



Jersey

**SAFEGUARDING OF WORKERS
(LIQUEFIED PETROLEUM GAS)
(JERSEY) REGULATIONS 1984**

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SAFEGUARDING OF WORKERS (LIQUEFIED PETROLEUM GAS) (JERSEY) REGULATIONS 1984

Contents

Regulation

| | | |
|---|--|---|
| 1 | Interpretation | 5 |
| 2 | Application | 6 |
| 3 | Exemption Certificates..... | 6 |
| 4 | Importation, storage and handling of liquefied petroleum gas in bulk | 7 |
| 5 | Handling of cylinders | 8 |
| 6 | Warning marks..... | 8 |
| 7 | Duties of the responsible person..... | 9 |
| 8 | Duties of employees | 9 |
| 9 | Citation..... | 9 |

ENDNOTES

10

| | |
|--------------------------------------|----|
| Table of Legislation History | 10 |
| Table of Renumbered Provisions | 10 |
| Table of Endnote References | 10 |



Jersey

SAFEGUARDING OF WORKERS (LIQUEFIED PETROLEUM GAS) (JERSEY) REGULATIONS 1984¹

THE STATES in pursuance of Article 9 of the [Health and Safety at Work \(Jersey\) Law 1989](#), have made the following Regulations –

Commencement [[see endnotes](#)]

1 Interpretation

In these Regulations, unless the context otherwise requires –

“commercial butane” means a hydrocarbon mixture consisting predominantly of butane, butylene or any mixture thereof;

“commercial propane” means a hydrocarbon mixture consisting predominantly of propane, propylene or any mixture thereof;

“cylinder” means any container the capacity of which does not exceed 50 kg in weight of liquefied petroleum gas and includes any valve belonging to such container which until activated retains liquefied petroleum gas therein;

“fire resisting structure” means any of the following, that is to say, any building, part of a building, structure, cabinet and enclosure which is constructed in conformity with a specification for fire resisting structures approved for the purposes of these Regulations by an inspector;

“liquefied petroleum gas” means commercial butane, commercial propane and any mixture thereof which is in liquid form as a result of the application of pressure greater than prevailing atmospheric pressure or refrigeration, or both;

“pipe-line” means a pipe or system of pipes for the conveyance of liquefied petroleum gas, together with –

- (a) any apparatus for inducing or facilitating the flow of liquefied petroleum gas through, or through a part of, the pipe or system;
- (b) valves, valve chambers and similar works which are annexed to, or incorporated in the course of, the pipe or system;

- (c) a structure used or to be used solely for the support of a part of the pipe or system;

and “pipe” includes a flexible hose;

“responsible person” shall be construed in accordance with Regulation 7;²

“road tanker” means a motor vehicle within the meaning of the [Road Traffic \(Jersey\) Law 1956](#), which is constructed to carry liquefied petroleum gas in a tank (whether or not divided into separate compartments) which is structurally attached to, or is an integral part of, the frame of the vehicle;

“supply” means any supply of liquid petroleum gas –

- (a) stored, conveyed or otherwise handled in bulk as mentioned in Regulation 4; or
- (b) contained in cylinders as mentioned in Regulation 5;

“tank” means any container the capacity of which is more than 50 kg in weight of liquefied petroleum gas.

2 Application

- (1) Except as provided in paragraph (2), these Regulations apply to any supply –
- (a) on any premises on which employees are employed, or any part thereof;
- (b) in any machinery or plant used by employees; or
- (c) in any process or description of manual labour used by employees.³
- (2) Nothing in these Regulations shall apply to –
- (a) any liquefied petroleum gas –
- (i) stored (as fuel, cargo or otherwise) in any fixed storage tanks on a vessel,
- (ii) contained in a pipe-line forming part of the vessel or its equipment;
- (b) liquefied petroleum gas in the fuel tanks of vehicles or engines for the purpose of operating the vehicles or engines;
- (c) any suitable small closed container holding not more than 500 cc of liquefied petroleum gas.

3 Exemption Certificates

- (1) The Minister may, subject to such conditions as may be specified therein, by certificate in writing exempt from all or any requirements of these Regulations –
- (a) any premises;
- (b) any class or description of premises;

- (c) any machinery, plant, process or description of manual labour used by employees or any class or description thereof used by employees; or
 - (d) any liquefied petroleum gas or any class or description of liquefied petroleum gas,
- if the Minister is satisfied that the requirements in respect of which the exemption is granted are not necessary for the protection of employees.⁴
- (2) The Minister may in his or her discretion revoke at any time a certificate granted under paragraph (1).

4 Importation, storage and handling of liquefied petroleum gas in bulk

- (1) This Regulation shall apply where liquefied petroleum gas in bulk is –
 - (a) stored in any tank;
 - (b) conveyed in a road tanker; or
 - (c) by means of a pipe-line –
 - (i) discharged as cargo from any vessel,
 - (ii) loaded into or discharged from a tank, or
 - (iii) loaded into cylinders.
- (2) All storage tanks shall be in safe positions in the open air or below ground the surface of which is wholly or mainly in the open air.
- (3) While liquefied petroleum gas is being conveyed in a road tanker, the vehicle, when not being driven, shall be parked in a safe place or supervised at all times by a competent person over the age of 18 years.
- (4) All cylinders which are to be loaded and all tanks and pipe-lines shall be –
 - (a) designed, fabricated and tested in accordance with a pressure vessel code for the time being approved for the purpose of this Regulation by the Minister; and
 - (b) maintained in an efficient state, efficient working order and good repair so as to prevent danger so far as is reasonably practicable.
- (5) All tanks and pipe-lines shall be operated and used so as to prevent danger so far as is reasonably practicable.
- (6) All cylinders which have been loaded shall be removed from the loading place as soon as is reasonably practicable –
 - (a) to a safe position in the open air; or
 - (b) to a storeroom constructed of non-combustible material being a storeroom which is adequately ventilated, which either is in a safe position or is a fire resisting structure and which is not used for any purpose other than the storage of liquefied petroleum gas in cylinders.

5 Handling of cylinders

- (1) This Regulation shall apply where liquefied petroleum gas is contained in cylinders.
- (2) All such cylinders shall be –
 - (a) designed, fabricated and tested in accordance with a pressure vessel code for the time being approved for the purpose of this Regulation by the Minister;
 - (b) maintained in an efficient state, efficient working order and good repair so as to prevent danger as far as possible; and
 - (c) operated and used so as to prevent danger so far as is reasonably practicable.
- (3) Where the product of a number of cylinders is conducted to a single outlet –
 - (a) such number and the total capacity of such number of cylinders shall be as small as is reasonably practicable having regard to the purpose for which their product is required; and
 - (b) all cylinders from which the product is so conducted shall be in a safe position in the open air.
- (4) All cylinders when not in use shall be kept in safe positions in the open air, or where this is not reasonably practicable, in a storeroom constructed of non-combustible material being a storeroom which is adequately ventilated, which either is in a safe position or is a fire resisting structure and which is not used for any purpose other than the storage of liquefied petroleum gas in cylinders.
- (5) No liquefied petroleum gas other than in suitable cylinders shall be present in any workplace and except as provided in paragraph (3) the number of liquefied petroleum gas cylinders present at any one time in any workplace shall be as small as is reasonably practicable having regard to the purpose for which they are required.
- (6) Every liquefied petroleum gas cylinder shall be stored until such time before being first required for use or manipulation as is reasonably practicable, and when its contents have been expended shall, as soon as reasonably practicable, be removed from the workplace.

6 Warning marks

- (1) Except where it is impracticable to do so, and except as provided in paragraph (2), every cylinder and storeroom used for storing liquefied petroleum gas shall be clearly and boldly marked “Highly Flammable – L.P.G.” or otherwise to the like effect.
- (2) Where it is impracticable to mark any cylinder or store room in accordance with paragraph (1), the words “Highly Flammable – L.P.G.” shall be clearly and boldly displayed as near to it as possible.
- (3) Every tank shall be marked as mentioned in paragraph (1).

- (4) Nothing in paragraphs (1) and (2) shall apply to any aerosol dispenser in which the amount of liquefied petroleum gas contained is not in excess of either 45% by weight of the total contents or 250 g in weight.

7 Duties of the responsible person⁵

- (1) It shall be the duty of every –
- (a) employer;
 - (b) self-employed person; and
 - (c) person having to any extent control of premises, plant or substances,
- to observe these Regulations in so far as they relate to matters within his or her control, and references to the “responsible person” shall be construed accordingly.
- (2) For the purposes of paragraph (1)(c), a person who has by virtue of any contract or tenancy an obligation to any extent in relation to the –
- (a) maintenance or repair of any premises; or
 - (b) safety of or absence of risks to health arising from plant or substances,
- shall be treated as being a person who has control of the matters to which the person’s obligation extends.

8 Duties of employees

It shall be the duty of every employee employed in any premises to which these Regulations apply, or using any machinery, plant, process or description of manual labour to which these Regulations apply, to comply with such of the requirements of these Regulations as relate to the doing of or refraining from an act by the employee and to the use by the employee of any machinery, plant, process or description of manual labour and to co-operate in carrying out these Regulations. If such employee discovers any defect in the machinery, plant, process or description of manual labour, it shall be the employee’s duty to report such defect without delay to the responsible person.⁶

9 Citation

These Regulations may be cited as the Safeguarding of Workers (Liquefied Petroleum Gas) (Jersey) Regulations 1984.

ENDNOTES

Table of Legislation History

| Legislation | Year and No | Commencement |
|---|---------------------------------|-----------------|
| Safeguarding of Workers (Liquefied Petroleum Gas) (Jersey) Regulations 1984 | R&O.7285 | 1 August 1984 |
| Safeguarding of Workers (Liquefied Petroleum Gas) (Amendment) (Jersey) Regulations 1997 | R&O.9047 | 1 May 1997 |
| States of Jersey (Amendments and Construction Provisions No. 8) (Jersey) Regulations 2005 | R&O.48/2005 | 9 December 2005 |

Table of Renumbered Provisions

| Original | Current |
|----------------|--|
| 1(1) | 1 |
| 1(2), (3), (4) | spent, omitted from this revised edition |

Table of Endnote References

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- ¹ *These Regulations have been amended by the States of Jersey (Amendments and Construction Provisions No. 8) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*
- ² *Regulation 1(1) definition “responsible person” inserted by R&O.9047*
- ³ *Regulation 2(1) amended by R&O.9047*
- ⁴ *Regulation 3(1) amended by R&O.9047*
- ⁵ *Regulation 7 substituted by R&O.9047*
- ⁶ *Regulation 8 and heading amended by R&O.9047*