STATUTORY INSTRUMENTS

1990 No. 824

HEALTH AND SAFETY

The Gas Safety (Installation and Use) (Amendment) Regulations 1990

Made - - - -	*30th March 1990*
Laid before Parliament	*23rd April 1990*
Coming into force	*30th March 1991*

The Secretary of State, in exercise of the powers conferred on him by sections 15(1), (2), (4)(a), and 82(3)(a) of, and paragraphs 1(1)(c) and 4(1) of Schedule 3 to, the Health and Safety at Work etc. Act 1974**(a)** ("the 1974 Act") and of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:–

Citation and commencement

1. These Regulations may be cited as the Gas Safety (Installation and Use) (Amendment) Regulations 1990 and shall come into force on 30th March 1991.

Amendment

2. For regulation 3 of the Gas Safety (Installation and Use) Regulations 1984**(b)** there shall be substituted the following regulation –

"Qualification and supervision

3.—(1) No person shall carry out any work in relation to a gas fitting unless he is competent to do so.

(2) The employer of any person carrying out such work shall ensure that paragraph (1) above is complied with.

(3) Without prejudice to the generality of paragraphs (1) and (2) above, no employer shall allow any of his employees to carry out any work in relation to a gas fitting, and no self-employed person shall carry out any such work, unless the employer or self-employed person, as the case may be, is a member of a class of persons approved for the time being by the Health and Safety Executive for the purposes of this paragraph.

(4) An approval given pursuant to paragraph (3) above (and any withdrawal of such approval) shall be in writing and notice of it shall be given to such persons in such manner as the Health and Safety Executive considers appropriate.

(a) 1974 c.37; section 1(1) was extended by section 18(1) of the Gas Act 1986 (c.44) and sections 15 and 50 were amended by the Employment Protection Act 1975 (c.71), Schedule 15, paragraphs 6 and 16 respectively. **(b)** S.I. 1984/1358; the Regulations have effect as if made under section 15 of the Health and Safety at Work etc. Act 1974 by virtue of paragraph 6 of Schedule 8 to the Gas Act 1986.

(5) The employer of any person carrying out any work in relation to a gas fitting shall ensure that the following provisions of these Regulations are complied with by that person."

Signed by order of the Secretary of State.

Patrick Nicholls
Parliamentary Under Secretary of State,
Department of Employment

30th March 1990

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Gas Safety (Installation and Use) Regulations 1984 by substituting for regulation 3 thereof the regulation set out in regulation 2 of these Regulations. The regulation as substituted makes the following changes of substance. It prohibits an employer from allowing his employees to carry out work in relation to gas fittings unless he is a member of a class of persons approved by the Health and Safety Executive. It also prohibits a self-employed person from carrying out such work unless he is a member of such a class. The approval (and any withdrawal of it) is required to be in writing, and notice of it must be given to such persons in such manner as the Executive considers appropriate.

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