

Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 19,382, 13 ta' Frar, 2015

Taqsimha B

L.N. 49 of 2015

**PRODUCT SAFETY ACT
(CAP. 427)**

Pressure Equipment (Amendment) Regulations, 2015

IN exercise of the powers conferred by articles 38 and 39 of the Product Safety Act, the Minister for Social Dialogue, Consumer Affairs and Civil Liberties, on the advice of the Malta Competition and Consumer Affairs Authority, has made the following regulations:-

1. (1) The title of these regulations is the Pressure Equipment (Amendment) Regulations, 2015, and they shall be read and construed as one with the Pressure Equipment Regulations, hereinafter referred to as "the principal regulations".

Citation, scope
and
commencement.
S.L. 427.29.

(2) These regulations -

(a) transpose Article 13 of Directive 2014/68/EU of the European Parliament and of the Council of 15 May 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment (recast);

(b) shall apply to equipment falling under the scope of the principal regulations.

(c) shall come into force on the 1st June 2015.

2. Regulations 9.1 and 9.2 of the principal regulations shall be substituted by the following:

Substitutes
regulations 9.1
and 9.2 of the
principal
regulations.

"9.1. Pressure equipment referred to in regulation 6.1 shall be classified by category in accordance with Annex II of the Directive, which is set out in Schedule II according to ascending level of hazard.

For the purposes of such classification, fluids shall be divided into two groups in accordance with regulations 9.1.1 and 9.1.2.

9.1.1. Group 1 consisting of substances and mixtures, as defined in points (7) and (8) of Article 2 of Regulation (EC) No 1272/2008, that are classified as hazardous in accordance with

the following physical or health hazard classes laid down in Parts 2 and 3 of Annex I to that Regulation:

- (i) unstable explosives or explosives of Divisions 1.1, 1.2, 1.3, 1.4 and 1.5;
- (ii) flammable gases, category 1 and 2;
- (iii) oxidising gases, category 1;
- (iv) flammable liquids, category 1 and 2;
- (v) flammable liquids, category 3 where the maximum allowable temperature is above the flashpoint;
- (vi) flammable solids, category 1 and 2;
- (vii) self-reactive substances and mixtures, type A to F;
- (viii) pyrophoric liquids, category 1;
- (ix) pyrophoric solids, category 1;
- (x) substances and mixtures which in contact with water emit flammable gases, category 1, 2 and 3;
- (xi) oxidising liquids, category 1, 2 and 3;
- (xii) oxidising solids, category 1, 2 and 3;
- (xiii) organic peroxides types A to F;
- (xiv) acute oral toxicity, category 1 and 2;
- (xv) acute dermal toxicity, category 1 and 2;
- (xvi) acute inhalation toxicity, category 1, 2 and 3;
- (xvii) specific target organ toxicity – single exposure, category 1.

Group 1 comprises also substances and mixtures contained in pressure equipment with a maximum allowable temperature TS which exceeds the flashpoint of the fluid;

9.1.2. Group 2 consisting of substances and mixtures not referred to in regulation 9.1.1.

9.2. Where a vessel is composed of a number of chambers, it shall be classified in the highest category applicable to the individual chambers. Where a chamber contains several fluids, classification shall be on the basis of the fluid which requires the highest category."

3. Any references in existing laws, regulations and administrative provisions to Article 9 of Directive 97/23/EC shall be construed as references to Article 13 of Directive 2014/68/EU of the European Parliament and of the Council of 15 May 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment (recast). References.

