



Department for the

**Economy**

An Roinn

**Geilleagair**

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**Date: 08 06 2026**

Dear Peter

**SL1 – THE GAS SAFETY (INSTALLATION AND USE) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2026**

**Powers under which Rule is being made**

The Department for the Economy ("DfE") proposes to make a new Statutory Rule, the Gas Safety (Installation and Use) (Amendment) Regulations (Northern Ireland) 2026 ("the proposed Regulations") under powers conferred by Articles 17(1), (2) and (5) and 55(2) of, and paragraphs 1(1) and (2) and 15 of Schedule 3 to the Health and Safety at Work (Northern Ireland) Order 1978 (S.I. 1978/1039 (N.I. 9)) ("the 1978 Order"). The Statutory Rule is subject to the negative resolution procedure before the Assembly.

**Purpose of the Statutory Rule**

The Gas Safety (Installation and Use) Regulations (Northern Ireland) 2004 ("the GSIUR") make provisions in respect of the installation and use of gas fittings for the

purpose of protecting the public from dangers arising from the distribution, supply or use of gas.

The purpose of the Statutory Rule is to amend the GSIUR to introduce flexibility in timing of landlord's annual gas safety checks, defects recording, disapplication for compressed natural gas (CNG) filling stations, amending exemption certificates and designation of Service Layer Engineers (SLEs).

The key changes introduced by the proposed Statutory Rule is set out below.

### Part 1: Flexibility in timing of landlords gas safety checks / defects recording

At present, under Regulation 36(3)(a) of GSIUR landlords are required to carry out gas safety checks on their properties “.....*at intervals of not more than 12 months since it was last checked for safety...*”.

In order to ensure that checks are carried out at intervals of not more than 12 months many landlords start the process for gaining access to properties at around 10.5 months after the last check, according to a GB survey carried out by CORGI Technical Services. However, since in about 75% of cases landlords do gain access promptly, this leads to a shortening of the safety check cycle year-on-year. If landlords carry out a gas safety check every 10.5 months this results in 10 annual gas safety checks being completed over a 9 year period, instead of the statutory 9.

The proposals will amend the GSIUR by amending regulation 36(3) and the insertion of regulation 36A. The new regulation 36A will allow landlords' gas safety checks to be carried out in a window of between 10 and 12 months after the previous check, but to be treated as if they were carried out on the last day of that 12 month validity, thereby preserving the existing expiry date of the safety check record. HSENI has produced guidance to support the implementation of the proposed changes to explain how the changes will work in practice. This does not include any material on the changes proposed to regulation 36(3)(c)(v) as this change is self-explanatory.

Also proposed is including additional wording in regulation 36(3)(c)(v) to clarify that it is 'safety defects' that should be recorded.

### Part 2: Disapplication for compressed natural gas (CNG) filling stations

Disapplication for compressed natural gas (CNG) filling stations fed by a dedicated metered gas supply from the majority of the requirements of the GSIUR, bringing them in line with other industrial premises.

In January 2016 HSEGB issued a site-specific exemption to most of the GSIUR for CNG refuelling activities. This is because the GSIUR was not the most relevant legislation to manage safety at these sites, and it was felt that other health and safety regulations (such as the Dangerous Substances and Explosive Atmospheres Regulations (Northern Ireland) 2003, the Pressure Systems Safety Regulations (Northern Ireland) 2004 and the Health and Safety at Work (Northern Ireland) Order 1978) adequately covered the situation, and most importantly, there would be no reduction in safety in issuing the exemption.

At the time, consideration was given to whether there was a way to exempt all non-domestic CNG refuelling sites by use of a disapplication of the GSIUR. It is this disapplication that HSENI are consulting on here.

HSENI are proposing a disapplication for dedicated installations, which are primarily used to supply gas to vehicles and that incorporate one or more compressors having motor ratings greater than 5kW, from the majority of the requirements of the GSIUR. This will bring them in line with other industrial premises by excluding them from the scope of the regulations, except for regulations 37, 38 and 41, and subject to regulation 3(8).

### Part 3: Exemption Certificates, Scope of Safety Checks

Amending the GSIUR to incorporate the existing exemption certificate no. 1 to regulation 26(9)(c) which sets out the circumstances where engineers can carry out alternative safety checks when the prescribed tests are not possible and extend

scope to scenarios where it is not reasonably practicable to complete regulation 26(9)(c) checks.

There is currently an exemption to regulation 26(9)(c) of GSIUR which has been in place since 27 September 2016. The purpose of the exemption is to allow engineers to carry out alternative safety checks to those prescribed in regulation 26(9)(c) when it is not possible to measure the heat input and/or measure the operating pressure (no meter present and the appliance incorporates a pre-mix burner and a zero set pressure regulator).

There is now an opportunity to amend the GSIUR to incorporate the current exemption and to broaden it out to include scenarios where it is not reasonably practicable for the heat input and operating pressure to be measured. This would not only include circumstances where there is no meter – currently covered by the exemption – but also where the meter is not accessible or the meter display is not working. To proceed with this broadening of scope would require support with further guidance (which will be developed with industry stakeholders) to help engineers understand what is and not reasonably practicable, and when they can and cannot use combustion analysis as an alternative method to check for safe operation.

It is proposed to achieve these changes by introducing new a sub-paragraph (ca) to regulation 26(9) of the GSIUR.

#### Part 4: Designation of Service Layer Engineers (SLEs) as a “member of a class of persons” under regulation 3(3)

HSENI have considered removing the need for Gas Distribution Networks (GDN) and Independent Gas Transporter (IGT) service layer engineers (SLEs) and the sub-contracted engineers to be Gas Safe registered when carrying out specific meter disconnection activities. These activities are limited to isolation and disconnection at the Emergency Control Valve (ECV) and, where appropriate, removal of the meter. It **does not** include any installation or reconnection activities.

To ensure that safety is not compromised it is proposed to achieve this by designating suitably qualified SLEs as a “member of a class of persons” within the existing regulation 3(3) of GSIUR. This will enable SLEs to carry out meter removal without being Gas Safe registered although employers will still have to ensure that SLEs are competent to carry out the work, as required under regulation 3(1): *“no person shall carry out any work in relation to a gas fitting or gas storage vessel unless he is competent to do so.”*

This change will not require an amendment to the regulations since HSENI can issue a notification of this administrative change.

## **Consultation**

On 2 December 2025, HSENI, with the Minister for the Economy’s approval published a Consultative Document on proposals for making amendments to the GSIUR under the 1978 Order, the Gas Safety (Installation and Use) (Amendment) Regulations (Northern Ireland) 2026. The public Consultation ran from 2 December 2025 to 10 February 2026. The results of that Consultation are summarised at the Annex attached.

## **Position in Great Britain**

In Great Britain, the equivalent Gas Safety (Installation and Use) (Amendment) Regulations 2018 (S.I.2018/139) were made on 5 February 2018, laid before Parliament on 6 February and came into force on 6 April 2018.

The Joint Committee on Statutory Instruments scrutinised and cleared the GB Regulations in its [14th Report](#) dated 28 February 2018.

On 23rd March 2023 HSEGB carried out a [Post Implementation Review](#) of the GB Regulations as required by law and concluded that intervention by regulation is the most effective way to control risk of gas and the regulatory framework provided by the GB Regulations remains a valid means of protecting people and places.

Evidence gathered from surveyed duty holders highlighted that regulation is necessary and effective in keeping people safe. Respondents also believed that the introduction of flexibilities to landlord's gas safety certificates was of benefit. Going forward, HSENI will monitor developments in Great Britain. The Regulations will be reviewed again by 2028 to check they continue to be relevant and deliver their intended objectives.

### **Equality Impact**

The proposals have no equality implications.

### **Regulatory Impact**

HSENI is of the opinion that the analysis and considerations as set out in the [final GB IA](#) can be applied to the north of Ireland on a proportionate basis. The GB figures represent work on a much larger network and a demand on GDNs and IGTs to install smart meters, which is not the case in the north of Ireland. In GB almost 85% of households use mains gas for heating compared to 34% in the north of Ireland. Therefore, HSENI estimates that the total cost to the north of Ireland businesses will be a saving of £341 thousand.

A Northern Ireland Impact Assessment has not been prepared for this Statutory Rule, as it has minimal impact on businesses, charities or voluntary bodies.

### **Financial Implications**

The proposed Regulations would have no financial implications on the Department for the Economy or HSENI.

### **Executive Referral**

The agreement of the Executive is not required.

### **EU Implications**

None. The Rule does not implement any European Directives.

### **Section 24 of the Northern Ireland Act 1998**

The Department has considered section 24 of the Northern Ireland Act 1998 and is satisfied that there are no matters of concern.

### **Rural Impact Screening**

HSENI has considered this matter as part of the development of these proposals and concludes that they will not impact differentially on the needs of people in rural areas of the north of Ireland.

### **Operational Date**

It is proposed that the Rule should come into operation on 13<sup>th</sup> October 2026.

When the Rule together with the Explanatory Memorandum has been laid at the Assembly Business Office the Business Office will submit copies to the Committee.

You will wish to bring this matter to the attention of the Committee for the Economy.

Yours sincerely



**Departmental Assembly Liaison Officer**

c.c. Human Rights Commission