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STATUTORY INSTRUMENTS

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**1989 No. 149**

**CONSUMER PROTECTION**

**The Gas Cooking Appliances (Safety) Regulations 1989**

<i>Made</i>	- - - -	<i>7th February 1989</i>
<i>Laid before Parliament</i>		<i>8th February 1989</i>
<i>Coming into force</i> <i>(except as provided in</i> <i>regulation 1)</i>		<i>1st September 1989</i>

Whereas the Secretary of State has, in accordance with section 11(5) of the Consumer Protection Act 1987(1), consulted such organisations as appear to him to be representative of interests substantially affected by these Regulations and such other persons as he considers appropriate and the Health and Safety Commission:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 11 of the said Act, hereby makes the following Regulations:—

**Citation and commencement**

1.—(1) These Regulations may be cited as the Gas Cooking Appliances (Safety) Regulations 1989 and, except as provided by paragraph (2) below, shall come into force on 1st September 1989.

(2) The Regulations shall come into force on 1st March 1989 in respect of any appliance which has previously been supplied (whether before or after 1st March 1989 and whether in the United Kingdom or elsewhere) to any person who acquired it otherwise than for the purposes of a business of dealing in appliances.

**Interpretation**

2.—(1) In these Regulations, unless the context otherwise requires—

“appliance” means any equipment which is designed or suitable for domestic use in a dwelling, ship or caravan and is designed for cooking by means of the burning of gas, whether or not the equipment has other functions as well and whether it is designed to rest directly on the floor or on a table or other raised surface or to be fixed to a wall or other upright structure or supported by any other equipment, but does not include any equipment which is designed for use out-of-doors or in a tent;

“flame supervision device” means a device including a sensing element which causes the gas supply to a burner to be opened or closed according to the presence or absence of the flame which activates the sensing element;

“gas” includes liquefied petroleum gas;

“gas supply pressure” means the difference between the static pressure measured at the inlet connection of the appliance and the atmospheric pressure;

“hot-plate” means an appliance comprising one or more burners and designed to support cooking vessels;

“oven” means a closed compartment comprised in an appliance designed for roasting and baking food;

“oven drop door” means a door with a horizontal axis of rotation about its lower edge;

“pan support” means a support placed above a hot-plate burner which keeps the cooking vessel being heated at a set distance from the burner;

“shut-down lid” means a lid designed to be shut down over a hot-plate;

“supply” includes offering and agreeing to supply and exposing and possessing for supply, and cognate expressions shall be construed accordingly.

“tap” means a device designed to isolate a burner from the gas supply to it and, if applicable, to adjust its rate during use;

“tap handle” means a manually operated device used to open or close a tap.

(2) For the purposes of these Regulations an appliance shall be treated as being in normal use when it has been properly assembled, installed and maintained, connected to a supply of gas for which it was designed and, if in operation, is being operated with proper care, having regard in particular to any instructions and warnings supplied with the appliance.

(3) In these Regulations—

- (a) where any standard is mentioned in these Regulations, that reference is a reference to that standard as it has effect on the date on which these Regulations are made (including any amendment or revision made or taking effect on or before that date), provided that where any such standard has been amended or revised after that date and the amendment or revision has been approved by the Secretary of State under regulation 6 below that reference is to be construed at any time after the amendment or revision as a reference to that standard as so amended or revised;
- (b) where any standard mentioned in these Regulations specifies relevant requirements by reference to another standard, that reference is to be construed as a reference to that other standard as it has effect on the date on which these Regulations are made (including any amendment or revision to that other standard made or taking effect on or before that date), provided that where any such other standard has been amended or revised after that date and the amendment or revision has been approved by the Secretary of State under regulation 6 below, that reference is to be construed at any time after the amendment or revision as a reference to that other standard as so amended or revised; and
- (c) any reference to a British Standard of a particular number published to come into effect on a particular date is a reference to the British Standard Specification of that number published by the British Standards Institution to come into effect on the date in question.

### **Prohibition on supply etc.**

3.—(1) Subject to paragraph (2) below, no person shall supply any appliance in respect of which any of the requirements of these Regulations are not satisfied.

(2) Paragraph (1) above shall not apply to any appliance which conforms to all the requirements of European Standard EN 30(2) relating to the situations met in Europe generally and to the national situations in the United Kingdom for appliances supplied and used there published to come into effect on 30th May 1980 or of British Standard 5386: Part 3 1980(3) published to come into effect on 30th May 1980 or Part 4 1983(4) published to come into effect on 31st May 1983 concerning the safety of appliances or which, although not conforming to these requirements, is at least as safe as it would be if it did so conform.

#### **Condition of appliances when in normal use**

- 4.—(1) An appliance shall be in such a condition that when it is in normal use—
- (a) all its gas-carrying components are sufficiently sound to prevent any likelihood of death or personal injury arising from the escape of gas;
  - (b) the door of any oven comprised in the appliance is sealed in such a manner as to prevent the escape of the products of combustion in such quantity as to give rise to any likelihood of death or personal injury;
  - (c) any device forming part of the appliance designed to ignite any burner operates so as to ensure the prompt ignition of the burner;
  - (d) the ignition of any burner by an automatic or manual device results in the cross-lighting to all flame ports in the burner;
  - (e) the stability of the flame from any burner after a period of more than one minute after ignition is such as to ensure that the base of the flame does not move away, either in whole or in part, from the burner port and the flame does not return inside the body of the burner;
  - (f) the quantity of carbon monoxide in the products of combustion is not such as to give rise to any likelihood of death or personal injury;
  - (g) any device which is designed to shut off the supply of gas to any burner when the flame is unintentionally extinguished, operates to ensure that the supply of gas intended to be controlled by the device is promptly and safely shut off;
  - (h) in the case of an appliance fitted with a burner the ignition of which can take place in a closed compartment with the door closed, the gas rate to any such burner which is not controlled by a flame supervision device does not exceed 600 watts;
  - (i) in the case of an appliance fitted with a shut down lid, any device which is designed to shut off automatically the supply of gas to every burner comprised in the hot-plate when the lid is shut down operates to ensure that the supply of gas intended to be controlled by the device is promptly and safely shut off;
  - (j) the surface temperature of any parts of the appliance other than working surfaces and any part of a surface which is adjacent to—
    - (i) any part of any hob unit; or
    - (ii) a working surface of the appliance or the periphery of any oven vent or any other aperture necessary for the functioning of the appliance,is not such as to give rise to any likelihood of death or personal injury through incidental contact with any part of the appliance or through contact with those parts of the appliance intended to be touched when it is in normal use.

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(2) ISBN 0 580 11099 0.

(3) ISBN 0 580 11099 0, as amended by Amendments Nos. 1–4 published on 31st March 1983, 30th April 1984, 28th June 1985 and 30th January 1987 respectively.

(4) ISBN 0 580 11904 1.

- (k) the heat emitted by the appliance is not such as to cause any adjacent walls, floors or materials to reach a temperature giving rise to any likelihood of a fire hazard or personal injury;
- (l) in the case of an appliance fitted with any lids, oven doors, splash-backs or other components comprised wholly or partly of glass, the type of glass employed, its thickness and its size are such as to prevent the breakage of the glass giving rise to any likelihood of death or personal injury;
- (m) all accessible parts of the appliance are free from sharp edges;
- (n) in the case of an appliance designed to stand unsecured on a floor, table or other level surface, the appliance is stable when the oven doors and grill doors are open and when a load of 15 kg is placed at the centre of the oven door where an oven drop door is fitted or is placed at the centre of the top edge of the door where an oven door with a vertical axis is fitted;
- (o) any pan support comprised in the appliance is such as to ensure the stability of any cooking vessels designed to be placed upon it;
- (p) any tap handle of the appliance is so designed as to ensure that it is not liable to be turned on accidentally and is otherwise capable of easy operation; and
- (q) any variation which might reasonably be expected in the rate, pressure or composition of the gas supply or a failure of, or any subsequent restoration of, any electrical or other source of energy which is auxiliary to the gas supply is not such as to give rise to any likelihood of death or personal injury.

(2) An appliance shall be in such a condition that the characteristics of the appliance required to comply with paragraph (1) above will not be altered in the course of the normal use of the appliance, whether through the distortion or deterioration of any materials used in its construction or through the accidental displacement of any components comprised in the appliance.

**5.—(1)** All information necessary for the safe installation, adjustment, maintenance and operation of an appliance shall be given by markings on the appliance itself or, where that is not practicable, in a document or documents accompanying the appliance.

(2) Without prejudice to the generality of paragraph (1) above—

- (a) an appliance shall bear instructions, set out in legible and durable characters and displayed either upon the facia of the appliance or on the tap handles, indicating which tap controls which burner and the closed, open and, if applicable, reduced rate positions for each tap;
- (b) in the case of an appliance incorporating a shut-down lid which is not so constructed that the hot-plate burners are automatically shut off when the lid is shut down, the appliance shall bear a warning, set out in legible and durable characters under the lid, that it is dangerous to close the lid without extinguishing the hot-plate burners.

(3) The name of, and sufficient particulars to identify, the manufacturer and, in the case of an appliance imported into the United Kingdom, the importer of an appliance shall be indelibly marked on the appliance, or on a durable label securely fixed to the appliance with its entire surface in contact with it, in a position where the particulars can be easily read when the appliance is installed, adjusted, maintained or in operation.

(4) It shall not be a sufficient compliance with this regulation to give information in a language other than English.

### **Approval of amendments and revisions of standards**

**6.—(1)** The Secretary of State, if he thinks it appropriate to do so for the purposes of these Regulations, may approve any amendment or revision of a standard mentioned in these Regulations,

being an amendment or revision made or taking effect after the date on which these Regulations are made.

(2) Any such approval shall be effected by the publication by the Secretary of State, in such manner as he considers appropriate, of a notice of approval together with the place where copies of the amendment or revision to which the approval relates may be obtained.

(3) The notice referred to in paragraph (2) above shall state the date on which the approval shall take effect.

(4) A register of approvals given for the purposes of these Regulations shall be kept by the Secretary of State at such premises and in such form as he may determine, and shall be open to public inspection.

### **Saving for other statutory provisions**

7. The provisions of these Regulations are without prejudice to any other provisions made by or under any enactment relating to an appliance.

7th February 1989

*Eric Forth*  
Parliamentary Under-Secretary of State,  
Department of Trade and Industry

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations prohibit the supply of gas cooking appliances which do not comply either with the requirements specified in the Regulations or with the safety requirements of European Standard EN 30 or British Standard Specification 5386: Part 3: 1980 (domestic cooking appliances burning gas) or Part 4: 1983 (built-in domestic cooking appliances). Offering for supply, agreeing to supply and exposing and possessing for supply such appliances are also prohibited (regulation 3).

The requirements of the Regulations include provisions concerning risks of injury arising from the escape of gas, the combustion of gas, the surface temperatures of parts of the appliance, the breakage of components made of glass, the incorporation of components with sharp edges and the stability of the appliance (regulation 4); and provisions relating to markings, warnings and instructions for installation, maintenance and use (regulation 5).

Provision is also made with regard to the approval of amendments and revisions of standards mentioned in the Regulations (regulation 6).

Copies of the British Standard and of the European Standard referred to in the Regulations may be obtained from any of the sales outlets operated by the British Standards Institution (BSI) or by post from the BSI at Linford Wood, Milton Keynes, MK14 6LE.