

THE BOILERS AND PRESSURE VESSELS ORDINANCE,

2002

(CXXI of 2002)

CONTENTS

oon oo a PF Y DN

- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.

Short title, extent and commencement

Definitions

Limitation of application of this Ordinance

Power to limit extent

Appointment of Chief Inspector, Deputy Chief Inspector and Inspector

Prohibition of use of unregistered or uncertified boilers

Registration

Renewal of Registration Certificate

Provisional orders

Use of boiler pending grant of Registration Certificate

Revocation of Registration Certificate or provisional order

Alterations and renewals to boilers

Duty of owner at examination

Production of Registration Certificate, etc

Powers of entry

Report of accidents

Appeal to the Board

Finality of orders

Minor penalties

Illegal use of boiler and pressure vessel

Penalties

Penalties for tempering with registration number, etc

23.
24.
25.
26.
27.
28.
29.
30.
31.
32.
33.
34.
35.
36.
37.
38.

Limitation and previous sanction for prosecution
Trial of offence

Punjab Boiler and Pressure Vessels Safety Board
Ad hoc Technical Committee

Filling of vacancies

Meeting of the Board

Power to make rules

Power to make regulations

Breach of rules and regulations

Previous publication of rules or regulations
Recovery of fees, etc

Application of the Ordinance to the Governments
Power to suspend in case of emergency
Inspection by Inspection Authority or, as the case may be, the Inspector
Insurance of boilers

Repeal and saving

TEXT

'THE BOILERS AND PRESSURE VESSELS ORDINANCE, 2002

(CXXI of 2002)

[13 November, 2002]

An

Ordinance

to amend and consolidate the law relating to boilers and pressure vessels

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, construction, 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 [the Punjab.]

(3) It shall come into force on such date as the [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

'Pursuant to 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 promulgated this Ordinance which was published in the Punjab Gazette (Extraordinary) dated 13 November 2002, pages 1914-1928.

This Ordinance was originally in the Federal ambit, however, the subject on which this Ordinance was promulgated devolved to the provinces by virtue of 18th Amendment in the Constitution, hence it was adapted, with amendments, for the province of the Punjab by the Punjab Boilers and Pressure Vessels (Amendment) Act 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807.

Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act, 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.3.

Slbid., s.2, for the words "Federal Government".

certification;

(b) | “Ad hoc Technical Committee” means the Ad hoc Technical Committee constituted under section 26;

(c) “Board” means the “[Punjab] 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;

‘I(f) “Department” means “the Industries, Commerce and Investment Department of the Government;]

(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 partly exposed to the flue gases for the purpose of recovery of waste heat;

[(hh) “Government” means Government of the Punjab;]

(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 ‘[of a boiler or pressure vessel] 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;

“Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act, 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.4.

5Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31_May 2017, pp. 7673-7677, s.3. It was earlier substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act, 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.4.

®Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act, 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.4.

"Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.3.

(l)

(m)

(n)

(o)

(P)

(2)

(ii) ASME (American Society of Mechanical Engineers);

(iii) | BS (British Standard);

(iv) TRD;

(v) JIS (Japanese Industrial Standard);

(vi) 1.S.O. Standards; and

(vii) | Prevailing internationally approved code subject to the approval of the Board;

“owner” includes any company who is in the possession of a boiler or under whose name it has been registered;

“prescribed” means prescribed by regulations or rules made under this Ordinance;

“pressure vessel” means ‘[a vessel categorized as such in the rules] 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;

“Registration Certificate” means the Registration Certificate issued under Section 7; and

“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.

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 to—

(a) any boiler in any steamship or in any mechanically propelled vessel;

(b) — any boiler appertaining to a sterilizer or disinfecter and the like used in

hospitals, hotels, laboratories and other industries etc, if it does not exceed ninety one liters in capacity;

- (c) any boiler used in relation to the nuclear energy; and
- (d) any boiler or steam-pipe, belonging to or under the control of railway.

(2) |The Government may, by notification in the official Gazette and for

reasons to be recorded in writing, declare that provisions of this Ordinance shall not apply in the case of any specified class of boilers or steam-pipes.]

4. Power to limit extent.— The “[Government] may, with the concurrence of the

®Substituted for the words “a vessel” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.3.

°Substituted by the Punjab Boilers And Pressure Vessels (Amendment) Act, 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.5.

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 “[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 “[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 “[Government] may appoint such persons as it thinks fit to be Inspector 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 of unregistered or uncertified boilers.- Save as otherwise expressly provided in this Ordinance, no owner of a boiler “[or pressure vessel] shall use the boiler “[or pressure vessel] or permit it to be used-

(a) unless it has been registered in accordance with the provisions of this Ordinance;

“I(b) in case of any boiler “[or pressure vessel] which has been transferred from another Province or territory until it is registered under this Ordinance;]

(c) unless a certificate or provisional order authorizing the use of the boiler “[or pressure vessel] is for the time being in force under this Ordinance;

Substituted for the words “Provincial Government” by the Punjab Boilers And Pressure Vessels (Amendment) Act, 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.2.

“Substituted for the words “Provincial Government” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.2.

“Substituted for the words “Provincial Government” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.2.

“Ibid.

“Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

“Ibid.

[®]Substituted by the Punjab Boilers And Pressure Vessels (Amendment) Act, 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.6.

[®]Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

Ibid.

(d) at a pressure higher than the maximum pressure recorded in such certificate or provisional order or under which the boiler “[or pressure vessel] was constructed and stamped; and

“t(e) unless the boiler or pressure vessel is in the charge of a person holding the Boiler Engineers Competency Certificate required by such rules and he is not less than twenty one years of age:

Provided that a person who is more than seventy years of age shall produce for each year a medical certificate of fitness issued by a Medical Officer of a Tehsil or District Headquarters Hospital.]

7. Registration.— (1) The owner of a boiler “[or pressure vessel], which is not registered under the provisions of this Ordinance, shall apply to the Chief Inspector, under intimation to the [Inspection Authority or, as the case may be, the Inspector], to have the boiler “[or pressure vessel] registered. Imported boilers “[or pressure vessels] 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 “[or pressure vessel] has been in operation confirming integrity of boiler “[or pressure vessel] in line with the guidelines for the Examination of Boiler “[or pressure vessel] 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 “[Inspection Authority or, as the case may be, the Inspector] 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 “[or pressure vessel] and shall decide the inspection time and schedule with the owner.

(3) On the date referred to in sub-section (2) the “[Inspection Authorities

Ibid.

Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.4.

“Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

“Substituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

3Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

“Ibid.

Ibid.

ibid.

"Ibid.

*SSubstituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

Substituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

or, as the case may be, the Inspectors] shall proceed to examine the boiler “[or pressure vessel] and to determine in the prescribed manner the maximum pressure, if any, at which such boiler “[or pressure vessel] 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 “[Inspection Authority or, as the case may be, the Inspector] shall register the boiler “[or pressure vessel] and assign a registration number forthwith within three working days; or

(ii) on receipt of examination report from the “[Inspection Authority or, as the case may be, the Inspector] declaring the boiler “[or pressure vessel] not fit for approval, refuse to register the boiler “[or pressure vessel].

(5) | Where the Chief Inspector refuses to register a boiler “[or pressure vessel] the “[Inspection Authority or, as the case may be, the Inspector] shall forthwith communicate refusal to the owner of the boiler “[or pressure vessel] 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 “[Inspection Authority or, as the case may be, the Inspector] but not exceeding twenty — five percent of boilers “[or pressure vessels] offered for first registration.

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

Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

Ibid.

Substituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

“Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

Substituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

S"Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

S"Ibid.

ibid.

Substituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

"Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

"Substituted for the words "insurance company" by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

"Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

Ibid.

"Ibid.

prescribed by regulations.

(8) | The Inspector shall forthwith convey to the owner of the boiler “[or pressure vessel], 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) Subject to the fulfillment of all technical requirements by the owner, the registration of a boiler or pressure vessel shall be completed within thirty days of the submission of an application for its registration.]

8. Renewal of Registration Certificate— (1) The Registration Certificate authorizing the use of a boiler “[or pressure vessel] 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 “[or pressure vessel];

(c) when the boiler “[or pressure vessel] 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 pressure vessel]; or

(2) | When a Registration Certificate ceases to be in force, the owner of the boiler “[or pressure vessel] shall have the option to apply to the “[Inspection Authority] 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 subsection (2) shall be accompanied by the receipt of payment of the prescribed fee.

(3a) On receipt of intimation from the owner, the Inspection Authority or, as the case may be, the inspector shall fix a date within fifteen days or such shorter period as may be agreed to with the owner from the date of the receipt for

Ibid.

“Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.5.

“Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

Ibid.

“Ibid.

Ibid.

“Ibid.

Ibid.

"Substituted for the words "insurance company" by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

"Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.6.

examination of the boiler or pressure vessel and shall give the owner at least three days' notice for the purpose.]

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

(5) | Where the “[Inspection Authority] 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 pressure vessel]; or

(b) is of opinion that the boiler “[or pressure vessel] is not fit for use, the “[Inspection Authority] or the Inspector, as the case may be, shall inform the owner of the boiler “[or pressure vessel] 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 “[rules or 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

Substituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

5'Seconded by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

5'Substituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

58Seconded by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

Ibid.

Substituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

"Ibid.

"Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

Ibid.

"Substituted for the words "insurance company" by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

"Substituted for the word "regulations" by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.6.

Certificate, he shall forthwith communicate his refusal to the owner of the boiler “[or pressure vessel], 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 “[or pressure vessel] 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, based on the findings of the Inspection Authority or otherwise, reports the case of any boiler or pressure vessel to the Chief Inspector under subsection (3) or subsection (5) of section 8, he may, if the use of boiler or pressure vessel is not prohibited under subsection (1) of section 8, issue a provisional order in writing to the owner permitting the boiler or pressure vessel to be used at a pressure not exceeding such maximum pressure as recommended by the Inspection Authority or, as the case may be, the Inspector or as may be prescribed, 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 the period of a Registration Certificate relating to a boiler has expired, the 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 the 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 the owner for reasons which in the opinion of the owner are beyond his control such as the existence of “[an emergency], the owner may approach the Chief Inspector, who may authorize the use of the boiler for a period not exceeding three months after the

®Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

Ibid.

Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.7.

Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.7.

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 “[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 “[or pressure vessel], the owner thereof shall be bound—

“(a) to intimate the Inspection Authority or the Inspector, as the case may be, to provide all reasonable facilities for examination and to furnish

“Substituted for the words “Provincial Government” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.2.

“Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.8.

such information as may be required;]

(b) to have the boiler “[or pressure vessel] properly prepared and ready for examination as per written down examination procedures conforming to applicable codes; and

(c) in the case of an application for the registration of a boiler “[or pressure vessel], to provide such drawings, specifications, certificates and other particulars as may be prescribed.

(2) If the owner fails, without reasonable cause, to comply, the “[Inspection Authority or, as the case may be, the Inspector] 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 the 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 “[or pressure vessel] notwithstanding anything contained in section 10.

14. Production of Registration Certificate, etc.- (1) The owner of any boiler “[or pressure vessel] 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 when called upon to do so by the Chief Inspector or the Inspector.

“(2) On non-compliance of an order, the Chief Inspector may initiate proceedings for cancellation of the registration certificate in the prescribed manner.]

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 “[or pressure vessel] the owner or person in charge thereof shall, within twenty-four hours of the accident, report the same in writing to the Inspector and to relevant “[Inspection Authority]. 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 pressure vessel] or to any

¹⁰ Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

* Ibid.

¹⁰ Substituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

¹¹ Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

* Ibid.

Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.9.

¹² Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette

(Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

®Substituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

®Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

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 the responsibility for 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" [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

(d) — withdrawing or revoking a Registration Certificate or provisional order; or

(e) reducing the amount of pressure specified in any certificate or the period for which such certificate has been granted; or

(f) ordering any structural alteration, addition or renewal to be made in or to a boiler which contravenes the design code, or refusing sanction to the making of any structural alteration, addition or renewal in or to a boiler based on approved drawings may, within fifteen days of the communication to him of such order, refer appeal to the Board.

(2) | The Board shall communicate the decision in thirty days of receipt of an appeal, and pending final decision of the Board may grant interim relief to the owner.

18. Finality of orders.— An order of the Board under section 17 shall be final and shall not be called in question in any court.

19. Minor penalties.— Any owner of a boiler who refuses or without reasonable excuse neglects—

(a) to surrender a provisional order as required by section 9;

(b) — to produce a certificate or provisional order when duly called upon to do so under section 14; or

(c) to hand over to the new owner of a boiler a Registration Certificate or provisional order as required by section 14,

shall be punishable with fine which may extend to ten thousand rupees.

Substituted for the words "Provincial Government" by the Punjab Boilers and Pressure Vessels (Amendment) Act 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.2..

“[20. Illegal use of boiler and pressure vessel.— (1) The owner of a boiler or pressure vessel who, in any case in which a registration certificate or provisional order is required for its use under the Ordinance, uses the boiler or pressure vessel either without any such certificate or order being in force or without the assistance or presence of a qualified boiler engineer or at a higher pressure than that allowed thereby, shall be issued a warning to comply with the such provisions of the Ordinance, rules or regulations and within such time as the Chief Inspector may specify.

(2) In case, the order under subsection (1) is not implemented within the specified time, the Chief Inspector shall take such action as may be necessary including the closure of the boiler or pressure vessel or revocation of the registration certificate in the prescribed manner or, if necessary, sealing the factory in the prescribed manner.]

“[21. Penalties.— Any person who:

(a) uses or permits to be used a boiler or pressure vessel of which he is the owner and which has been transferred from any Province to Province of the Punjab without such transfer having been reported as required by section 6; or

(b) being the owner of a boiler or pressure vessel, fails to cause the register number allotted to the boiler or pressure vessel under this Ordinance, to be marked on the boiler or pressure vessel as required by subsection (8) of section 7; or

(c) makes any structural alteration, addition or renewal in or to a boiler or pressure vessel without prior approval when so required under section 12; or

(d) fails to report an accident to the boiler or pressure vessel when so required under section 16; or

(e) hampers with a safety valve of the boiler or pressure vessel so as to render it inoperative at the maximum pressure at which the use of the boiler or pressure vessel is authorized under this Ordinance; or

(f) uses the boiler or pressure vessel without getting it registered under the Ordinance; or

(g) fails to have a periodical inspection certificate issued for the boiler or pressure vessel as prescribed; or

(h) is a manufacturer of boilers or pressure vessels and contravenes the prescribed codes; or

(i) operates the boiler or pressure vessel without the assistance and presence of a qualified boiler engineer or technician—

shall be liable to punishment with imprisonment which may extend to two years but which shall not be less than three months and fine which may extend to

Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.11.

four hundred thousand rupees but which shall not be less than fifty thousand rupees.]

22. Penalties for tempering with registration number, etc.— (1) Whoever removes, alters, defaces, renders invisible or otherwise tampers with the register number marked on a boiler “[or pressure vessel] in accordance with this Ordinance or any law repealed, hereby, shall be punishable with fine which may extend to twenty five thousands rupees.

(2) Tt * * * * *]

(3) | Whoever fraudulently marks upon a boiler “[or pressure vessel] a register number which has not been allotted to it under this Ordinance or any Act repealed hereby, shall be punishable with imprisonment which may extend to two years, or with a fine which may extend to fifty thousands rupees or with both.

23. Limitation and previous sanction for prosecution.— No prosecution for an offence punishable by or under this Ordinance shall be instituted—

(a) after six month of the commission of an offence; and

(b) — without the previous sanction of the Chief Inspector.

24. Trial of offence.— Not notwithstanding any thing in the Code of Criminal

Procedure, 1898 (Act V of 1898) no Court not inferior to that of a Magistrate of the first class shall try an offence under this Ordinance.

“[25. Punjab Boiler and Pressure Vessels Safety Board.— “[1) The Government shall constitute a Board to be called the Punjab Boilers and Pressure Vessels Safety Board for purposes of this Ordinance.

(1A) The Board shall consist of the following:

(a) Secretary to the Government, Industries, Chairperson Commerce and Investment Department;

(b) Director General Industries, Prices, Member Weights and Measures;

(c) an officer not below the rank of an Member Additional Secretary of the Department;

(d) Chief Inspector; Secretary

(e) one person nominated by the Lahore Member

Chamber of Commerce and _ Industry,

®inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

®Qmited by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.12.

®8inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette

(Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

⑧Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act, 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.8.

Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.13.

Lahore;

(f) one person nominated by the Federal Member Chamber of Commerce and Industry,

Islamabad;

(g) two manufacturers of boilers and Members

pressure vessels nominated by the

Government;

(h) two users of boilers and pressure vessels Members

nominated by the Government;

(i) one representative of the Inspection Member Authority nominated by the Government;

(j) a faculty member of the Mechanical Member

Engineering Department of University of

Engineering and Technology, Lahore;

and

(k) a Boiler Engineer nominated by the Member

Government.

(1B) The Board may co-opt a professional member from a public or private sector organization for expert opinion.

(1C) The term of a member, other than an ex officio member, shall be three years.

(1D) The Government may increase or decrease the number of members of the Board.]

*[26. Ad hoc Technical Committee. (1) The Government shall constitute a committee to be called the Ad hoc Technical Committee to execute assignments advised by the Board.

“(2) The Chairperson of the Ad-hoc Technical Committee shall be nominated by the Government on the advice of the Board and the Committee shall consist of the following members:-

(a) a nominee of Federal Chamber of Commerce and Member Industry, Islamabad;

(b) a nominee of Lahore Chamber of Commerce and Member Industry, Lahore;

(c) two manufacturers of boilers and pressure vessels Members nominated by the Government;

(d) two users of boilers and pressure vessels nominated Members by the Government;

(e) one representative of the Inspection Authority Member

*Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act, 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.9.

Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.14.

nominated by the Board;

(f) | Chief Inspector; Secretary

(g) one faculty member of the Mechanical Engineering Member Department of University of Engineering and Technology, Lahore nominated by the Vice Chancellor; and

(h) any other person co-opted by the Committee from a Member public or private sector organization for expert opinion.

(3) | The term of a member, other than an ex officio member, shall be three years.

(4) |The Government may increase or decrease the number of members of the Committee.]

"[27. Filling of vacancies.- The Government shall, within sixty days from the date of occurrence of a vacancy, fill the vacancy in the Board or Ad hoc Technical Committee under section 25 or section 26.]

28. Meeting of the Board.— (1) The Powers of the Board shall be exercised with a quorum of at least seven members of the Board in which representation of the manufacturers and users shall be mandatory.

(2) The Board shall meet once every three months to review the implementation of rules, regulations and other matters on the agenda.

29. Power to make rules.— (1) The Board may, with the approval of the "[Government] by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.

(2) | Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) for prescribing the qualifications and duties of the Chief Inspector, Deputy Chief Inspector and Inspectors;

(b) for regulating the transfer of boilers "[or pressure vessels];

(c) for providing for the registration and certification of boilers "[or pressure vessels] in accordance with the regulations and approved codes under this Ordinance;

(d) for requiring boilers "[or pressure vessels] to be in the charge of persons holding certificates of competency, and for prescribing the conditions on which such certificates may be granted;

Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act, 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.10.

"Substituted for the words "Provincial Government" by the Punjab Boilers and Pressure Vessels (Amendment) Act 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.2.

inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette

(Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

Ibid.

"Ibid.

30.

(e)

(f)

(g)

(h)

(i)

for prescribing the times within which the “[Inspection Authority] shall be required to examine the boiler “[or pressure vessel] as per approved practice or code of examination;

for prescribing the fees payable for the renewal of Registration Certificate and methods of determining the amount of such fees in each case;

for regulating or advising Ad hoc Technical Committee enquiring into accidents;

for determining the mode of disposal of fees, costs and penalties levied under this Ordinance; and

generally to provide advice for any matter which is, in the opinion of the Board, a matter of local importance in the Province.

Power to make regulations.— (1) The Board may, by notification in the official Gazette, make regulations for carrying out the purposes of Ordinance.

(2)

Without prejudice to the generality of the foregoing powers such regulations may provide for all or any of the following matters, namely:—

(a)

(b)

(c)

(d)

100

adopting code and procedures as laid down in international boiler ~[or pressure vessel] code for materials, design and construction which shall be required for the purpose of registration and certification of a boiler “[or pressure vessel] under this Ordinance;

for prescribing the circumstances in which the extent to which, and the conditions subject to which variations from the standards laid down under international boiler “[or pressure vessel] codes may be

permitted;

for prescribing the method of determining the maximum pressure at which a boiler “[or pressure vessel] may be used;

for regulating, the registration of boilers “[or pressure vessels], prescribing the fees payable thereof, the drawings, specifications, certificate, particulars to be produced by the owner, the method of preparing a boiler “[or pressure vessel] for examination by [Inspection Authority], the method of marking the register number, the

^oSSubstituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

“Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

Ibid.

"bid.

2 1bid.

"bid.

‘Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

"bid.

"Substituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

period within which number is to be marked on the boiler “or pressure vessel], selection and regulating the rules for Inspection Authority and nomination of [Inspection Authorities] for boiler “[or pressure vessel] insurance;

“T(e) excluding and exempting a pressure vessel from registration, inspection and certification;

(f) prescribing the time within which the Inspection Authority shall be required to examine a pressure vessel as per approved practice or codes of examination; and

(g) regulating examination of boiler engineers and their certification.]

114

[31. Breach of rules and regulations.— (1) Any rules or regulations made under section 29 or section 30 may provide that a person or company contravening such rules or regulations shall be warned by the Chief Inspector to take such remedial action within such time as the Chief Inspector may specify.

(2) In case, the remedial steps are not taken within the specified time, the Chief Inspector shall take necessary action to stop illegal use of the boiler or pressure vessel, including the closure of the boiler or pressure vessel, revocation of the registration certificate in the prescribed manner or, if necessary, sealing of the factory in the prescribed manner.]

32. Previous publication of rules or regulations.— (1) The power to make rules and regulations conferred by sections 29 and 30 respectively shall be subject to the condition of the rules and regulations being made after previous publication.

(2) | The rules and regulations so made shall be published in the official Gazette and on such publication, shall have effect as if enacted in this Ordinance.

33. Recovery of fees, etc.— All fees, costs and penalties levied under this Ordinance shall be recoverable as arrears of land revenue.

112

[34. Application of the Ordinance to the Governments.— Save as otherwise expressly provided, this Ordinance shall be applicable to boilers and pressure vessels belonging to the Government, Federal Government, local government or any other Provincial Government.]

“Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

*8Substituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

‘Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

“Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.15.

"Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.16.

"Substituted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.11.

35. Power to suspend in case of emergency.— (1) The [Government] may, by notification in the official Gazette, with the consultation of the Board, exempt from the operation of this Ordinance, subject to such conditions and restrictions as it thinks fit, any boilers [or pressure vessels] or classes or types of boilers [or pressure vessels] used exclusively for the heating of buildings or the supply of hot water.

(2) In case of any emergency the “[Government] may, by general or special order in writing, exempt any boilers [or pressure vessels] or any class of boilers [or pressure vessels] from the operation of all or any of the provisions of this Ordinance.

36. Inspection by “[Inspection Authority or, as the case may be, the Inspector].- (1) The [Inspection Authority or, as the case may be, the Inspector] shall carry out inspection of boilers “[or pressure vessels] at the first registration as well as subsequent inspections as defined in the Ordinance.

(2) |The “[Inspection Authority or, as the case may be, the Inspector] shall be approved by the Board for the purposes of this Ordinance, and shall have qualified personnel and necessary skill to carry out the inspection and examination of boilers [or pressure vessels] within the scope and under the guidelines of any approved code.

(3) The “[Inspection Authority’s or, as the case may be, the Inspector’s] technical personnel shall be approved by the Board for the purposes of this Ordinance.

37. Insurance of boilers.— All boilers shall be insured against damage due to accidents as per the existing laws and standards.

38. Repeal and saving.— (1) The Boilers Act, 1923 (V of 1923), is hereby repealed.

"Substituted for the words “Provincial Government” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.2.

"Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

"Sibid.

"Substituted for the words “Provincial Government” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2013 (XX of 2013); and published in the Punjab Gazette (Extraordinary), dated 3.9.2013, pages 805-807, s.2.

"Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

"8 ibid.

"® Substituted for the words “insurance company” by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

bid.

"Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

"Substituted for the words "insurance company" by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

"³Inserted by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

"Substituted for the words "insurance company" by the Punjab Boilers and Pressure Vessels (Amendment) Act 2017 (XI of 2017), published in the Punjab Gazette (Extraordinary), dated: 31 May 2017, pp. 7673-7677, s.2.

(2) Any boiler registered, certified or licensed under the Boilers Act, 1923 (V of 1923), shall be deemed to have been registered, certified or licensed under this Ordinance.

(3) Notwithstanding the repeal of the Boilers Act, 1923 (V of 1923), the rules and regulations made under the said Act, and in force immediately before the commencement of this Ordinance, shall, mutatis mutandis and in so far they are not inconsistent with any of the provisions of this Ordinance, shall continue in force until repealed or altered by rules or regulations made under this Ordinance.