

BERMUDA STATUTORY INSTRUMENT

BR 43/1989

**HEALTH AND SAFETY AT WORK (PRESSURE SYSTEMS)
REGULATIONS 1989**

[made under section 9(1) of the Health and Safety at Work Act 1982 [title 18 item 10] and brought into operation on 1 December 1989]

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Citation and commencement

- 1 This order may be cited as the Health and Safety at Work (Pressure Systems) Regulations 1989 *[commencement provision omitted]*.

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Interpretation

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

"Council" means the Professional Engineers Registration Council established under the Professional Engineers Registration Act 1972 [*title 30 item 16*];

"examination" means a careful and critical scrutiny of a pressure system, part of a pressure system, in or out of service as appropriate, using suitable techniques, including testing where appropriate, to assess its actual condition and fitness for use of the period up to the next examination;

"pressure system" means a system comprising one or more pressure vessels of rigid constructions, any associated pipework, protective equipment, compressors, pumps, valves and other pressure containing components which contain or are liable to contain a substance under pressure and such systems include:

- (a) steam boilers whether fired or unfired;
- (b) pressurised hot water generators;
- (c) steam receivers and steam containers (including steam jacketed pans);
- (d) steam tube ovens and hotplates;
- (e) air receivers;
- (f) cylinders containing air or gases used for life support systems;
- (g) any other pressure system which contains gas at a pressure greater than 0.5 bar (7 pounds per square inch) above atmospheric pressure or a liquid which changes into gas or vapour on sudden release of pressure and which is contained in a vessel where the product of the system pressure (in bars) and internal volume (in litres) is greater than 200;

"protective equipment" means protective devices (including bursting discs) and measuring equipment which enable system failure to be prevented;

"transportable gas container" means a "portable exchange cylinder" and a "storage container" as defined by the Liquefied Petroleum Gases (Handling, Storage, Supply and Transport) Regulations 1988 [*title 20 item 2(e)*];

"user" means a person in control of a pressure system.

(2) For the purposes of these Regulations "competent person", in relation to any duty to be performed under these Regulations by a competent person, means a person who is approved for that purpose by the Minister acting after consultation with the Minister charged with responsibility for Works and Engineering and the Council.

Application

3 These Regulations apply to all pressure systems used or intended to be used at work except—

- (a) a pressure system that forms part of the equipment of a merchant ship;
- (b) a pressure system that forms part of the equipment of a wheeled or tracked vehicle;
- (c) a fire extinguisher system or appliance; or
- (d) a transportable gas container to the extent where regulations 6 to 10 (inclusive) apply.

Design and construction

4 (1) Every pressure system and every part of every pressure system, shall be properly designed in conformity with a design standard or design specification that is approved by the Minister and that is in accordance with any law in force and also shall be properly constructed from sound and suitable material.

(2) Every pressure system shall be so designed and constructed that all examinations required by these Regulations can be carried out.

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

(4) Every pressure system shall be provided with such protective equipment as may be necessary to enable it to be operated safely; and any protective device designed to release contents shall do so safely, so far as practicable.

(5) Sufficient information shall be supplied by the designer, manufacturer, importer or supplier of the pressure system to enable the user or the owner thereof, as the case may be, to comply with the provisions of these Regulations.

Responsibility of user or owner

5 The user or the owner, as the case may be, of a pressure system shall ensure that any duty to be performed under these Regulations by a competent person shall be so performed.

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Establishment of safety operating limits

6 The user or the owner, as the case may be, of a pressure system shall not allow that system to be operated unless the user or the owner, as the case may be, has established the safe operating limit of that pressure system.

Examinations

7 The user or the owner, as the case may be, of a pressure system shall not allow that system to be operated unless—

- (a) the user or the owner, as the case may be, has obtained from a competent person a scheme of examination including testing where necessary, at appropriate intervals specified by regulation 10 of those parts of the pressure system in which a defect may be liable to give rise to danger;
- (b) a competent person has carried out an examination thereof at the specified intervals referred to in the scheme mentioned in subparagraph (a);
- (c) in the case of a pressure system that has undergone repair, a competent person has carried out the repair, and
- (d) a written report is available of the examination made in accordance with the scheme required by subparagraph (a) that states the latest date after which the pressure system may not be operated.

Report of examinations

8 (1) The competent person making an examination under the scheme of examination shall make a written report of the examination, shall sign or otherwise authenticate it, and shall send it as soon as practicable to the user or the owner, as the case may be, of the pressure system.

- (2) The report required by paragraph (1) shall—
 - (a) record the date or dates on which the examination took place;
 - (b) state which parts of the pressure system have been examined, the condition of those parts and the results of the examination;
 - (c) specify any repairs or changes in the safe operating limits of the parts examined which, in the opinion of the competent person, are necessary to ensure the continued safe working of the protective equipment and specify the date by which any such repairs must be

completed or any such changes made to the specified safe operating limits; and

(d) specify the latest 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.

(3) The date under paragraph (2)(d) may be postponed to a later date if the competent person and the user or the owner, as the case may be, agree in writing to the postponement and the postponement does not give rise to danger; however, only one such postponement shall be made for any one examination.

(4) The user or the owner, as the case may be, of a pressure system shall keep a copy of the report required by paragraph (1) until he receives the report from the next examination.

Action in case of serious defect

9 (1) If the competent person carrying out an examination under the scheme of examination is of opinion that the pressure system or part of the pressure system is not safe to operate unless certain repairs have been carried out, he shall forthwith give written notification to that effect to the user and the owner of the system and shall, within twenty-eight days of the examination, send a copy to the Minister.

(2) Where notification is served in accordance with paragraph (1), no person shall operate that pressure system (or, if the notification only is to a discrete part of the system, that part) until the notification has been complied with.

Intervals of examination

10 (1) The appropriate intervals of examination to be specified by a competent person in accordance with regulation 7(a) shall not be greater than the following periods:

- (a) steam boiler 14 months;
- (b) pressurised hot water generators..... 14 months;
- (c) steam tube ovens and hotplates 14 months;
- (d) steam receivers and steam containers 26 months;
- (e) air receivers 2 years;
- (f) air receivers of seamless construction..... 4 years;

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- (g) welded cylinders and seamless cylinders used under water for life support systems 2 years;
- (h) seamless cylinders, except when used under water, for life support systems..... 4 years.

(2) In the case of cylinders described in paragraph (1)(g) and (h) a pressure leak test to a safe working pressure or an internal pressure test shall be carried out at two or four year intervals respectively.

(3) Any other pressure system not of the classes described in paragraph (1)(a) to (h) (inclusive) shall be examined at periods determined by a competent person.

Maintenance

11 The user or owner, as the case may be, of a pressure system shall ensure that it is properly maintained in an efficient state, in an efficient working order and in good repair.

Operation

12 The user or owner, as the case may be, of a pressure system shall provide appropriate instructions for the safe operation of the system and in the case of a pressure system in which steam is generated and its output is greater than one metric tonne per hour (2204 lbs. per hour) shall not later than three years after the commencement of these Regulations appoint a person with suitable training and practical experience to take charge of the system.

Marking

13 (1) Every pressure system shall be marked with any information necessary for the safe operation of the system in accordance with the instructions of the competent person.

(2) Where a pressure system comprises more than one substance under pressure all connecting pipework shall be marked with distinctive colours so as to identify the substance.

Records

14 The user or owner, as the case may be, of a pressure system shall keep such records at the site where the system is installed as will enable these Regulations to be complied with.