment) Regulations 1996 and the Gas Safety (Installation and Use) (Amendment) (No. 2) Regulations 1996; the Regulations make minor amendments to Schedule 2B of the Gas Act 1986 (*regulation 41*).

5. These Regulations were notified in draft to the European Commission in accordance with Directive [83/189/EEC](#) (1983 O.J. L109/8) (as amended).

6. A copy of the summary cost benefit prepared in respect of these Regulations can be obtained from the Health and Safety Executive, Economic Adviser’s Unit, Rose Court, 2 Southwark Bridge, London SE1 9HS. A copy has been placed in the Library of each House of Parliament.

Changes to legislation:

There are currently no known outstanding effects for the The Gas Safety (Installation and Use) Regulations 1998.