L.N. 24 of 2008

PRODUCT SAFETY ACT (CAP. 427)

Common Provisions for Pressure Vessels and Inspection Methods (Amendment) Regulations, 2008

IN exercise of the powers conferred by articles 38 to 40 of the Product Safety Act, the Minister for Competitiveness and Communications, on the advice of the Malta Standards Authority, has made the following regulations:–

Citation, scope and commencement.

1. (1) The title of these regulations is the Common Provisions for Pressure Vessels and Inspection Methods (Amendment) Regulations, 2008 and they shall be read and construed as one with the Common Provisions for Pressure Vessels and Inspection Methods Regulations, 2002, hereinafter referred to as "the principal regulations".

L.N. 146 of 2002.

(2) These regulations transpose Annex C of Directive 2006/96/EC of the European Parliament and of the Council of 20th November, 2006 on adapting certain Directives in the field of free movement of goods, by reason of the accession of Bulgaria and Romania on the 1st January, 2007.

(3) These regulations shall come into force on 1st January, 2007.

Amends Schedule I of the principal regulations.

2. (1) For Schedule 1 of the principal regulations, there shall be substituted the following:

"SCHEDULE I *

Based on Annex I of the Directive

EEC PATTERN APPROVAL

1. APPLICATION FOR EEC PATTERN APPROVAL

1.1. The application and the correspondence relating to it shall be drawn up in an official language of the State to which the application is made in accordance with the laws of that State. The Member State has the right to require that the annexed documents should also be drawn up in that same official language.

* See the Appendix to Schedules I and II.

1.2. The application shall contain the following information:
- name and address of the manufacturer or firm, of his or its authorized representative or of the applicant, and the place or places of manufacture of the vessels,
- category of the vessel,
- intended use or prohibited uses,
- technical characteristics,
- trade name, if any, or type.

1.3. The application shall be accompanied by two copies of the documents required and in particular:

1.3.1. A description including:
- the materials specifications, the methods of construction and the strength calculations for the vessel,
- any safety devices fitted,
- the places where the approval and verification marks specified in these regulations are to be affixed, as well as the other marks specified in the Schedules V, VI and VII.

1.3.2. The general plans and, where appropriate, detailed drawings of important design features.

1.3.3. Any other information provided for in Schedules V, VI and VII.

1.3.4. A statement certifying that no other application for EEC pattern approval has been submitted for the same pattern of vessel.

2. EXAMINATION FOR EEC PATTERN APPROVAL

2.1. The examination for EEC pattern approval shall be carried out on the basis of the plans and, where appropriate, on sample vessels.

The examination shall entail:

(*a*) checking of the design calculations, method of manufacture, workmanship and materials;
(*b*) where appropriate, checking of the safety devices and measuring equipment and the methods of installation.

3. EEC PATTERN APPROVAL CERTIFICATE AND MARK

3.1. The certificate referred to in regulations 7.4 and 7.5 shall contain the conclusions of the examination of the pattern and shall indicate any conditions to which, under regulation 5.1, approval may be subject. It shall be accompanied by the descriptions and drawings necessary to identify the pattern and, where appropriate, to explain how it functions. The EEC approval mark provided for in regulations 7.4 and 7.5 shall be a stylised letters containing:

- in the upper part, the serial number of Schedules V, VI or VII, allocated according to the chronological order of adoption, and the capital letter(s) identifying the State which has granted EEC pattern approval (B for Belgium, D for the Federal Republic of Germany, DK for Denmark, EL for Greece, F for France, I for Italy, IRL for Ireland, L for Luxembourg, NL for the Netherlands, UK for United Kingdom, BG for Bulgaria, RO for Romania) and the year of EEC pattern approval; the number of Schedules V, VI or VII, to which the EEC pattern approval refers, will be allocated by the Council when it is adopted,
- in the lower part, the EEC pattern approval number.

An example of this mark is shown in section 5.1.

3.2. The mark referred to in regulation 7.6, represented by the stylised letter ε reversed symmetrically about a vertical axis, contains in the upper part the same reference number of the category not subject to EEC pattern approval if so provided in Schedules V, VI or VII.

An example of this mark is shown in point 5.2 of this Schedule.

3.3. The mark mentioned in regulation 9.7.1 is the same as the EEC approval mark surrounded by a hexagon.

An example of this mark is shown in point 5.3 of this Schedule.

3.4. The mark mentioned in regulation 9.7.2 is the mark of exemption from EEC pattern approval surrounded by a hexagon.

An example of this mark is shown in point 5.4 of this Schedule.

4. PUBLICATION OF EEC PATTERN APPROVAL

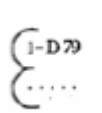
4.1. At the same time as the party concerned is notified, copies of the EEC pattern approval certificate shall be sent by the Member State to the Commission and to the other Member States, which may also obtain copies of the definitive technical file on the vessel and of the reports on the examinations and tests it has undergone.

4.2. Withdrawal of EEC pattern approval shall be published in accordance with the procedure laid down in point 4.1 of this Schedule.

4.3. Any Member State refusing EEC pattern approval shall inform the other Member States and the Commission of such refusal.

5. MARKS RELATING TO EEC PATTERN APPROVAL

5.1. Mark of EEC pattern approval (see point 3.1 of this Schedule)
Example:



EEC pattern approval granted by the Federal Republic of Germany in 1979, pursuant to Schedule V. EEC pattern approval number.

5.2. Mark of exemption from EEC pattern approval (see point 3.2 of this Schedule)

Example:



Vessel constructed in Germany in 1979 and not subject to EEC pattern approval pursuant to Schedule V.
Reference number of the category not subject to EEC pattern approval if so provided in Schedules V, VI or VII.

5.3. Mark of EEC pattern approval and exemption from EEC verification (see point 3.3 of this Schedule)

Example:



EEC pattern approval issued by the Federal Republic of Germany in 1979, pursuant to Schedule V to these regulations.

EEC pattern approval number.

5.4. Mark of exemption from EEC pattern approval and from EEC verification (see point 3.4 of this Schedule)

Example:



Vessel constructed in Germany in 1979 and not subject to EEC pattern approval pursuant to Schedule V.

Reference number of the category not subject to EEC pattern approval if so provided in Schedules V, VI or VII.

5.5. Schedules V, VI and VII may specify the placing and dimensions of the marks relating to EEC pattern approval.

Unless otherwise indicated in Schedules V, VI and VII, the letters and numbers

in each mark must be at least 5mm high. ”

3.(1) For Schedule 2 of the principal regulations, there shall be substituted the following:

Amends Schedule II of the principal regulations

“SCHEDULE II*
Based on Annex II of the Directive
EEC VERIFICATION

1. GENERAL

1.1. EEC verification may be carried out in one or more stages.

1.2 Subject to the requirements of Schedules V, VI and VII:

1.2.1. EEC verification shall be carried out in one stage only on vessels which constitute a whole on leaving the factory, that is to say vessels which, theoretically, can be transferred to their place of installation without first having to be dismantled;

1.2.2. the verification of vessels not dispatched in one piece shall be carried out in two or more stages;

1.2.3. verification must in particular ensure that the vessel conforms to the approved pattern or, in the case of vessels exempt from EEC pattern approval, to the requirements laid down by the Schedules V, VI or VII.

2. NATURE OF EEC VERIFICATION

2.1. Subject to the requirements of Schedules V, VI and VII, the verification shall entail:

- examination of the characteristics of the materials,
- checking of the design calculations, method of manufacture, workmanship and materials used,
- an internal examination consisting of a check on the internal parts and the welding,
- a pressure test,
- inspection of any safety devices and measuring equipment fitted,
- an external examination of the various parts of the vessel,
- a performance test where this is prescribed in Schedules V, VI and VII.

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*See the Appendix to Schedules I and II.

** *Explanatory note on the EEC final verification mark and EEC partial verification mark*

If a vessel cannot be assembled at its place of manufacture, or if transporting it is likely to affect its characteristics, EEC verification shall be carried out as follows:

- verification of the vessel at its place of manufacture by an inspection body of the country of origin which, providing the vessel conforms to EEC requirements shall affix the 'e' stamp described in 3.1.1.1.1 and known as the EEC partial verification mark, final verification of the vessel at its place of installation by an inspection body of the country of destination which, providing the vessel conforms to EEC requirements, shall affix the stamp described in 3.1.1.1.2 which, together with the EEC partial verification mark, forms the EEC final verification mark.

3. EEC VERIFICATION MARKS

3.1. Description of EEC verification marks

3.1.1. Subject to the requirements of Schedules V, VI and VII, EEC verification marks which are affixed in accordance with point 3.3 of this Schedule shall be as follows:

3.1.1.1. The EEC final verification mark shall be composed of two stamps:

3.1.1.1.1. The first consisting of a letter 'e' containing:

- in the upper half, the capital letter(s) identifying the State in which the verification is carried out (B for Belgium, D for the Federal Republic of Germany, DK for Denmark, EL for Greece, F for France, I for Italy, IRL for Ireland, L for Luxembourg, NL for the Netherlands and UK for the United Kingdom, BG for Bulgaria, RO for Romania) together, where necessary with one or two numbers identifying a territorial subdivision;

- in the lower half, the mark of the inspection body affixed by the verifying agent, together with the mark of the verifying agent of appropriate;

3.1.1.1.2. the second stamp consisting of the date of verification in a hexagon described with the accuracy required by Schedules V, VI and VII.

3.1.1.2. The EEC partial verification mark shall consist solely of the first stamp**.

3.2. Shape and dimensions of marks

3.2.1. An example of the stamps described in points 3.1.1.1.1 and 3.1.1.1.2 of this Schedule is illustrated in figures 1 and 2 below.

Schedules V, VI and VII may specify the placing and dimensions of the EEC verification marks.

Unless otherwise indicated in Schedules V, VI and VII, the letters and numbers of each mark must be at least 5 mm high.

3.2.2. The inspection bodies of the Member States shall mutually exchange copies of the drawings of the EEC verification marks.

3.3. Affixing the marks

3.3.1. The EEC final verification mark shall be affixed in the required position on the vessel when the latter has been finally verified and is recognized as conforming to EEC requirements.

3.3.2. Where verification is carried out in more than one stage, the EEC partial

verification mark shall be affixed at the place of manufacture on the vessel or part of a vessel which is recognized as conforming to EEC requirements at that stage of the inspection procedure, and in the place specifically provided for the stamping place or in any other place specified in Schedules V, VI and VII.

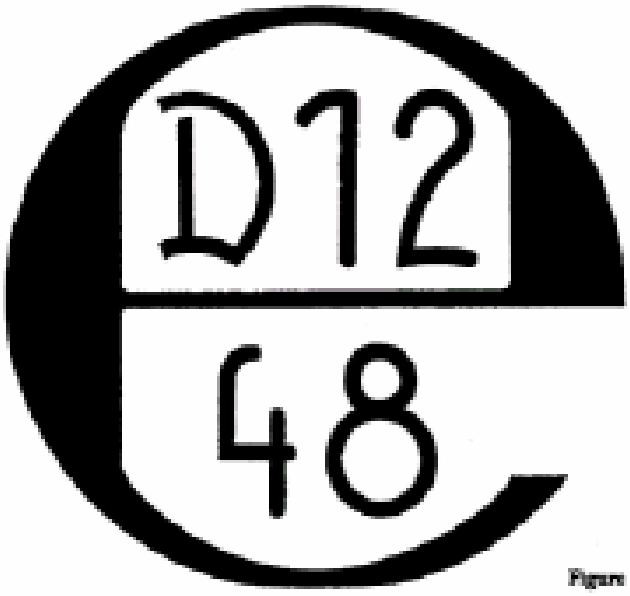


Figure 1

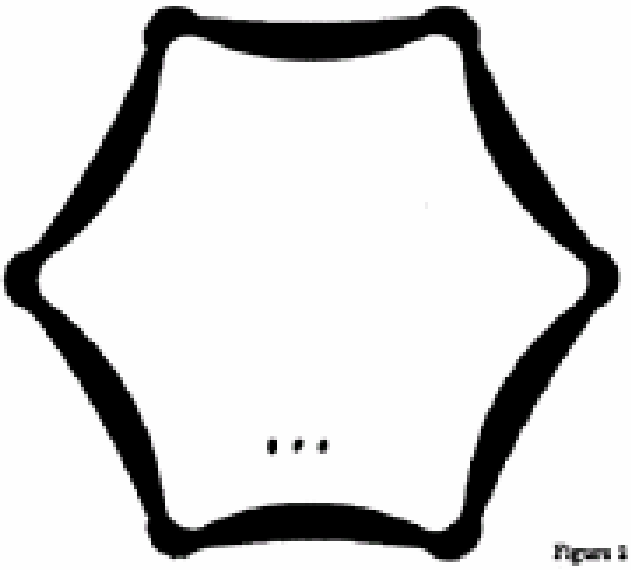
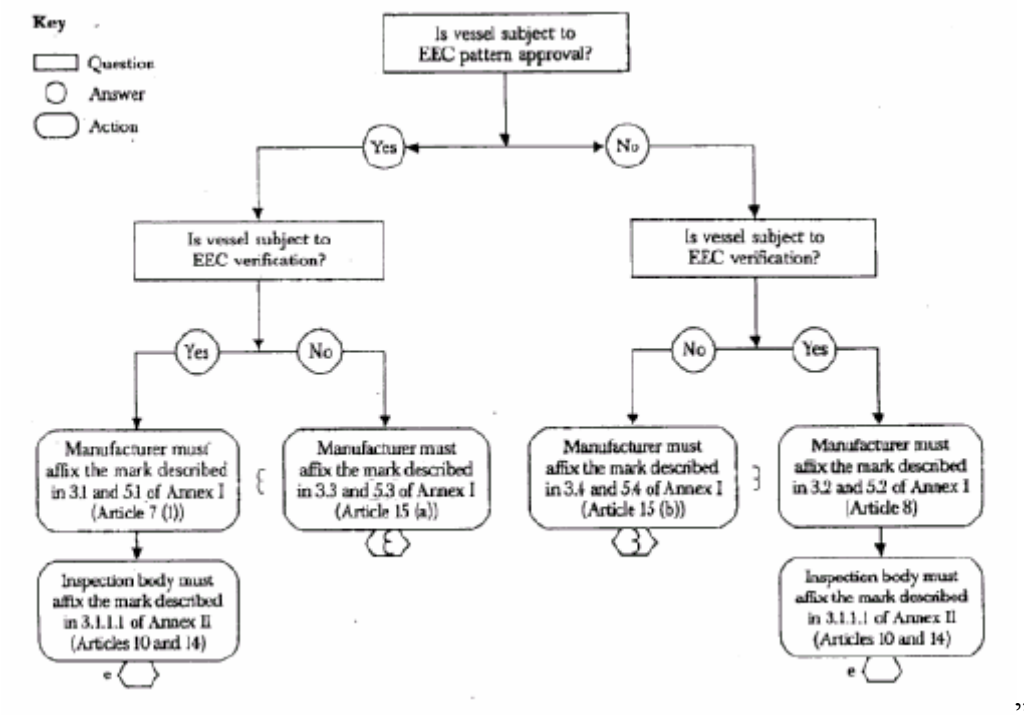


Figure 2

Appendix to Schedules I and II

Table illustrating the various possible combinations for EEC pattern approval or EEC verification



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