



# THE BOILERS AND PRESSURE VESSELS ORDINANCE, 2002

## ORDINANCE No. CXXI OF 2002

[13 November, 2002]

*An Ordinance to amend and consolidate the law relating to  
boilers and pressure vessel*

**WHEREAS** it is expedient to amend and consolidate the law relating to boilers and pressure vessels.

**AND WHEREAS** it is expedient to provide for regulation use constriction, installation and repair of boilers and pressure vessels; prescribe uniform rules and regulations for boilers and pressure vessels and for matters ancillary thereto or connected therewith;

**AND WHEREAS** the President is satisfied that circumstances exist which rendered it necessary to take immediate action;

**NOW, THEREFORE**, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999, read with the Provisional Constitution (Amendment) Order No.9 of 1999 and in exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance.

**1. Short title, extent and commencement:**— (1) This Ordinance may be called the Boilers and Pressure Vessels Ordinance, 2002.

(2) It extends to the whole of Pakistan.

(3) It shall come into force on such date as the Federal Government may, by notification in the official Gazette, specify in this behalf and different dates may be specified for different provisions.

**2. Definitions:**— (1) In this Ordinance, unless there is anything repugnant in the subject or context,-

- (a) "accident" means an explosion of a boiler or any part thereof, which results to weaken the structural strength and render it due for further certification;
- (b) "Ad hoc Technical Committee" means the Ad hoc Technical Committee constituted under section 26;
- (c) "Board" means the Federal Boilers and Pressure Vessels Safety Board constituted under section 25;

- (d) "boiler" means a closed vessel exceeding twenty-five liters in capacity in which water is heated, steam is generated and superheated or a combination thereof under pressure, for external use by the application of heat from combustible fuels, electricity or external thermal energy, and includes any mountings or other fittings attached to such vessel which are wholly or partly under pressure when steam is shut off by isolating valve mounted on steam generation equipment;
- (e) "Chief Inspector and Deputy Chief Inspector" means, respectively, a qualified person appointed to be a Chief Inspector and Deputy Chief Inspector under this Ordinance;
- (f) "department" means the department or branch of a Provincial Government charged with the enforcement of this Ordinance;
- (g) "design specification" means the specifications or standards as specified in the codes referred to in clause (k) to which the boiler shall be designed or manufactured and examined;
- (h) "economizer" means any part of heat exchange surface that is wholly or partially exposed to the flue gases for the purpose of recovery of waste heat;
- (i) "Inspector" means an Inspector appointed under this Ordinance;
- (j) "Inspection Authority" means the organization other than manufacturer and user, approved by the Board authorized to carry out inspection during manufacturing, first registration and yearly inspection as provided under this Ordinance and includes the approved third party inspection companies and insurance companies;
- (k) "manufacturer" means the company or firm recognized by the Board, competent to manufacture complete or in parts, a boiler, or fitting, and completes the product and is responsible for the product according to any one of the following codes, namely :-
- (i) Pakistan Boilers Regulations;
  - (ii) ASME (American Society of Mechanical Engineers);
  - (iii) BS (British Standard);
  - (iv) TRD;
  - (v) JIS (Japanese Industrial Standard);
  - (vi) I.S.O. Standards; and.
  - (vii) Prevailing internationally approved code subject to the approval of the Board;

- (l) "owner" includes any company who is in the possession of a boiler or under whose name it has been registered;
- (m) "prescribed" means prescribed by regulations or rules made under this Ordinance;
- (n) "pressure vessel" means a vessel along with its fitting other than a boiler which is capable of being used to contain, distribute, transfer, process or otherwise handle gas, vapors, liquids and store energy under pressure internally and externally;
- (o) "Registration Certificate" means the Registration Certificate issued under Section 7; and
- (p) "structural alteration, addition or renewal" means changes and deviations from original design in the pressure parts but shall not be deemed to include any renewal or replacement of a petty nature when the part of fitting used for replacement is not inferior in strength, efficiency or otherwise to the replaced part or fitting.

(2) Every reference in this Ordinance to any boiler or economizer where provided shall be considered as integral part of the boiler

**3. Limitation of application of this Ordinance :—**(1) Nothing in this Ordinance shall apply—

- (a) in the case of any boiler in any steamship or in any mechanically propelled vessel, and
- (b) appertaining to a sterilizer or disinfector and the like used in hospitals; hotels, laboratories and other industries etc. if it does not exceed ninety one litres in capacity.

(2) The Federal Government may by notification in the official Gazette, declare that the provisions of this Ordinance shall not apply in the case of boilers or steam-pipes of any specified class of boilers or steam-pipes, belonging to or under the control of Railway

**4. Power to limit extent:—**The Provincial Government may with the concurrence of the Board, by notification in the official Gazette, exclude any specified area from the operation of all or any of the provisions of this Ordinance.

**5. Appointment of Chief Inspector, Deputy Chief Inspector and Inspector:—** (1) The Provincial Government shall appoint a person to be Chief Inspector for the province, who may, in addition to the powers and duties conferred or imposed on the Chief Inspector under this Ordinance, exercise any power or perform any duty so conferred or imposed on Deputy Chief Inspector and Inspector by or under this Ordinance.

(2) The Provincial Government may appoint such persons as it thinks fit to be Deputy Chief Inspectors for the Province who may, in addition to the powers and duties conferred or imposed on the Deputy Chief Inspector under this Ordinance, exercise any power, or perform any duty so conferred or imposed on Inspector by or under this Ordinance.

(3) The Provincial Government may appoint such persons as it thinks fit to be Inspectors for the Province for the purpose of this Ordinance, and may define the local limits within which each Inspector shall exercise the powers and perform the duties conferred or imposed by, or under, this Ordinance.

(4) Every Chief Inspector, Deputy Chief Inspector and Inspector shall be deemed to be a public servant within the meaning of the Pakistan Penal Code (Act XLV of 1860).

**6. Prohibition of use or unregistered or uncertified boilers:**— Save as otherwise expressly provided in this Ordinance, no owner of a boiler shall use the boiler or permit it to be used-

- (a) unless it has been registered in accordance with the provisions of this Ordinance;
- (b) in the case of any boiler which has been transferred from one Province to another, until the transfer has been reported in the prescribed manner,
- (c) unless a certificate or provisional order authorizing the use of the boiler is for the time being in force under this Ordinance;
- (d) at a pressure higher than the maximum pressure recorded in such certificate or provisional order or under which the boiler was constructed and stamped; and
- (e) unless the boiler is in the charge of a person holding the Boilers Engineers Competency Certificate required by such rules and not more than sixty years old or less than twenty-five years of age

**7. Registration:**—(1) The owner of a boiler, which is not registered under the provisions of this Ordinance, shall apply to the Chief Inspector, under intimation to the insurance company, to have the boiler registered. Imputed boilers which have been operated outside Pakistan will require an examination certificate from an insurance or third party inspection company of the country where the boiler has been in operation confirming integrity of boiler in line with the guidelines for the Examination of Boiler End Plate to Furnace and Shell Welded Joints issued by the Associated Offices Technical Committee, UK or country of origin. The application shall be accompanied by a copy of bill of entry and evidence of payment of custom duty and such application shall be accompanied by the prescribed fee.

(2) On receipt of an application under sub-section (1) the insurance company shall fix a date, within fifteen days or such shorter period as may be prescribed from the date of the receipt, for the examination of the boiler and shall decide the inspection time and schedule with the owner.

(3) On the date referred to in sub-section (2) the insurance company shall proceed to examine the boiler and to determine in the prescribed manner the maximum pressure, if any, at which such boiler may be used and shall report the result of the examination to the Chief Inspector.

(4) The Chief Inspector shall –

- (i) on receipt of the approval certificate from the insurance company shall register the boiler and assign a registration number forthwith within three

working days; or

- (ii) on receipt of examination report from the insurance company declaring the boiler not fit for approval, refuse to register the boiler.

(5) Where the Chief inspector refuses to register a boiler the insurance company shall forthwith communicate refusal to the owner of the boiler together with the reasons thereof

(6) The Chief Inspector may randomly check or counter check the quality of inspection and the procedure of examination of the insurance company but not exceeding twenty-five percent of boilers offered for first registration.

(7) The Chief Inspector shall, on registering the boiler, order to issue a Registration Certificate to the owner in the prescribed form authorizing the use of the boiler for a period not exceeding twelve months at a pressure not exceeding such maximum pressure as may be prescribed by regulations.

(8) The Inspector shall forthwith convey to the owner of the boiler, the order of the Chief Inspector through courier or registered post. The owner shall within seven days of receipt of Registration Certificate cause the register number to be permanently marked thereon in the prescribed manner.

(9) The procedure for registration of a boiler shall be completed by all means within thirty days of submission of an application for registration of the boiler subject to the fulfilment of all applicable procedures and technical requirements by the owner. The copy of all, the documents submitted by the owner of the boiler along with orders and notes of the Chief Inspector and insurance company, shall be sent to the Board for record and computerized data bank.

**8. Renewal of Registration Certificate:—**(1) The Registration Certificate authorizing the use of a boiler shall cease to be in force-

- (a) on the expiry of the period for which it was granted;
- (b) when any accident occurs to the boiler;
- (c) when the boiler is moved from one location to another unless it is registered as mobile unit;
- (d) when any structural alteration, addition or renewal is made in or to any steam-pipe attached to the boiler; or
- (e) if the Chief Inspector in any particular case so directs, when any structural alteration, addition or renewal is made in or to any steam pipe made in or to any steam-pipe attached to the boiler.

(2) When a Registration Certificate ceases to be in force, the owner of the boiler shall have the option to apply to the insurance company or the Inspector for a renewal thereof under intimation to the Chief Inspector for such period not exceeding twelve months as he may specify in the application.

(3) An application under sub-section (2) shall be accompanied by the prescribed fee and forwarded to the Chief Inspector under intimation to the insurance company or the Inspector, as the case may be. On receipt of intimation from the owner, the insurance company or the Inspector, as the case may be, shall fix a date, within fifteen days or such shorter period as may be agreed with the owner from the date of the receipt, for the examination of the boiler and shall give the owner thereof not less than three days notice of the date so fixed:

Provided that, where the certificate has ceased to be in force owing to any structural alteration, addition or renewal, the Chief Inspector may dispense with the payment of the prescribed fee.

(4) On the date fixed under sub-section (3) the insurance company or the Inspector, as the case may be, shall examine the boiler as per approved applicable code, and if the insurance company or the Inspector, as the case may be, is satisfied that the boiler is in good condition shall recommend to the Chief Inspector for renewal of the Registration Certificate authorizing the use of the boiler for such period not exceeding twelve months and at a pressure not exceeding such maximum pressure as the insurance company or the Inspector as the case may be, may determine and as may be prescribed by regulations.

(5) Where the insurance company or the Inspector, as the case may be—

- (a) makes recommendations as per the approved codes to any structural alteration, addition or renewal to be made in or to the boiler; or
- (b) is of opinion that the boiler is not fit for use, the insurance company or the Inspector, as the case may be, shall inform the owner of the boiler in writing of findings and the reasons thereof, and shall forthwith report the case with recommendations for orders to the Chief Inspector.

(6) The Chief Inspector, on receipt of a report under sub-section (5) may, subject to the provisions of this Ordinance and of the regulations made there under, order the renewal of the Registration Certificate in such terms and on such conditions, if any, as he thinks fit, or may refuse to renew it:

Provided that where the Chief Inspector refuses to renew a Registration Certificate, he shall forthwith communicate his refusal to the owner of the boiler, together with the reasons thereof

(7) The aggrieved party may, within seven days of the order, apply to the Board regarding rejection of his request for the renewal of Registration Certificate and the Board shall issue appropriate orders either approving or disapproving the order of the Chief Inspector within thirty days of notice of order of the Chief Inspector.

(8) Nothing in this section shall be deemed to prevent an owner of a boiler from applying for a renewal of Registration Certificate at any time during the currency of a Registration Certificate

**9. Provisional orders:—**(1) Where the Inspector has based on the findings of the insurance company, reports the case of any boiler to the Chief Inspector under sub-section (3) or (4) of section 8, he may, if the use of boiler is not prohibited under sub-section (1) of section 8, issue a provisional order to the owner in writing permitting the boiler to be used at a pressure not exceeding such maximum pressure as recommended by the insurance company and as may be prescribed by regulations, pending the receipt of the order of the Chief Inspector. (2) A provisional order issued under sub-section (1) shall cease to be in force

- (a) on the expiry of six months from the date on which it is granted;
- (b) on receipt of the orders of the Chief inspector; or
- (c) in any of the cases referred to in clauses (b), (c), (d) and (e) of sub-section (1) of section 8 shall stands cancelled.

**10. Use of boiler pending grant of Registration Certificate:—**(1) Notwithstanding anything contained in this Ordinance, when tile period of a Registration Certificate relating to a boiler has expired, tile owner shall, provided that he has applied before the expiry of that period for a renewal of the Registration Certificate, be entitled to use the boiler at the maximum pressure entered in the former Registration certificate pending the issue of orders on tile application.

Provided that nothing in this section shall be deemed to authorize the use of a boiler in any of the cases referred to in clauses (b), (c). (d) and (e) of sub-section (1) of section 8 occurring after the expiry of the period of the Registration Certificate.

(2) When a boiler cannot be offered for inspection by tile owner fur reasons which in the opinion of the owner are beyond his control such is the existence of a federal emergency, the owner may approach the Chief Inspector, who tray authorize the use of the boiler fur a period not exceeding three months alter the expiry of the Registration Certificate. The owner may also approach the Chief Inspector for grant of a provisional certificate not exceeding three months on payment of the prescribed fee.

**11. Revocation of Registration Certificate or provisional order :—** (1) The Chief Inspector may, at any time, withdraw or revoke a Registration Certificate or provisional order on the report of the Inspector-

- (a) if there is reason to believe that the Registration. Certificate or provisional order has been fraudulently obtained or has been granted erroneously or without sufficient examination; or
- (b) if the boiler in respect of which it has been granted has developed some defect or has ceased to be in good conditions; or
- (c) where the Provincial Government has made rules requiring that boilers shall be in the charge of persons holding certificates of competency and the boiler is in the charge of a person not holding the certificate required by such rules; or
- (d) where no such rules have been made, if the boiler is in the charge of a person who is not maintaining the boiler in accordance with standard operation procedures:

Provided that where the Chief Inspector withdraws or revokes a Registration Certificate or provisional order on the ground specified in clause (d), he shall communicate to the owner of the boiler the reasons in writing for the withdrawal or revocation, and the order shall not take effect until the expiry of fifteen days from the receipt of such communication.

(2) The owner shall have the right to appeal to the Board against the order of the Chief Inspector.

(3) The Board shall issue appropriate orders either approving or disapproving the order of the Chief Inspector within thirty days of notice of the order of the Chief Inspector.

**12. Alterations and renewals to boilers:**—No structural alteration, addition or renewal shall be made by the repairer in any boiler registered under this Ordinance unless such alteration, addition or renewal has been sanctioned in writing by the Chief Inspector. The execution of any modification as per the approved drawings shall be verified-by the insurance company.

**13. Duty of owner at examination :**— (1) On any date fixed under this Ordinance for the examination of a boiler, the owner thereof shall be bound\_\_\_\_\_

- (a) to intimate the Inspector regarding date of inspection and also to the insurance company selected, to provide all reasonable facilities for the examination and all such information as may reasonably be required of him;
- (b) to have the boiler properly prepared and ready for examination as per written down examination procedures confirming to applicable codes; and
- (c) in the case of an application for the registration of a boiler, to provide such drawings, specifications, certificates and other 'particulars as may' be prescribed.

(2) If the owner fails, without reasonable cause, to comply, the insurance company at the expense of owner shall refuse to make the examination and shall report the case to the Chief Inspector who shall, unless sufficient cause to the contrary is shown, require tile owner to file a fresh application under section 7 or section 8, as the case may be, and may forbid him to use the boiler notwithstanding anything contained in section 10.

**14. Production of Registration Certificate, etc. :**— (1) The owner of any boiler who holds a Registration Certificate or provisional order relating thereto shall, at all reasonable times during the period for which the Registration Certificate or provisional order is in force, be bound to produce the same whet called upon to do so by the Chief Inspector or the Inspector.

(2) Upon the non-compliance of an order, the Chief Inspector may advise the concerned Provincial Government fur necessary action such as desertification of the boiler.

**15. Powers of entry:**—An Inspector may, for the purpose of inspecting or examining a boiler or any steam-pipe attached thereto or in case of non observance of any provision of this Ordinance or of any regulations or rules at all reasonable times enter any place or building within the limits of the area for which he has been appointed in which he has reason to believe that the boiler is in use.

**16. Report of accidents:**— (1) If any accident occurs to a boiler the owner or person incharge thereof shall, within twenty-four hours of the accident, report tile same in writing to the Inspector and to relevant insurance company. Every such report shall contain a description of the nature of the accident and of the injury, if any, caused thereby to the boiler or to any person, and shall be in sufficient detail to enable the Ad hoc Technical Committee so appointed to determine the root cause of accident and fix live responsibility for the such occurrence. The same shall also be reported to the Board.

(2) Every person shall answer truly to the best of his knowledge and ability every question

put to him in writing by the Accident Committee nominated by the Provincial Government.

**17. Appeal to the Board:**— (1) Any person, owner or company aggrieved by any recommendation made by the insurance company or findings or decision of the Chief Inspector for-

- (a) refusing to register a boiler or to grant or renew a Registration Certificate in respect of a boiler; or
- (b) refusing to grant a Registration Certificate having validity for the full period applied for; or
- (c) refusing to grant a Registration Certificate authorizing the use of a boiler at the maximum pressure desired; or



**THE PAKISTAN CODE**