

ANEC PROPOSAL FOR THE REVISION OF THE GAS APPLIANCES DIRECTIVE

Proposal relating to the installation and servicing of appliances burning gaseous fuels

An appliance which is manufactured to the safest and most efficient of standards may become either unsafe or inefficient in operation or both to varying degrees because of poor, faulty or negligent installation.

In certain Member States, mandatory provisions define in particular the safety level required of appliances burning gaseous fuels by specifying design, operating characteristics and inspection and installation procedures. These mandatory provisions do not necessarily lead to different safety levels from one Member State to another but do, by their disparity, hinder trade within the Community.

In order to avoid multiple inspections, which are in effect barriers to the free movement of appliances burning gaseous fuels, arrangements should be made for the mutual recognition of installation regulations by the Member States. In order to facilitate mutual recognition of installation and servicing regulations, harmonised Community procedures should be set up and the criteria for appointing the bodies responsible for carrying out these procedures should be harmonised;

As the Gas Appliances Directive does not take into account the installation and maintenance of the appliances, ANEC would like to make the following proposal:

Safety of Gas Installations

1. All Member States shall promulgate, enact and enforce Regulations to ensure the safe, efficient and workmanlike installation of appliances supplied with gaseous fuel.
2. Such Regulations will contain at minimum:
 - 2.1 a requirement on the installer to ensure the soundness, after the appliance has been installed, of any pipes carrying the gaseous fuel from the point of entry to the building concerned, or of the metering or instrument measuring the quantity of gas used;

- 2.2 a requirement that where a Liquefied Petroleum Gas appliance is to be installed, the installer must assure himself as to the safety and soundness of the LPG' s storage and the latter's compliance with any relevant regulations; such a requirement to apply only where the supply is dedicated solely to the property where the installation is to take place or where an installation is to be repaired, maintained or serviced;
- 2.3 a requirement on the installer to ensure supply of air for combustion purposes to any appliance(s) installed by him;
- 2.4 a requirement on the installer to ensure the safe disposal to the outside air of the products of combustion from the appliance(s) installed and in this regard to ascertain that the flue(s) are not blocked, are air-tight, and are swept and clean prior to their installation;
- 2.5 a requirement that all appliances are installed avoiding contact with combustible material;
- 2.6 a requirement that all appliances are left in a secure and stable condition;
- 2.7 a requirement that all appliances should be readily accessible for inspection and servicing work;
- 2.8 a requirement that no appliance is left in a situation in which it could overheat and specifically that ventilation is available to ensure that overheating does not take place;
- 2.9 a requirement that no open flued or flueless gas appliance is installed in a bath or shower room, in sleeping accommodation or in a garage;
- 2.10 a requirement that any appliance is installed in compliance with the manufacturer's instructions;
- 2.11 a requirement that the appliance installed is suitable for the type of gaseous fuel to be consumed.
3. Member States shall take steps to promote the installation of energy efficient appliances in addition to any other measures they may take
 - 3.1 requiring installers not to install any appliance burning gaseous fuels which is of lower efficiency rating than this specified by the manufacturer;
 - 3.2 ensuring that consumers are offered financial and/or other types of incentives of a readily comprehensible nature to encourage the choice of higher efficiency appliances.
 - 3.3 ensuring that the manufacture of heating appliances without thermostatic control is phased out by 2012.
4. Member States shall ensure that any such Regulations are applicable to the installation of second-hand gas appliances.
 - 4.1 It shall be a duty of any installer to ensure that any appliance whether new or second-hand is fit for purpose, safe to install and can after installation be used safely.

Registration and Certification

of Installers

5. Member States shall ensure that a Registration Authority or body is established and adequately funded and empowered to register persons whether trading individually or corporately as installers of appliances burning gaseous fuels.
6. Member States shall ensure that all persons engaged in the installation of gas appliances are registered with a relevant Registration Authority of the Member State in which the service is carried out, proof of such registration being a prerequisite of trading.
7. Member States shall ensure that qualification for registration in gas installation work is open only to persons who are properly trained, assessed competent and certificated in such work.
8. Member States shall ensure that records are kept at a convenient central point or points of those trained and qualified and hence certificated to carry out installation work of gaseous appliances and that such records are readily available for inspection by anyone having a relevant interest.

Requirements to be placed

upon Installers

- 9 Member States shall ensure that a requirement is placed on all those carrying out gas installation work to hold insurance sufficient to cover all foreseeable risks arising from their activities.
- 9.1 Registration Authorities shall operate funds comprised of resources levied from registered firms, companies or individuals to act as insurance for consumers in the case of bankruptcy, default or negligent acts of registered firms, the application of such funds being without prejudice to any civil remedy which may be available to the aggrieved consumer and other party who may have a proper interest.
- 10 Member States shall require persons installing appliances supplied with gaseous fuel to:
 - 10.1 affix to the appliance their name, business name, address, telephone number and Registration Authority registration number;
 - 10.2 leave adjacent to the appliance all technical data and manufacturers' instructions for installation, operating and servicing;
 - 10.3 leave adjacent to the appliance a signed and dated certificate of compliance that the installation work has been carried out in accordance with all statutory and regulatory requirements and associated and applicable Codes of Practice

- 10.4 ensure compliance with any instructions or regulations set by the Registration Authorities to rectify a fault or faults on installation work;
- 10.5 render on request to any Registration Authority in any Member State details of installation work including addresses or locations, carried out on the same type of appliance in the previous five years or since the commencement of such installation work by the person or company, firm or co-operative involved if that is a shorter period of time.

The Training of Installers

- 11 Registration Authorities established by Member States shall ensure that the content of training shall be sufficient to ascertain that those participating shall in all reasonable circumstances be competent to install any gas appliance in a safe, efficient and Professional manner.
- 11.1 Such training must provide and test at minimum comprehension of:
- the properties of fuel gases;
 - combustion;
 - flame characteristics;
 - the control and measurement of fuel gases;
 - gas pressure and flow;
 - the construction and operation of burners;
 - the operation of flues and ventilation.
 - Safety Devices
- 11.2 Such training must further provide and test at minimum comprehension of:
- where and how gas pipes and fittings, including valves, meters, governors and gas appliances should be safely installed, and the relevant aspects of building construction;
 - how to site and install the gas system safely with particular attention to safe ventilation and flueing;
 - associated electrical work including controls such as the basic requirements of electrical power supply circuits as appropriate, for example overcurrent and shock protection from electrical circuits, protection against the environment, earthing and bonding;
 - when and how to check the whole system adequately before it is commissioned; and
 - how to commission the system, leaving it safe for use.

- 12 Registration Authorities must take steps to ensure that no gas installer installs a type of gas appliance which he is not trained to install and that training must in this context provide and test a complete understanding
- of safety considerations in specifying suitable appliances for specific domestic and commercial installations;
 - that unsuitable appliances should not be installed;
 - that used and second hand appliances should be examined to verify that they are in a safe condition for further use;
 - the basic design and construction criteria for the appliances he is working with; and
 - of the importance of manufacturers' instructions; and
 - an understanding sufficient for the purposes of safe gas installation of relevant electrical aspects, including basic electrical theory, control circuits, schematic and wiring diagrams, the safe use of appropriate test instruments to measure insulation resistance and voltage controls and control systems.
13. Registration Authorities shall ensure that there is adequate provision for re-training and refresher courses and that registered firms, companies, co-operatives or individuals demonstrate to the relevant Authority's satisfaction a programme of re-assessment through re-training and assessments for all registered individuals.

Servicing of Gas Appliances

14. Member States shall ensure that consumers of gaseous fuels are made aware that all gas appliances should be serviced annually.
15. Registration Authorities shall ensure that gas installers are able to service, maintain, repair, disconnect and reconnect appliances upon which they are working and be competent to undertake the work they are registered for.
- 15.1 Gas installers will hence need to have
- a proper knowledge of servicing techniques;
 - a proper knowledge of maintenance requirements and how to put them into effect;
 - an ability to find fault including an ability to follow manufacturers' instructions, fault diagnosis charts and wiring diagrams.
16. Member States shall require persons servicing appliances supplied with gaseous fuel to:
- 16.1 leave the appliance, the flueing and associated equipment in a safe and efficient working condition;
- 16.2 leave adjacent to the appliance all technical data and manufacturers' instructions for installation, operating and servicing;

- 16.3 record the nature and date of the work carried out on the appliance(s) and subsidiary equipment to include their contact address telephone number and registration number.
17. Member States shall require persons finding faults on installations which render those installations in breach of any Regulations to report said breaches to the relevant Member State's Registration Authority.

Duties on Registration Authorities

18. In addition to requirements placed upon Member States' Registration Authorities by this Directive and subsequently by Member States themselves it shall be a duty of a national Registration Authority to render an Annual Report of its activities and financing to the Commission and other specific reports which may from time to time be required by the Commission.
19. Member States shall communicate to the Commission the provisions of national law which they adopt in the area governed by this Directive.
20. Actively support safety initiatives on behalf of their members e.g. Carbon monoxide.

Sources

1. Council Directive 28/6/90 (7443/90) on the approximation of the laws of the Member States relating to appliances burning gaseous fuels
2. Draft Council Directive 9/11/90 (91/C/12/11) on the liability of suppliers of services
3. Draft Council Directive 10/9/91 (91/C/235/04) on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances
4. UK Gas Safety (Installation and Use) Regulations 1984
5. Construction Industry Training Board "Domestic Gas Services - Gas Safety Regulations" 1987 (1988 reprint) ME 202/1 ISBN 0 902029 32 0
6. Health and Safety Commission Approved Code of Practice "Standards of training in safe gas installation", London, HMSO 1987 ISBN 0 11883966 7
7. Health and Safety Executive "The storage of LPG' at fixed installation " London, HMSO 1987 ISBN 0 11 883908 X