The Heating Appliances (Fireguards) Regulations, 1953

Made - - - - 24th March, 1953
Laid before Parliament 25th March, 1953
Coming into Operation 1st October, 1953

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

1. 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.

2. 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.

3. 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.

4. Any heating appliance which is not fitted with such a guard as is required by Regulation 2 of these Regulations may, notwithstanding anything in section one 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.

5.—(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 2 of these Regulations may, notwithstanding anything in section one 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 first 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

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 42.
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.

6.—(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.

7. These Regulations shall not apply to Scotland.

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

David Maxwell Fyfe.
One of Her Majesty's Principal
Secretaries of State.

Home Office,
Whitehall.
24th March, 1953.

SCHEDULE

Regulations 2 and 3

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 Number 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 approxi-
mately 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
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.
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