

inspection authority. Re-instatement of conformance of transportable gas containers is as per SANS 10019 and SANS 1825.

(10) Equipment in nuclear service shall comply with the applicable health and safety standards and be conformity assessed in accordance with those standards

(11) Inspections and tests prescribed for Category I equipment, as categorized in terms of SANS 347 may be inspected, the hydraulic pressure test witnessed and conformity assessed to ensure full compliance to these regulations by the user

#### **Duties of manufacturers**

4. (1) The manufacturer shall ensure that all equipment constructed for use in the Republic shall be conformity assessed and subjected to the requirements set out in Regulation 3 and SANS 347.

(2) Subject to the requirements set out in the relevant health and safety standard incorporated into these Regulations under Section 44 of the Act, the manufacturer shall ensure that the pressure equipment as constructed is safe and without risks to health when properly used.

(3) Subject to the requirements of this Regulation a manufacturer shall issue a certificate of manufacture for all pressure equipment supplied, with a verification signature by an AIA or certification body when so required by the relevant conformity assessment module of SANS 347.

(4) Subject to the requirements of this Regulation a manufacturer shall comply with any other duty assigned to the manufacturer in these regulations.

(5) A manufacturer who determines that pressure equipment in use has a latent defect shall take immediate appropriate action and advise the user and the chief inspector in writing forthwith thereof and of measures being taken to correct the defect.

(6) Local manufactured pressure equipment bearing the ASME certification marks as well as equipment certified in accordance with the PED, SPED, TPED and DOT for use in the Republic shall also undergo a conformity assessment review by the manufacturer and verified by an AIA where applicable to ensure compliance to all additional Regulation requirements are met in accordance with Regulation 5.

(7) Categorization may be done by another party (for example the user) provided the manufacturer formally accepts such categorisation and maintains full responsibility for compliance.

(8) Manufacturers intending to manufacture, install, repair or modify pressure

equipment in accordance with the RSA/CI/OHSA requirements shall have a certified quality management system by an approved certification body in accordance with the requirements of SANS 347.

(9) Where it has been agreed that the user's original design is to be used on a total replacement in accordance with Regulation 6 (8), a comprehensive method statement on the entire construction shall be mutually agreed to by the user, manufacturer and AIA. Cognisance of any applicable health and safety standard revisions and other legal requirements should be considered.

#### **Duties of importers and suppliers**

5. (1) Importers and suppliers shall ensure that pressure equipment sold complies with the requirements of this Regulation.

(2) The importer shall assume liability of the manufacturer for imported pressure equipment in terms of this Regulation.

(3) Any pressure equipment that requires a permit to be issued by an organisation approved by the chief inspector shall ensure that such approval is obtained by the importer or manufacturer before the pressure equipment is placed in the market: Provided that such equipment shall comply with the relevant health and safety standard incorporated into these Regulations under Section 44 of the Act.

(4) The importer of pressure equipment shall perform a conformity assessment review and declare conformance in writing to the PER. This declaration of conformance, shall include their name, registered trade name or registered trade mark and their registered address. This conformity assessment review shall be verified and countersigned by an AIA as required by SANS 347.

(5) The importer shall verify the following as applicable:

- (a) the pressure equipment has been categorized and submitted to the applicable conformity assessment of SANS 347 or as permitted in sub-regulation 3. (3);
- (b) the pressure equipment was constructed to a health and safety standard incorporated into these Regulations under Section 44 of the Act;
- (c) the pressure equipment is provided with a declaration of conformance issued by the manufacturer which reflects the verification of an approved inspection authority, ASME authorised inspection agency or notified body as applicable
- (d) the approved inspection authority, ASME authorised inspection agency and notified body meets the approval requirements of these Regulations;
- (e) pressure equipment marking satisfies the requirements of sub-regulation 9 which may include the addition of an additional data plate by the importer if

required and shall bear the unique mark of the AIA to indicate involvement with the conformity assessment review as applicable. The additional data plate does not need to reference the importer;

- (f) documentation accompanying the imported pressure equipment satisfies the requirements of sub-regulation 14;
- (g) Series produced pressure equipment with type test certification and a declaration of conformity by the manufacturer may be conformity assessed by the importer and verified by an AIA where applicable using a once off conformity assessment review certificate provided that the type, manufacturer, inspection body and the manufacturing facility remains the same.

(6) Imported pre-owned pressure vessels, steam generators and assemblies shall undergo a conformity assessment review by the importer for compliance to the PER; this conformity assessment review shall be verified and countersigned by an AIA as required by SANS 347.

#### **Duties of users**

6. (1) The user shall ensure that the pressure equipment is operated and maintained within its design and operating parameters.

(2) The user shall, subject to the relevant health and safety standard incorporated into these Regulations under Section 44 of the Act-

- (a) provide or ensure the manufacturer, repairer or modifier is provided with comprehensive information of the operating or intended operating conditions of the pressure equipment, including the characteristics of the fluid and operating parameters of other connected pressure equipment, where reasonably practicable;
- (b) ensure pressure equipment has a certificate of manufacture, issued by the manufacturer, including a verification signature by an approved inspection authority when required, which certifies that the pressure equipment has been designed and manufactured in accordance with the relevant conformity module and health and safety standard incorporated into these Regulations under Section 44 of the Act;
- (c) Ensure imported pressure equipment has an importers declaration of conformity issued by importer including a verification signature by an approved inspection authority when required;
- (d) ensure pressure equipment has a certificate of repair or modification issued by the repairer or modifier, including a verification signature by an approved inspection authority when required, which certifies that the pressure equipment has been modified or repaired in accordance with the relevant conformity module and health and safety standard incorporated into these Regulations under Section 44 of the Act;