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2. A step by step process guide to obtaining a verification permit

- Purchase a copy of the relevant specifications: for appliances that connect directly to the gas cylinder only SANS 1539 is required or, for appliances that connect to a gas cylinder with a flexible hose but without a regulator, SANS 1539 and SANS 1156-2 are required or,
- For appliances that connect to a gas cylinder with a flexible hose but that also require a regulator, the required specifications are SANS 1539, SANS 1237 and SANS 1156-2
- Read and fully understand the specification requirements as they apply to your appliance(s)
- Review your appliance(s) for compliance before submitting for testing (call the LPGSASA if you need help in interpreting the specification)
- If you are an importer, send a copy of the relevant specification to your supplier together with your comments covering any points where you feel modifications to the product may be required to ensure compliance. Note that in order to assist importers and manufacturers it is possible to order SABS Standards to be sent to an email address upon proof of payment being submitted to the SABS Standards sales office. The emailed files are in pdf format and will require Acrobat Reader to be installed on the PC to be able to read and/or print out the files.
- If you are a local manufacturer, make any modifications to the product before submitting for testing as this will save time and possibly money. There is no point in submitting an appliance for testing if you already are aware of aspects of the tests that the appliance will fail.
- Upon completion of the tests you will be sent two copies of the Test Report by the Test House. If there are any non conformance issues these will be highlighted in the Test Report. Do not submit such a report to the LPGSASA as a Verification Permit cannot be issued if the Test Report contains failures. The correct course of action is to collect the appliance from the Test House, correct the faults and then re submit for a re test only on the aspects that failed. Make sure when re submitting that the Test House is aware that only the previous failures are to be re tested.
- When you receive the final Test Report that indicates full compliance then submit one of the two original copies to the LPGSASA in order for the Verification Permit to be issued. The Test Report should be accompanied by a completed original form B making sure you have read the specific conditions applicable to the issue of the Verification permit.
- Form B and the permit conditions are available for download from the LPGSASA website.

(5b) At any trial, any document purporting to be a certificate or statement by an approved inspection authority and in which it is alleged that the article, substance, plant, machinery or health and safety equipment forming the subject of the charge complies with the requirements prescribed in respect thereof or with a particular standard, shall on its mere production at the trial by or on behalf of the accused be accepted as prima facie proof of the facts stated therein.

6.12 Conclusion

The Safe Appliance Scheme as developed jointly by the DoL and LPGSASA is intended to maintain the LPGas safety record by protecting consumers from being exposed to unnecessary hazards and risks.

It is the intention of the DoL and the LPGSASA to eliminate non-compliant goods being manufactured or imported or dumped, while not creating a barrier to safe appliances being imported or manufactured in the RSA.

SANS 1539 is the only safety standard to which all LPgas appliances must comply. It has evolved over time and has been regularly revised to meet current suppliers' needs. Its development has at all times been transparent and open and any person wishing to contribute by joining a SABS working group or attend a particular meeting on a specific topic.

The LPGSASA:

- is the DoL's agent which assists the DoL inspectors to police the verification Permit system that ensures compliance with the OHS Act.

- does not issue prohibition notices but will be an expert witness and the assistant to a DoL inspector who will issue the prohibition notice.

- does not prosecute but will act as a prosecutor's expert witness in the case of a prosecution.

- does not confiscate stock of non compliant appliances but will assist the DoL in preventing the sale of such appliances

The scheme is well supported with over 95% of appliance suppliers having already had their products verified by a permit.

The venue for meetings shall, except if otherwise agreed upon from time to time, be the Head office of the LPGSASA, at Roan House, 263 Kent Avenue, Ferndale, Randburg. After the committee's acceptance of the product, the manufacturer or importer will be issued with an LPGSASA Verification Permit indicating such acceptance and any agreement that will have to be reached with the manufacturer or importer.

A copy of the Test Report of compliance will be kept and filed by the LPGSASA. The committee comprising of representatives from the above organisations will serve as voluntary members only, and not for gain, other than for the reimbursement of agreed costs, where applicable.

3.1.3 Delegation of duties

The committee nominates the General Manager of the LPGSASA to be responsible for such duties as laid down in the System of Appliance Verification and Control, and any other duties, as may be required from time to time, on condition that such actions will always be confirmed by the committee.

3.1.4 Disciplinary action

Where disciplinary action is deemed necessary, the matter shall be referred to the Department of Labour for action.

3.1.5 Amendments

The committee retains the right to amend the Terms of Reference, after such proposed amendments have been presented to and accepted by the LPGSASA Board of Directors.

3.1.6 Limitation of liability of committee members

No committee member shall be liable for any loss, damage or misfortune which shall happen in the execution of the duties of this office or in relation thereto, unless the same happens through his own dishonesty, negligence or default, breach of duty or breach of trust.

3.2. The system of appliance verification and control

3.2.1 Definitions

For the purposes of this schedule, the following definitions shall apply:

Acceptance

Acceptance by the Safe Appliance Acceptance Committee of the LPGSASA in respect of proven compliance after testing and verification of suitability for distribution in respect of the requirements of the relevant SANS Standard.

Agreed

Agreed in writing between the Safe Appliance Acceptance Committee, the manufacturer or the dealer, or the approved testing authority, as relevant.

Dealer

A merchant, agent or importer as relevant.

LPGSASA Safe Appliance Mark

A mark registered, issued and controlled by the LPGSASA that may, on request, be applied to an appliance which will indicate that it has been verified and accepted by the Safe Appliance Acceptance Committee.

6.9 OHS Act Section 10 (4) - General Duties of Manufacturers etc.

Where a person designs, manufacturers, imports, sells or supplies an article or a substance for or to another person and that other person undertakes in writing to take specific steps to ensure that the article or substance will comply with the prescribed requirements and will be safe and without risk to health when properly used, the undertaking shall relieve the first-mentioned person from the duty imposed upon him by this section to an extent as may be reasonable having regard to the terms of the understanding.

3. The supplier can do nothing

The supplier ignores the regulations and continues to sell his product into the market, The DoL will then take action based on evidence provided by the LPGSASA. The DoL will purchase, at their cost, a representative sample of appliances from the market place and have each and every appliance tested separately by the Test House.

If the product fails to comply, the DoL Inspector will issue a Prohibition Notice preventing the sale of the appliance, and will require that all appliances already sold be recovered. Proof of the destruction or removal of the product from the RSA will also be a requirement.

The Public Prosecutor will impose a fine. He will also claim the recovery of all the DoL and the LPGSASA's administration costs including the inspector's time and travel, the costs of purchasing samples of the appliance at market prices, the test house costs for separately testing each appliance in the sample batch and any other costs that may have been incurred in establishing non-compliance.

This legal process has already been successfully tested. A major wholesaler sold dangerous gas regulators which had been dumped in RSA. These were bought by the wholesaler and were being sold to the unsuspecting public. The non compliance of the regulators in question was explained to the wholesaler as well as the legal requirement to ensure that such items were proven to comply before offering them for sale. The wholesaler was asked by the LPGSASA to withdraw the regulators but ignored the request. A Prohibition Notice was served on the wholesaler by a DoL Inspector, preventing the sale of the regulators in question (or any other that did not comply). Samples were subsequently purchased and tested. These were found not to comply. It was later found that the wholesaler continued to sell the regulators after the Prohibition Notice was served.

The outcome was that the wholesaler was successfully prosecuted and fined.

6.10 LPGSASA's Role

The LPGSASA is acting as an Inspection Authority as defined in the OHS Act, when it carries out the verification process on behalf of the DoL as their agent. If compliance is proved it will result in the Safe Appliance Acceptance Committee issuing the Permit verifying that a particular sample appliance meets the requirements of SANS 1539 or one of its related standards.

OHS Act Section 1 - Definition

'**Inspection Authority**' means any person who with the aid of specialised knowledge or equipment or after such investigations, tests, sampling or analysis as he may consider necessary, and whether for reward or otherwise, renders a service by making special findings, purporting to be objective findings, as to -

the question of whether any particular standard has been or is being complied with, with respect to any work, article, substance, plant or machinery, or with respect to work or conditions prevalent on or in any premises, or with respect to any matter, and by issuing a certificate, stating such findings, to the person to whom the service is rendered;

Such test report of compliance is not an entitlement to use the LPGSASASafe Appliance Mark or any other acceptance mark.

3.2.5 Acceptance of an appliance:

The test report shall be presented to the committee for perusal, consideration and acceptance. Acceptance of the sample and its test report will be construed as acceptance of all future appliances of the same type and design. Acceptance of appliances will be considered at regular meetings. Such acceptance shall be subject to a written agreement between the manufacturer/importer and the committee regarding future control of the appliance in the market place and an assurance that all steps will be taken to ensure the continued compliance of the products distributed in the market place. Such decision will be influenced by the type of appliance, any appliance quality mark or certification system applicable to the Appliance.

3.2.6 Alterations to an appliance:

When an accepted appliance has been altered in any way (other than cosmetic) the committee must be notified in writing and the altered product shall be presented to the testing authority for re-evaluation. Only the relevant alterations need to be tested unless the Safe Appliance Acceptance Committee deems it necessary for the complete appliance to be tested.

The resulting test report shall clearly identify the alteration and the results of the evaluation or tests. The test report shall be presented to the committee for verification acceptance, numerical identification and filing.

3.2.7 Appliance control after acceptance:

After acceptance of an appliance, based on a report of compliance from the approved testing authority, future distribution of the appliance will be subject to a written agreement between the committee and the manufacturer or dealer regarding the continued compliance of the appliance (see also 3.3 below).

3.2.8 Liaison between the committee, testing/inspection authority and manufacturer/importer:

All problems regarding initial testing such as non-compliance, adjustment of appliances, rectification, re testing etc., shall be resolved between the testing authority and the manufacturer/importer.

Any problems regarding ongoing appliance control or non-compliance during ongoing appliance control, shall be dealt with as agreed (see Permit conditions).

In the case of non-compliance, the committee has the authority to withdraw its acceptance of a particular appliance or range of appliances at any time. The manufacturer/importer will be advised of such intention, in writing, and given two weeks to resolve the problem with the committee or remove these appliances from the market place.

3.2.9 Liaison between the committee and the Department of Labour

A list of accepted appliances will, at regular intervals, be forwarded to the Department of Labour for their information. In addition the committee will provide the Department of Labour with a list of appliances that are a) known not to comply with the relevant SANS Standard and b) those appliances that have been proven not to comply.

6.5 Supplier Duties - OHS Act

There is a misconception that the OHS Act is limited to a physical location workplace and does not apply to activities away from a specific place. The act of selling an appliance is work that is not necessarily location bound but is nevertheless encompassed by the OHS Act.

OHS Act Section 1 - Definition

'sell' includes - (a) offer or display for sale or import into the Republic for sale;

The fact that appliances are sold to persons that are not employees does not exonerate the need to comply with the provisions of the Act. The act of selling is carried out either by sales staff of an employer or directly by the owner of the sales outlet. It is immaterial who does the selling, as there are legal consequences in terms of the OHS Act to the activity of selling appliances in that the user must not be exposed to a dangerous situation by the activity.

6.6 OHS Act Section 9(1) - General Duties of Employers and Self-Employed Persons to Persons other than their Employees

(1) Every employer shall conduct his undertaking in such a manner as to ensure*, that persons other than those in his employment who may be directly affected by his activities are not thereby exposed to hazards to their health and safety.

(2) Every self-employed person shall conduct his undertaking in such a manner as to ensure*, that he and other persons who may be affected by his activities are not thereby exposed to hazards to their health and safety.

*Oxford English Dictionary - Ensure

Make sure (a problem) does not occur *Indicates: as far as reasonably practical*

OHS Act Section 1 - Definition

'reasonably practicable' means having regard to -

(a) the severity and scope of the risk concerned; (covered by SANS 1539)
(b) the state of knowledge reasonably available concerning that hazard or risk and of any means of removing or mitigating that hazard or risk; (SANS 1539 is knowledge that is available)

(c) the availability and suitability of means to remove or mitigate that hazard or risk;

(compliance with SANS 1539 is a suitable means)

(d) the cost of removing or mitigating that hazard or risk in relation to the benefits derived therefrom; (the cost of a test amortised over all units sold is not high)

SANS 1539 is the minimum national standard of safety for an appliance and its related equipment, and the acquisition of a Permit is both available and a suitable means of mitigating the hazard and the risk, and is offered free of charge by the LPGSASA to all who wish to take up the offer.

An appliance with its assembly of pipes valves and burners is a fuel gas system, which must be connected to another fuel gas system consisting of an assembly of regulator, hose or pipes all form one fuel gas system for the purpose of conveying LPG safely from the cylinder to the burning point.

OHS Act Section 1 - Definition

'gas fuel system' means an assembly of tubes, pipes or similar ducts, fittings and valves for the process and conveyance of a gas fuel.

The supplier has a duty to ensure that the product supplied is in a safe working condition

It is recognised that the development of an in house QMS happens over time and complete implementation is not an instant happening. That being the case the Safe Appliance Acceptance Committee will be guided by the LPGSASA's auditor reports regarding the Permit status. Upon acceptance of the in house system, permits will be issued for a 3 year period

3.3.4.2 Audits will be undertaken by the LPGSASA on a cost basis. This cost will be waived for full hardware members of the LPGSASA. In the event that a supplier chooses to use the services of an independent, accredited, third party inspector, then that supplier shall be responsible for the costs of the audit. This applies to members and non members.

3.3.4.3 Should the manufacturer not present acceptable evidence of the continued currency of the previously accepted in house QMS then, unless the manufacturer provides written proof of the intention to continue with QMS e.g. by the provision of a confirmed date for a further audit, within 4 weeks of a request for such proof, the appliance(s) for which a Permit has been issued to that manufacturer shall be re-submitted to the on of the accredited test houses for a re-test.

3.3.4.4 In the event that the manufacturer does not submit the products for a re-test within 4 weeks from the date of the notice advising of the requirement for such action, then the Permit(s) will be withdrawn.

3.3.4.5 As a concession and to assist smaller local manufacturers, on presentation of a set of dimensioned product drawings, a Bill of materials and a preferred supplier list, permits will be issued for a 2 year period.

3.3.5 Imported appliances where the manufacturer has a QMS other than ISO 9000 or UL.

Full written details of the specific QMS together with documented information on the status of any external auditors will need to be presented to the Safe Appliance Acceptance Committee. In the event that the committee grants an acceptance of the QMS, the same requirements and conditions would apply to that of an ISO 9000 or UL listing.

3.3.6 Imported appliances where the manufacturer does not have an acceptable QMS

3.3.6.1 The importing agent that has an ISO rating for the local operation may present an inspection/batch testing plan for every shipment received, providing such plan is recognised as a part of the normal operating procedures, and audited as such by the external auditors responsible for issuing the ISO 9000 certification. In such cases the Permit(s) shall be issued subject to the same terms and conditions applicable to that where the manufacturer has its own ISO or UL listing

3.3.6.2 The importing agent that does not have an ISO rating for the local operation may present an inspection/batch testing plan to be applied to every shipment received, providing such plan is subject to audit by the LPGSASA or a recognised external auditor.

In such cases the Permit(s) shall be issued subject to the same terms and conditions applicable to that where the manufacturer has its own internal QMS

3.3.6.3 In the event that an acceptable batch inspection/testing plan is not presented, then a sample quantity from each shipment shall be presented to the applicable Test House for examination and or limited testing. The details of the sample quantity required will be advised on a per shipment basis. The costs associated with this are for the manufacturer's or importer's account.

The LPGSASA volunteered its services to the DoL and jointly formed the Safe Appliance Acceptance Committee to introduce a cost effective system for the control of gas appliances and to target non-compliant goods.

The LPGSASA acts as an agent for the DoL (for no reward) by providing the expertise and manpower the DoL lacks for the management and control and issuing of permits that deem gas appliances to be safe.

6.2 Department of Labour (DoL) - Regulatory Options & Legal Status

SANS 1539 was referenced in the old Machinery and Occupational Safety Act (MOSA) and has in fact been law for about 20 years.

The DoL had two choices by which they could re-establish the SANS 1539 Safety standard and enforce it as a safe appliances law. This was to either make it a Compulsory Specification or to reference it in the OHS Act. Both methods have the same consequences.

A Compulsory Regulation:

To make SANS 1539 a compulsory specification, would mean that the specification itself becomes a law in its own right.

A compulsory specification can be introduced via the SABS Regulatory Department controlled by the Department of Trade and Industry (DTI).

Customs would then control the import of the goods at the point of entry in the same way that they presently control electrical appliance imports.

The disadvantage of this method is that every appliance manufactured locally would bear the costs of an ongoing levy and all imported appliances would bear that levy and a customs excise duty imposed by DTI.

Appliances would have to be tested prior to import to prove compliance with SANS 1539 before customs would release them into RSA. *(Electrical goods often lie in bond for months waiting for proof of compliance for clearance, and may even get turned back.)*

The ongoing levy and excise duty is the feature of this system *(and the one being favoured by the Department of Mineral and Energy (DME) for Natural Gas in the future).*

This system creates a non-value adding cost on the appliance, over and above the cost of testing for compliance, which is still required.

Regulation by Reference:

By referencing SANS 1539 in the OHS Act the DoL makes it a law by reference. The system needs to be self-regulating by the industry for it to be successful.

This method's compliance is controlled and policed by the Inspectors of the DoL without the need for a levy or excise duty.

A consequence of this method is that a system has to be introduced whereby every appliance, whether manufactured locally or imported, needs to be verified as being compliant with SANS 1539, by means of a permit, before it can be sold or marketed.

Appliances have to be proved compliant with SANS 1539 prior to sale or else they are automatically deemed to be non-compliant. *(OHS Act section 39 (5)(a))*

Once the test proves that the sample appliance is compliant, a permit is issued verifying this compliance, which then permits the future sale of all similar appliances deemed to be identical in all respects to the tested appliance.

Where these premises are in the Gauteng region these visits are generally managed by the test authority for the LPGSASA without cost to the manufacturer/importer. For visits to the coastal regions however, there is a cost that needs to be recovered. This will be discussed on an individual basis.

6. Question:
How can I get advice on potential problems before submitting products for testing?

Answer:
The LPGSASA undertakes this at no cost. Contact your nearest Technical advisor (see the back cover for contact details).

7. Question:
How long does it take for the tests to be done?

Answer:
Normal lead time is two to four weeks depending on the workload at the Test House when the appliance is submitted. An additional week may be required for the preparation of the Test Report.

8. Question:
What do I do when I have the Test Report?

Answer:
You now need to apply for the Appliance Verification Permit and in order to do so the LPGSASA requires the original of the Test Report. The onus always rests with you to ensure that the LPGSASA receives either the original Test Report or a certified copy of it.

9. Question:
How do I obtain a Permit for my LPG Appliance?

Answer:
The LPGSASA has been mandated in terms of the OHS Act to verify LPG Gas appliances as being in compliance with SANS 1539. The Permit and Permit number will therefore be issued by the LPGSASA. The basis for this verification will be a Test Report produced by a Test House that is recommended and acceptable to the LPGSASA. You are also required to complete an Application for a Safe Appliance Verification Permit, Form B. This form also requires you to describe the method of control to be applied by yourself to ensure ongoing compliance with SANS 1539.

By signing Form B, you are indicating acceptance of the conditions for a Permit (see Form E - available as a download from the LPGSASA website). The LPGSASA requires both the following original documents to be on file:

- The Test Report
- The Application for a Safe Appliance Verification Permit (Form B)

10. Question:
Can I test market a limited quantity of a new product prior to having the product tested in order to save the testing cost, as I may discontinue the product if the test market programme indicates that it would be prudent to do so?

Answer:
No products may be sold without being proven to comply with SANS 1539. It is not possible in terms of the legal requirements to grant exemptions for the purpose outlined in the question.

6. Question:
How do I apply for the use of the LPGSASA Safe Appliance Mark?

Answer:
On request, the LPGSASA will send you an Invitation Letter from the Marketing Department inviting you to apply for the LPGSASA Safe Appliance Mark, and will include the Application for the LPGSASA Safe Appliance Mark (Form H) and the LPGSASA Safe Appliance Mark's Specific Conditions for the use of the Mark will be attached.

Should you decide to apply for the use of the Mark you must complete Form H and return it to LPGSASA together with your initial payment if you are not already a Hardware Member.

On receipt of Form H at the LPGSASA, once payment or waiver of payment has been confirmed, permission to use the LPGSASA Safe Appliance Mark will be granted in writing and recorded on the Data Base and Web site.

The LPGSASA will issue a 'letter of authority' against a specific Permit Number or Permit Numbers, granting you, the Permit Holder, permission to use the LPGSASA Safe Appliance Mark for your promotional and sales purposes for the specific appliance covered by that Permit. The LPGSASA Marketing Department will make printing details of the LPGSASA Safe Appliance Mark available on request.

7. Question:
May I put the LPGSASA Safe Appliance Mark on my Letterheads?

Answer:
The LPGSASA Safe Appliance Mark is not a corporate mark and must not be advertised in that manner, as that would be implying that every appliance you sell carries the LPGSASA Safe Appliance Mark. It has been disallowed as a condition of the use of the LPGSASA Safe Appliance Mark in order to eliminate any possible unscrupulous behaviour that could arise.

The LPGSASA Safe Appliance Mark is issued for a specific appliance and can only be used in the promotion of that product. You will not be allowed to use it on any other appliance for which it was not awarded. To do so constitutes fraud.

8. Question:
Is the LPGSASA Safe Appliance Mark the equivalent of the SABS Mark?

Answer:
The two Marks must not be confused:

The LPGSASA Safe Appliance Mark

- it is a voluntary mark
- it is only a product mark and not a corporate mark.
- it is a safety mark for public identification for appliances having been verified as compliant.

It is not a guarantee that the appliance is safe. It is, by implication of a single sample of the product having been tested and declared to be in compliance with the standard, that all similarly manufactured products are also to that standard.

The use of the LPGSASA Safe Appliance Mark will be monitored on a random basis in the field and the very efficient "whistle blowing" system in the LPG Gas industry will highlight irregularities in the use of the LPGSASA Safe Appliance Mark.

15. Question:
What is the renewal period for the Permit?

Answer:
Permits are issued for a 1 to 3 year period depending of the Quality Management System information submitted at the time the Permit Application. Renewal of the permit will be reviewed just prior to the review date indicated on the Permit. Permi holder will be contact at the appropriate time in this regard.

If the appliance varies from the appliance tested it will invalidate the Permit. A non-compliant appliance will not be covered by the Permit in terms of the OHS Act. If SANS 1539 is amended, you are allowed six months to ensure that your appliance complies with the new amendment. Not to do so will invalidate your Permit.

16. Question:
As a Permit holder may I use the LPGSASA Safe Appliance Mark?

Answer:
The Permit does not allow or give you a right to use or to refer to the LPGSASA Safe Appliance Mark. This right is reserved for Permit Holders that are paid up Hardware Members of the LPGSASA. Non-members who are Permit Holders can purchase this right at an annual fee per permit or they can, of course, become members.

17. Question :
Is it compulsory to display my Safe Appliance Verification Permit number. If so, how shall this be done ?

Answer :
All appliances within a range of appliances that have been awarded a Permit number shall clearly display that number, so that it is identifiable to the general public. Your options for the use and display of the Permit number are the following:

- it can be displayed on the packaging, or
- it can be printed on the information/safety instruction leaflet, or
- it can be attached as a sticker to the appliance, or
- it can be hard stamped onto the body of the appliance.

18. Question:
Is the Safe Appliance Verification Permit the same as or equivalent to the SABS Mark?

Answer:
The two permits are very different in their use and function.

The SABS Mark

Whilst there are products for which the SABS mark is a mandatory requirement, this is not the case with respect to appliances. It is a manufacturer's choice whether to apply for the SABS Mark for use on appliances or not.

It is a Quality Assurance System for a manufacturing company for complying with all the agreed standards (SANS 1539) and processes involved in the production of the appliance.

It is a corporate system, offered by SABS, that allows for the application and use of the SABS Mark with letterheads and other corporate images as well as it being a product safety mark.

It is the company itself that is awarded the SABS Permit and not a specific product. The ongoing audit by SABS guarantees that all the methods, processes and procedures are continually adhered to and managed, thus ensuring ongoing consistency of the product. Non-compliance in the use of the Mark will be vigorously followed up by the SABS.

The penalty for non-adherence with the system would be the withdrawal of the use of the SABS Mark and all the allied monitoring processes and benefits. If the SABS Mark has been used to prove ongoing compliance then its withdrawal means that an alternative method needs to be presented to the Safe Appliance Acceptance Committee to ensure continued use of the Verification Permit.

The Safe Appliance Verification Permit

This is not a voluntary system. It is a requirement of the OHS Act that all appliances shall comply with SANS 1539 and be proven to do so. It is a registration system for which a Safe Appliance Verification Permit and number is issued by the LPGSASA. It is a product specific system and not a corporate system.

The Permit number covers a specific range of appliances for which one sample was tested, and was found to be in compliance with SANS 1539. It is by implication that all future appliances of the same type or model are deemed to be in compliance with the standard.

The supplier has to satisfy the LPGSASA Safe Appliance Acceptance Committee that there is sufficient control to ensure that future appliances will continue to conform to SANS 1539.

There is no guaranteed ongoing audit programme but rather a system of random field checks and the use of the very efficient "whistle blowing" that is prevalent in the LPG Gas industry.

Non-compliance with SANS 1539 is an offence in terms of the OHS Act.

Appliances for which the Safe Appliance Verification Permit has been awarded, will have their Permits invalidated if the appliance varies from the standard, as it can be considered to be no longer compliant. The danger to the supplier is that the consequences will then, in terms of the OHS Act, be as severe as if no permit had been obtained at all.

The legal recourse will be through the Department of Labour and the Criminal Courts in the cases of fraud.

This concludes the explanation of the compulsory and legal requirements

5. Frequently asked questions on the LPGSASA and SABS Marks

This section deals with the Safe Appliance Mark available from the LPGSASA. This is a voluntary marketing process and not a legal requirement.

1. Question:

What is the LPGSASA Safe Appliance Mark?

Answer:

The LPGSASA Safe Appliance Mark is a registered Safety Trade Mark of the LPGSASA. The intention is that the general public should be able to easily identify an inherently safe appliance by becoming familiar with the symbolic meaning of the LPGSASA Safe Appliance Mark. (Not to be confused with the SABS Mark. See Question 8 below)

2. Question:

Who may use the LPGSASA Safe Appliance Mark?

Answer:

Safe Appliance Verification Permit Holders who are paid up Hardware Members of the LPGSASA will be awarded the use of the LPGSASA Safe Appliance Mark for the promotion and sales of their appliances that have been issued with a Permit number.