



DYKES VAN HEERDEN GROUP OF COMPANIES
professionals striving for excellence

COMPLIANCE CERTIFICATES IN RESPECT OF GAS INSTALLATIONS

On the 15th July 2009 new regulations in terms of the Occupational Health and Safety Act of 1993 were published governing "Pressure Equipment Regulations". In terms of the same there is now a duty on the homeowner to hold an external inspection and leak test after the installation or reinstallation and before the commissioning of a gas system. The same can only be done by authorized persons who must issue a certificate of conformity after the completion of a gas installation, modification, alteration or change of user or ownership. It is therefore probably safer to now include the following clause in the standard agreement of sale:-

"The Seller shall ensure that all the equipment and gas installations in the property comply with Regulation R734 issued in terms of the Occupational Health and Safety Act 1993 and shall within 15 (fifteen) days after acceptance of this offer, in terms of Regulation 6(2)(e) provide the Purchaser with a valid Certificate of Conformity issued by an authorised person in respect of the gas system".

"Die Verkoper sal verseker dat al die gereedskap en gas installasies op die eiendom voldoen aan Regulasie R734 uitgereik in terme van die Wet op Beroepsgesondheid en Veiligheid, 1993 (Wet 85 van 1993), soos gewysig deur Wette 181 van 1993 en 66 van 1995, en sal derhalwe binne 15 (vyftien) dae na aanvaarding van hierdie aanbod 'n geldige Sertifikaat van Voldoening, uitgereik deur 'n gemagtigde persoon, in terme van Regulasie 76(2)(e), aan die Koper voorsien".

The above should be seen as a brief comment and our interpretation thereof and should not be seen as an extensive guideline. Please obtain a full legal opinion if you wish to act on any aspect hereof as the guideline is not fully comprehensive.

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