

**Ordonnance par rapport aux Chaudières (1936)**

(Le 4 avril 1936)

VU que la sureté publique demande que des règlements soient faits par rapport aux Chaudières usitées en cette Ile:

LA COUR, ouïes les conclusions des Officiers du Roi, par voie des règlements rédigés en anglais qui ensuivent, a ordonné et ordonne: —

**DEFINITIONS.**

1.— In this Ordinance the following expressions shall have the meanings hereby assigned to them: —

“ Board ” means the States Board of Administration.

“ Boiler ” means any closed vessel, whether stationary or mobile and whether separate or one of a range, used for the purpose of generating steam in any place in connection with any trade, industry or calling but shall not include any boiler on board a steamship having a certificate from the Board of Trade.\*

“ Explosion ” means the sudden and violent rending or displacement of any part of a boiler by force of internal steam or fluid pressure accompanied by the forcible ejection of the contents, or part thereof, of the boiler.

“ Owner ” includes the person having the possession or control of a boiler.

“ Person ” includes a company and an association or body of persons, corporate or unincorporate.

“ Policy of Insurance ” includes a Covering Note.

Words used in the singular include the plural of such words and vice versa.

Unlicensed  
boilers

2.—On and after the first day of July One thousand nine hundred and thirty-six, any person who uses, or causes or permits to be used, in this Island, any boiler as regards which a licence under this Ordinance is not in force, shall be guilty of an offence and on conviction shall be liable to a fine not exceeding £50.

Licences

3.—(a) No licence authorising the use of a boiler shall be issued under this Ordinance unless the Board is satisfied that the boiler is equipped with a proper safety valve, a proper steam gauge and water gauge to show the pressure of steam and the height of water in that boiler and all other necessary mountings, and that there is in force in relation to that boiler such a policy of insurance as complies with the requirements of this Ordinance.

(b) Every such licence shall be renewable subject to the fulfilment of the conditions of this Ordinance as regards the issue of a licence and subject to such

\* Amended by The Boilers (Amendment) Ordinance, 1950.

modifications in the terms thereof as may be necessary, in the opinion of the Board, to ensure the safety of the public and persons working in connection with the boiler.

(c) Every such licence and every certificate of renewal of such licence shall expire on the date of expiry of the term of such policy of insurance as was the current term thereof at the time of the issue or renewal of the licence, as the case may be.

4.— In order to comply with the requirements of this <sup>Policies of</sup> Ordinance, a policy of insurance must be:— <sub>insurance</sub>

- (a) a policy issued by an insurer who —
  - (i) is an insurer approved by the Board; and
  - (ii) before issuing a policy in relation to any boiler, causes such boiler to be examined by a competent person; and
  - (iii) causes every boiler to which a policy issued by him relates to be examined thoroughly by a competent person at least once in every calendar year and in addition to such thorough examination, causes every such boiler to be examined under steam at least once in every calendar year by a competent person for the purpose of checking the accuracy of the pressure gauge and the loading of the safety valve and of ascertaining the condition of the remaining mountings and of the boiler generally.
- (b) a policy which, subject to the exceptions, definitions and conditions thereof, indemnifies such person as may be specified therein, in an amount of not less than One thousand pounds in all in any year of insurance as regards every boiler to which the policy relates, in respect of the following risks:—
  - (i) Damage to the Boiler or to other property of the person insured;
  - (ii) Liability of the person insured for damage to property not belonging to the person insured;

- (iii) Liability of the person insured on account of fatal or non-fatal injuries sustained by any person or persons not in the service of the person insured;

arising as the direct consequence of and solely due to the explosion or collapse of the boiler whilst in the course of ordinary working.

- (c) a policy which and of which every renewal is accompanied by a certificate (in this Ordinance referred to as a "certificate of insurance") in the form set out in the First Schedule to this Ordinance.

Conditions  
for issue and  
renewal of  
licences

5.— Every owner of a boiler in this Island who desires to obtain a licence or the renewal of a licence under this Ordinance shall make a written application to the Board in the form set out in the Second Schedule to this Ordinance and if at the time such application is made —

(a) the Board is satisfied that the boiler is properly equipped with the mountings specified in Section 3 (a) of this Ordinance and that there is in force in relation to the boiler such a policy of insurance as complies with the requirements of this Ordinance; and

(b) there is produced to the Board a certificate of insurance in respect of such boiler in the form set out in the First Schedule to this Ordinance: and

(c) there is paid to the Board by, or on behalf of, such owner in respect of such application a fee of two shillings and sixpence;

the Board shall issue to such owner a licence or a certificate of renewal of a licence, as the case may be, in whichever of the forms set out in the Third Schedule to this Ordinance is appropriate, which licence and certificate of renewal shall contain the number allotted to the boiler by the Board.

Power  
to enter  
premises  
to inspect

6.— For the purpose of securing compliance with the provisions of this Ordinance, the Board by their agent thereunto by them appointed (hereinafter referred to as

premises in which such inspector has reason to believe a boiler is used, and to inspect such boiler. Every such inspector shall be furnished by the Board with written authority, signed by the President, Vice-President or Acting President of the Board, to enter such premises for the purposes aforesaid and shall, if so requested, produce such authority before entering such premises.

7.—The owner of a boiler, on being requested so to do, shall produce to any inspector the owner's licence or certificate of renewal issued by the Board in respect of such boiler. Licences must be produced on request

8.—On the occurrence of an explosion from any boiler to which this Ordinance applies, notice thereof in the form specified in the Fourth Schedule to this Ordinance shall, within twenty-four hours thereafter, be sent to the Board by the owner. Boiler explosions

The notice shall state the number assigned to the boiler by the Board, the precise locality as well as the day and hour of the explosion, the number of persons killed or injured (if any), the purposes for which the boiler was being used and the pressure at which the boiler was being worked at the time of the explosion, the part of the boiler which failed and the extent of the failure.

9.—(a) The Board may at any time suspend or revoke the validity of a licence or a certificate of renewal of a licence granted under this Ordinance if the Board has reason to believe that the boiler in respect of which such licence or certificate of renewal was issued is unfit to be used or is being or has been used in a manner dangerous to the public or to any person employed in connection therewith and the Board may from time to time make such modifications in the conditions contained in any licence or certificate of renewal issued under this Ordinance as it may deem proper in the interest of the safety of the public or of any person employed in connection with any boiler. Suspension or revocation of licences

(b) Every decision of the Board suspending or revoking the validity of a licence or a certificate of renewal of a licence shall be forthwith notified in writing

(c) Any person aggrieved by a decision of the Board suspending or revoking the validity of a licence or of a certificate of renewal of a licence or modifying the conditions thereof may appeal therefrom to the Royal Court sitting as an Ordinary Court, whose decision shall be final.

Provided that, notwithstanding such appeal, the suspension, revocation or modification decided upon by the Board shall continue until the Court shall otherwise direct.

Number of  
licence and  
steam  
pressure to  
be marked  
on boiler  
casing

10.—The owner of every boiler in respect of which a licence or a certificate of renewal of a licence is issued under this Ordinance shall, before such boiler is first used after the issue of such licence or certificate of renewal, cause to be marked on the casing of the boiler in clearly legible letters and figures —

- (a) the number assigned to the boiler in the licence or certificate of renewal of the licence; and
- (b) the maximum steam pressure which may with safety be generated in such boiler, as specified in the licence or certificate of renewal of the licence relating thereto;

and the number assigned to the boiler and such maximum steam pressure (with such alterations as may be necessary from time to time to conform with the contents of the licence or certificate of renewal then current in respect of such boiler) shall continue to be so marked during the period of currency of any such licence or certificate.

Licence to be  
surrendered  
on change of  
ownership  
of boiler

11.—(a) If, during the period for which a licence or a certificate of renewal of a licence issued under this Ordinance was issued, the owner of the boiler to whom the licence or certificate of renewal was issued ceases to be the owner thereof, the licence or certificate of renewal shall cease to be in force and such owner shall forthwith surrender the same to the Board.

Suspension  
or  
cancellation  
of licence

(b) If the owner of a boiler is notified by the Board that the licence or certificate of renewal of the licence issued to him in respect of that boiler has been suspended

or cancelled or that the conditions therein have been modified, such owner shall forthwith surrender such licence or certificate of renewal to the Board.

12.—Notwithstanding anything contained in this Ordinance or in any licence or certificate of renewal of a licence issued under this Ordinance, such licence or certificate of renewal shall cease to be in force upon the happening of any event whereby a policy of insurance complying with the requirements of this Ordinance ceases to be operative in relation to the boiler to which such licence or certificate of renewal relates and, upon the happening of any such event, it shall be the duty of the owner of the boiler forthwith to report the same to the Board and to surrender to the Board such licence or certificate of renewal.

13.—Any person who wilfully hinders or obstructs any inspector in the execution of any of his duties under this Ordinance shall be guilty of an offence and on conviction shall be liable to a fine not exceeding £10.

14.—Any person who wilfully renders ineffective or inaccurate any pressure gauge or other means of registering the pressure of steam generated in a boiler or who wilfully generates steam therein at a pressure in excess of the maximum pressure specified in the licence or certificate of renewal of the licence relating to that boiler shall be guilty of an offence and on conviction shall be liable to a fine not exceeding £50.

15.—Except where otherwise provided, any person who acts in contravention of or fails to comply with any of the provisions of this Ordinance shall be liable to a fine not exceeding £10.

16.—The provisions of these Regulations shall in no way limit or affect the provisions of the Ordinance entitled “Ordonnance ayant rapport à l’Etablissement de Machines à Vapeur et à l’Exploitation de Carrières, supplémentaire à l’Ordonnance relative aux Routes, Rues et Chemins” passed at the Chief Pleas after Michaelmas adjourned to the 12th day of November, 1921.

SCHEDULE I.

FORM OF CERTIFICATE OF INSURANCE.

Certificate No. .... Policy No. ....

Name and address of Person insured.

Address of premises where boiler examined.

Description or distinctive number of boiler and type.

Maximum safe pressure of steam to be generated in boiler.

Date of last examination of boiler when it was ascertained that boiler is equipped with a proper safety valve and a proper steam gauge and water gauge, and all other necessary mountings.

Date of last thorough examination of boiler.

Date of last examination of boiler under steam.

Name and qualifications of Examiner.

Date of Policy.

Date of expiration of Policy.

Limitations as to use of boiler.

I (We) hereby certify that the Policy to which this Certificate relates is a policy of insurance complying with the requirements of sub-section (b) of Section 4 of "L'Ordonnance par rapport aux Chaudières (1936)".

.....  
Insurer.

Date .....

SCHEDULE II.

FORM OF APPLICATION FOR LICENCE (OR CERTIFICATE OF RENEWAL OF LICENCE)\* (BOILER).

Name and address of owner of boiler.

*If stationary boiler:*

Address of premises where boiler situated.

*If mobile boiler:*

Address of premises where boiler housed when not in use.

Purpose for which boiler to be used.

Description and type of boiler.

Name of Company or underwriter by whom boiler is insured.

If renewal of licence is applied for, the number assigned to the boiler in the licence.

I hereby apply for a  
(certificate of renewal of the)\*  
licence authorising the use of  
the boiler referred to above.

Date..... Signature of owner.....

For office use { Licence No. ....  
Maximum steam  
pressure .....  
Date of  
expiration .....

\* *Strike out words which are inappropriate.*

SCHEDULE III.

A.

LICENCE AUTHORISING THE USE OF A STATIONARY BOILER.

Boiler No. .... (This number to be clearly marked on boiler).

M ..... (Name of owner) of .....  
(address of owner) is hereby authorised to use a  
Stationary (description or type) Boiler at .....  
(address or place where boiler may be used) from  
the ..... day of 19..... to the .....  
day of ..... 19..... inclusive, on condition that  
steam is not generated in such boiler at a pressure of  
more than (maximum pressure as in certificate of  
insurance) .....lbs. per square inch and that the boiler  
and the safety valve, steam gauge, water gauge and other  
mountings thereon are maintained in proper condition  
throughout that period.

.....  
President,  
States Board of Administration.

Date .....

**B.**

**LICENCE AUTHORISING THE USE OF A MOBILE BOILER.**

Boiler No. .... (This number to be clearly marked on boiler).

M ..... of ..... is hereby authorised to use a Mobile (description or type) Boiler for the purpose of (use to which boiler is to be put) from the ..... day of ..... 19..... to the ..... day of ..... 19..... inclusive, on condition that steam is not generated in such boiler at a pressure of more than (maximum pressure as in certificate of insurance) ..... lbs. per square inch and that the boiler and the safety valve, steam gauge, water gauge and other mountings thereon are maintained in proper condition throughout that period.

.....  
President,  
States Board of Administration.

Date .....



## SCHEDULE IV.

REPORT OF EXPLOSION OF A STEAM BOILER TO BE SENT  
TO THE STATES BOARD OF ADMINISTRATION WITHIN 24  
HOURS AFTER THE OCCURRENCE OF AN EXPLOSION.

1. Number assigned to the boiler by the Board.
2. Name and address of premises or works on which the boiler exploded.
3. Date and hour of explosion.
4. Number of persons killed.
5. Number of persons injured.
6. Purposes for which the boiler was being used.
7. Part of the boiler which failed and the extent of the failure.
8. Pressure at which the boiler was being worked.

Signature and address of person responsible for the accuracy of the particulars contained in this form.

Date.....