

1958/148

THE FIRE EXTINGUISHERS REGULATIONS 1958

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 22nd day of October 1958

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Health Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Fire Extinguishers Regulations 1958.

(2) These regulations shall come into force on the 1st day of January 1959.

2. In these regulations, unless the context otherwise requires,—

“Fire extinguisher” means any portable fire appliance which contains any liquid, gas, or other substance, or any combination of liquids or gases or other substances, and which is so designed that the contents are discharged either manually or automatically; but does not include any fire extinguisher of a kind described in the Schedule hereto:

“Pressurised fire extinguisher” means any fire extinguisher, as hereinbefore defined, containing carbon tetrachloride, methyl bromide, chlorobromomethane, or any other halogenated compound, confined under pressure:

“Sale” includes barter, and also includes offering or attempting to sell, or sending or delivering for sale, or causing or allowing to be sold; and “to sell” has a corresponding meaning.

3. No person shall sell any fire extinguisher containing any material that is or may become injurious to health or dangerous, unless the name of that material and a statement of the precautions that should be taken by persons using the fire extinguisher are conspicuously and durably printed on it.

4. No person shall sell for use in any dwellinghouse, as defined in section 2 of the Health Act 1956, any pressurised fire extinguisher.

5. No person shall sell any pressurised fire extinguisher unless the words “Not to be used in a dwellinghouse” are conspicuously and durably printed on the fire extinguisher.

6. Every person commits an offence, and shall be liable accordingly under sections 136 and 137 of the Health Act 1956, who contravenes or fails to comply in any respect with any of the provisions of these regulations.

SCHEDULE

Reg. 2

FIRE EXTINGUISHERS TO WHICH THESE REGULATIONS DO NOT APPLY

1. Soda acid extinguishers, being fire extinguishers in which carbon dioxide is liberated from a carbonate solution by the action of acid.

2. Water and carbon dioxide extinguishers, being fire extinguishers containing water, as the extinguishing agent, and a carbon dioxide expellent.

3. Foam extinguishers, being either chemical foam fire extinguishers having inner containers holding aluminium sulphate dissolved in water and outer containers holding water, sodium bicarbonate, and a stabiliser, or mechanical foam fire extinguishers having inner containers holding foam compound and outer containers holding water and suspended within the container a pressurised charge of either carbon dioxide or nitrogen as an expellent.

4. Carbon dioxide extinguishers, being fire extinguishers containing carbon dioxide under pressure.

5. Dry powder or dry chemical extinguishers, being fire extinguishers containing fine powder (for example, sodium bicarbonate) to be expelled by carbon dioxide or nitrogen under pressure.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations require the proper labelling of fire extinguishers containing materials that are or may become injurious to health or dangerous. They also prohibit the sale, for domestic use, of certain pressurised fire extinguishers.

Under regulation 2, the regulations do not apply to the fire extinguishers specified in the Schedule, and the following notes should be read subject to that exemption.

Regulation 3 prohibits the sale of any fire extinguisher containing material that is or may become injurious to health or dangerous, unless the name of the material and a statement of precautions to be taken are printed on the extinguisher.

Regulation 4 prohibits the sale of any pressurised fire extinguisher for use in a dwellinghouse (which, under section 2 of the Health Act 1956, includes a tent or caravan or any structure used for human habitation).

Regulation 5 prohibits the sale of any pressurised fire extinguisher unless it bears a warning that it is not for use in a dwellinghouse.

Regulation 6 refers to the penalty provided by the Health Act 1956 (namely a fine of £50 on summary conviction) for an offence against the regulations.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 23 October 1958.

These regulations are administered in the Department of Health.