

YOU ARE INVITED TO A (GAS) BRAAI AT MY UNIT...



Although the relevant Regulation has been around for a while, we still receive queries from owners, trustees, managing agents and estate agents as to **what is required when an owner of a sectional title unit wants to install a gas stove or gas braai** within their section (or on the common property). Perhaps these queries are due to the fact that we have recently learnt not to rely on our electricity supply.

The Pressure Equipment Regulations were introduced in 2009, in terms of the Occupational Health and Safety Act 85 of 1993. **In terms of these Regulations, all gas installations (gas braais, gas stoves / ovens, and gas hot water systems) must have a Certificate of Conformity**, which states that the installation has been properly inspected and is determined to be safe and leak free. The certificate must be issued by an authorised person, who is registered with the Liquefied Petroleum Gas Safety Association of Southern Africa (LPGAS). Regulation 1 defines an “authorised person” as a person who is registered as competent within the scope of work for which an organisation approved by the chief inspector has registered that person.

If the section or common property is damaged as a result of a defective gas installation, and a certificate was not issued by someone registered with LPGAS, the body corporate insurer as well as the owner’s contents insurer may repudiate a claim, which would have serious

financial implications for the owner and the other members of the scheme. Prescribed Conduct Rule 9 of Annexure 9 of the Regulations to the Sectional Titles Act 95 of 1986, provides that an owner or occupier shall not store any material, or permit or allow to be done, any other dangerous act in the building or on the common property which will increase the rate of the premium payable by the body corporate on any insurance policy. Therefore, it’s important that you review the “fine print” of the relevant insurance policies and the body corporate’s registered rules to see what is required before going ahead with the installation – if it’s allowed!

Regulation 17 (3) of the Pressure Equipment Regulations provides that any person selling a property (sectional title unit) which has a gas installation, must obtain a Certificate of Conformity in respect thereof, and must further deliver a copy thereof to the purchaser.

By Zerlinda van der Merwe

Footnote from Compeg:

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