is a likelihood of injury by burning. The standards of construction and fitting for guards, and the tests to be employed in ascertaining whether guards comply with those standards, are set out in the Schedule. Regulation 4 gives an exemption from the Regulations in the case of sales for scrap. Under Regulation 5, heating appliances, other than imported appliances, manufactured before the date of the coming into operation of the Regulations and not fitted with the requisite guard may be sold or let until the end of September, 1954.

1953 No. 524 (S. 46)

The Heating Appliances (Fireguards) (Scotland) Regulations, 1953

Made - - - -	*23rd March*, 1953
Laid before Parliament	*24th March*, 1953
Coming into Operation	*1st October*, 1953

In exercise of the powers conferred on me by section 5 of the Heating Appliances (Fireguards) Act, 1952(a), I hereby make the following regulations:—

1. These regulations may be cited as the Heating Appliances (Fireguards) (Scotland) Regulations, 1953, and shall come into operation on the first day of October, 1953.

2.—(1) In these regulations—

the expression "the Act" means the Heating Appliances (Fireguards) Act, 1952;

the expression "heating appliance" means a gas fire, electric fire or oil heater, other than one which is so constructed that when the appliance is burning, or, in the case of an electric fire, consuming electrical energy, at the maximum rate for which it is designed the heating element and, in the case of a gas fire or oil heater, any flame is so enclosed within the body of the appliance that there is no likelihood of injury to the person from burning, or of ignition of clothing or other fabrics, by reason of, in either case, contact with or proximity to the heating element or any flame;

the expression "gas fire" includes a gas-burning heating appliance in which the source of the gas is in liquid form or the gas is contained in a portable container; and

the expression "heating element" means, in the case of a gas fire or oil heater, that part thereof which is designed to be directly heated by the impingement thereon of the burning fuel, and, in the case of an electric fire, that part thereof which is designed to be directly heated by the passage of the electric current.

(2) The Interpretation Act, 1889(b), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. These regulations shall apply to any heating appliance of a type which is so designed that it is suitable for use in a dwelling house or other residential premises.

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 42. (b) 52 & 53 Vict. c. 63.

4. Every heating appliance shall be fitted with a guard which shall be robustly made and of such standard of construction and fitting as is specified in the Schedule to these regulations, and the appliance and the guard shall be so constructed that the guard when in use with the appliance shall be securely attached thereto.

5. The means to be used for ascertaining for the purposes of the Act whether any guard fitted to a heating appliance complies with the standard of construction and fitting required by these regulations for that guard shall be the carrying out of the tests specified in the Schedule to these regulations in the manner there described.

6. Any heating appliance which is not fitted with such a guard as is required by Regulation 4 of these regulations may, notwithstanding anything in section 1 of the Act, be sold for the purpose of being broken up as scrap to a person who carries on a business of dealing in scrap of that nature.

7.—(1) Any heating appliance the manufacture of which is completed before the date of the coming into operation of these regulations, other than an appliance manufactured outside Great Britain and imported into Great Britain after the said date, which is not fitted with such a guard as is required by Regulation 4 of these regulations may, notwithstanding anything in section 1 of the Act, be sold or let under a hire-purchase agreement or on hire or offered or exposed for such sale or letting at any time before the 1st day of October, 1954.

(2) Where a heating appliance is let under a hire-purchase agreement or is under an agreement let on hire, the date on which it is let shall, for the purposes of this regulation, be deemed to be the date on which under the said agreement it is first delivered into the possession of the hirer, and where a heating appliance, under any such agreement, comes into the possession of the hirer and on a subsequent date the property therein becomes vested in him, whether in pursuance of the said agreement or otherwise, there shall, for the said purposes, be deemed not to be on the said last mentioned date a sale thereof to the hirer.

Dated this 23rd day of March, 1953.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

SCHEDULE

Regulations 4 & 5

Standard of Construction and Fitting

1. A guard shall be so constructed and fitted that when it is subjected, in the manner described in this paragraph, to the tests specified therein, it satisfies the following requirements, that is to say:—

(*a*) that when the conical portion of a test probe of the dimensions, in the case of a gas fire or oil heater, set out in Figure 1 contained in British Standard Specification No. 1945: 1953 (Fireguards for Heating Appliances), or, in the case of an electric fire, set out in Figure 2 contained in the said Specification, is used on the heating appliance to which the guard

is fitted, there is no manner in which the probe can, without applying undue pressure, be inserted through or round the guard so as to touch, in the case of a gas fire or oil heater, any heating element, or, when the heating appliance is consuming gas or, as the case may be, oil at the maximum rate for which it is designed, any flame, or in the case of an electric fire, any heating element or any termination thereof; and

(*b*) that when, when the heating appliance to which the guard is fitted has been burning, or, in the case of an electric fire consuming electrical energy, at the maximum rate for which it is designed for a continuous period of not less than thirty nor more than sixty minutes, there is placed on the guard approximately in the middle thereof and in such a manner as to reach from the top to the bottom of the guard a piece of dry flannelette of such a length as is necessary for the said purpose, approximately four inches in width throughout the said length and of the description set out in sub-paragraph (*b*) of paragraph 7 of the aforesaid Specification, the flannelette does not smoulder or ignite within ten seconds after being so placed.

2. A guard shall be so constructed and fitted that, in addition to satisfying the requirements of paragraph 1 of this Schedule without having been subjected to any test other than those specified in the said paragraph, it satisfies those requirements immediately after having been subjected to the following test of strength, that is to say, the heating appliance to which the guard is fitted is securely placed so that the central part of the guard is in a horizontal position, the heating appliance being at the temperature of the surrounding space, and a flat circular disc of a uniformly distributed weight of five pounds and approximately four inches in diameter is placed approximately at the centre point of the guard, is left there for one minute and then removed.

EXPLANATORY NOTE

(This Note is not part of the regulations, but is intended to indicate their general purport.)

These regulations require fireguards to be fitted to gas fires, electric fires and oil heaters which are so designed that they are suitable for use in residential premises and are of such a type that, without a guard, there is a likelihood of injury by burning. The standards of construction and fitting for guards, and the tests to be employed in ascertaining whether guards comply with those standards, are set out in the Schedule. Regulation 6 gives an exemption from the regulations in the case of sales for scrap. Under Regulation 7, heating appliances, other than imported appliances, manufactured before the date of the coming into operation of the regulations and not fitted with the requisite guard may be sold or let until the end of September, 1954.