

Supervision Administration Regulation for Manufacture of Boiler and Pressure Vessel

Chapter 1 General Provision

Article 1 Supervision Administration Regulations for Manufacture of Boiler and Pressure Vessel (hereinafter referred to as the "Regulations") is formulated in accordance with the Provisional Regulations on Safety Supervision of Boilers and Pressure Vessels. It is formulated to enhance the supervision administration for manufacture of boiler and pressure vessel products, and assure their safety performance as well as the safety of both human life and property.

Article 2 The boiler and pressure vessel, which are manufactured and/or used inside the territory of P. R. China, shall be subjected to the manufacture licensing system and mandatory supervision inspection for the safety performance of the product.

Article 3 Import and export boiler and pressure vessel shall follow the stipulations of the Law of the P. R. China on Import and Export Commodity Inspection, the Implementation Regulations for the Law of the P. R. China on Import and Export Commodity Inspection, and the Provisions for the People's Republic of China on the Supervision and Control of the Import and Export Boilers and Pressure Vessels. The qualification and administration of manufacture licensing and the supervision inspection of the product safety performance shall be subjected to the Regulations.

Article 4 The boiler and pressure vessel stated in the Regulations are defined as follows:

1). Boilers

1. Pressure-resistant Steam Boilers
2. Pressure-resistant Hot Water Boilers
3. Organic Fluid Heaters

2). Pressure Vessels

1. Various types of pressure vessels for containing gas, liquefied gas and liquid with maximum working temperature no less than its standard boiling point, and the maximum working pressure no less than 0.1MPa (gauge pressure), and the product of pressure and volume no less than 2.5 MPa·l;

2. Various types of gas cylinder containing gas, liquefied gas and liquid with standard boiling point less than 60°C; the maximum working pressure no less than 0.2MPa (gauge pressure) and the product of pressure and volume is not less than 1.0 MPa·l;

3. Medical Oxygen Cabins

The Regulations are not applicable to the boilers and pressure vessels, which are installed in ships, locomotives, air crafts, military equipment, nuclear facility, and the electric or gas fueled hot water heaters with rated thermal power less than 0.1 MW and the output hot water temperature no higher than 90°C.

Article 5 General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China (hereinafter referred to as the "AQSIQ") is responsible for the supervision administration for the manufacture of boiler and pressure vessel as stipulated in the Regulations. All levels of local Quality & Technical Supervision Organization (hereinafter referred to as the "local QTSO") are responsible for the supervision administration for manufacture of boiler and pressure vessel under their jurisdiction. The safety supervision factions of boiler and pressure vessel (hereinafter referred to as the "Safety Supervision Organ") under AQSIQ or local QTSOs are responsible for the particular implementation of the Regulations.

Chapter 2 Manufacture Licensing

Article 6 For the boilers & pressure vessels manufactured and / or used domestically, the manufacturer shall obtain the Boiler & Pressure Vessel Manufacture License of the P. R. China (hereinafter referred to as the "Manufacture License"). The products produced by the manufacturers that have not obtained manufacture licenses are not allowed to sell and use inside the P. R. China.

Article 7 In accordance to the stipulations in Annex 1, the boilers and pressure vessels are divided into four manufacture-licensing levels, Level A, B, C and D.

The Level D manufacture license for both boiler and pressure vessel are issued by provincial QTSOs where the manufacturer locates. For other levels, the manufacture licenses are issued by AQSIQ. The manufacturer license for the manufacturers abroad, who produce any level of boilers and pressure vessels for domestic service, are issued by AQSIQ (hereinafter referred to as "license-issue organ"). Annex 2 is a sample of the manufacture license.

Article 8 The prerequisite to boiler and pressure vessel manufacturers is as follows:

- 1) In possession of the status of a legal person or having registered locally;
- 2) Available for production site, processing equipment, technical ability, and inspection & testing means suitable to manufactured boiler and pressure vessel products;
- 3) An established quality assurance system under effective implementation;
- 4) Ensure the conformity of the basic requirements of national safe-technical standards

on the safe performance of products.

The concrete requirements shall be followed in accordance to the stipulations as

specified in the Requirements for Boiler and Pressure Vessel Manufacture Licensing.

Article 9 For applying a license, the manufacturer shall submit a written application as well as relevant documents to the corresponding safety supervision organ of the license-issue organization. The safety supervision organ should make decision whether or not the application is acceptable within 15 days after having received the application request and required documents.

Article 10 The manufacturer shall make a product as trial-manufacture within the approved scope for auditing after its application has been accepted. In case that the manufacturer failed to complete the trail-manufacture products within two years, the acceptance of its application shall be expired.

Article 11 The safety supervision organ of the license-issue-organ or its authorized audit agency shall conduct manufacturer assessment and corresponding product inspection after the completion of the product trial-manufacture. The submission of the audit report is required. For the product, which type test is required in accordance with the national safety technical standard, the type test shall be performed prior to the manufacturer assessment.

Article 12 The license-issue-organ shall review the audit report and issue the manufacture license to accepted manufacturers. The process for report review and license issuance shall be completed within 25 working days from the receipt date of the audit report. The manufacturers have no access on submission of re-application within 1 year if they failed in obtaining application acceptance or in passing the manufacturer assessment.

Article 13 The particular procedures and requirements for boiler and pressure vessel manufacture licensing shall be conducted as specified in the Procedures for Manufacture Licensing of Boiler and Pressure Vessel.

Chapter 3 Administration of License

Article 14 The license holder is not allowed to produce the boiler and pressure vessel products sold and used in China out of the approved scope listed in its manufacture license.

Article 15 A copy of manufacture license to each boiler and pressure vessel product should be available as accompanying document. The name of manufacturer and license number that indicated on the product nameplate should be the same as in the manufacture license. The certificate of compliance as well as the installation & operation manual of the product accompanying documents shall have Chinese copy.

Article 16 The safety supervision section of the license-issue-organ and the local safety supervision section where the manufacturer locates should check the license holder on the area of license using, manufacturing condition, product quality and

routine control. The manufacturer has obligation to accept aforementioned check.

Article 17 Any alteration, alienation or lending to the manufacture license is forbidden.

Article 18 The valid period of a manufacture license is 4 years. A written application for license renewal shall be submitted to the safety supervision section of license-issue-organ at least 6 months prior to the expiry date of the license if the license holder wants to continuously maintain its validation. If the license holder is qualified the requirements for license renewal, the license-issue-organ will issue a new license to replace the previous one. For the manufacturers having not submitted license renewal application in time or failed to pass the survey for license renewal shall be not allowed to make a new application for manufacture-licensing within 1 year starting from the expiring date of its original license. The manufacturer, who can not submit license renewal application for some special reasons, could ask for deferring the license renewal application to the license-issuing organization. The deferment shall be permissible after approval but shall not exceed 1 year.

Article 19 The license holder, which intends to increase the category, level or items of its licensed products, shall submit a written application to the license-issue organ. The latter shall issue a new license to the manufacturer after completing the procedures of acceptance of the application, completion of the trial-produced products and passed the required audit.

Article 20 The license holder shall timely report to the license-issue organ in case that any change occurred on manufacturer's name, property right or production site. Furthermore, the report is also required if there is any change of the main materiel, structural type, and key manufacturing technology or specifications of the products requiring type test. By reviewing the report, the license-issue organ shall inform the manufacturer the decision whether the changes are acceptable or an additional audit is required or a separate application for manufacture licensing shall be submitted.

Article 21 The manufacture-license in accordance with the Regulation is valid nationwide in China. All relevant local authorities have no free access on duplication of the audit and/or license issuance.

Chapter 4 Supervision Inspection to the Safety Performance of Product

Article 22 The supervision inspection for safety performance of boilers and pressure vessels shall be performed during manufacture process. The products having not conducted or failed to pass the supervision inspection shall not be sold and be used in China.

Article 23 The supervision inspection for safety performance of boiler and pressure vessel of domestic manufacturers shall be performed by qualified inspection

bodies authorized by the provincial QTSO at the manufacturer's location. The inspection body qualified by the safety administration organ of AQSIQ is authorized to conduct the supervision inspection for safety performance of boiler and pressure vessel of overseas manufacturers. \

The inspection body performing supervision inspection shall follow the Supervision Inspection Rules for Safety Performance of Boiler and Pressure Vessel Products and the relevant technical standards, and shall issue the Certificate of Compliance for Supervision Inspection Product for the accepted products.

Article 24 The manufacturer takes full responsibilities for safety performance of products, and should cooperate with the inspection body to carry out the supervision inspection.

Chapter 5 Penalty

Article 25 Any deregulation of this Regulation shall be penalized according to the Administration Penalty Rules for Safety Supervision of Boiler, Pressure Vessel, Pressure Pipe and Special Equipment.

Article 26 Any manufacturers involved in anyone of the following actions shall be ordered to take corrective action. For serious violation, the manufacturer shall be suspended the use of manufacture license (the suspending period shall not exceed 1 year). The manufacture license shall be revoked if the license hold does not take corrective action.

- 1) the safety performance of its products have serious problems;
- 2) no longer satisfying the requirements for manufacture licensing;
- 3) refuse or evade the supervision inspection of product safety performance;
- 4) alter or counterfeit the certificate of compliance for supervision inspection of product.

Article 27 The manufacturer involved in anyone of the following actions, the manufacture license shall be revoked.

- 1) alienation or subtenancy of the manufacture-license.
- 2) providing counterfeit documents such as issuing manufacture license, certificate of compliance for product, etc., for products produced by other manufacturer.
- 3) producing products exceeding the licensing scope of its manufacture license without approval.

Article 28 The license-issue organ shall not accept the re-application submitted by the manufacturer, whose manufacture license being revoked, within 4 years starting from the revoked date of its manufacture-license.

Article 29 Personnel performing safety supervision, licensing audit and supervision inspection shall be investigated under the law when they fail to fulfill the

responsibilities according to the Regulations, abuse power, involve malpractice, cheat and practice favoritism leading to the results turn unlawful. If the results are not enough for a criminal, administrative disciplinary measure will do.

Article 30 If the neglecting one's duty is caused by improper management of audit agency or supervision inspection institution, the audit agency or supervision inspection institution shall be warned, or notified. For serious violation, the commitment or authorization to the inspection body or supervision inspection body shall be abolished.

Chapter 6 Supplementary Provisions

Article 31 The draft and issuance of the Rule for Manufacture-Licensing of Boiler and Pressure Vessel, the Routine Procedure for Manufacture-Licensing of Boiler and Pressure Vessel as well as the Supervision Inspection for Safety Performance of Boiler and Pressure Vessel Products shall be made separately in accordance with the Regulations.

Article 32 The manufacturer shall bear all fees and expenses for licensing audit, supervision inspection as stipulated.

Article 33 The supervision administration for manufacturing safety appurtenances for boiler and pressure vessel, such as, safety valves, rupture discs and gas cylinder valves shall be of reference to the Regulations.

Article 34 AQSIIQ is responsible for the interpretation of the Regulations.

Article 35 The Regulations shall be in effective on January 1, 2003. The Implementation Regulations of Import Boiler and Pressure Vessel safety Quality Licensing System issued on September 29, 1993 by the former Ministry of Labor shall be abolished in the mean time.

Attachment 1

Level Classification of the Boiler and Pressure Vessel Manufacture Licensing

1. Classification of the Level for manufacture Licensing of Boilers

Level	Scope of Boiler Manufacture
A	Without limitation
B	Steam boilers with the rated steam pressure less than or equal to of 2.5MPa (gauge pressure, the same below)
C	Steam boilers with rated steam pressure less than or equal to of 0.8 MPa and rated evaporation capacity less than or of 1 t/h. Hot water boilers with rated output water temperature less than 120jæ
D	Steam boilers with rated steam pressure less than or equal to of 0.1 MPa; Hot water boilers with rated output water temperature less than 120 jæ and rated thermal power less than or of 2.8MW

Notes:

1. Hot water boilers with output water temperature higher than or equal to 120jæ are of Level C or even higher levels depending on the pressure of output water.
2. A higher level license holder of boiler manufacturer has free access to produce boiler products of lower levels.
3. The manufacturers with manufacture license of Level C or higher than Level C may produce organic fluid boilers. For those manufacturers, which solely produce organic fluid boilers, may apply for the qualification of manufacture license for organic fluid boiler only and no Level classification of manufacture licensing is needed.
4. For those manufacturers only producing rather single products, some limitation may be given to their licensing scope, such as, assembles, materials or category of product, etc.
5. Manufacturer may produce the assemblies of boiler to be fitted up to the same Level boiler as in its licensing scope, such as, steam distribution cylinders or water distribution cylinders.

2 Classification of the Level for manufacture Licensing of Pressure Vessels

Level	Manufacturing scope	Typical Products
A	Super-high pressure vessels, high pressure vessels(A1); Category III pressure vessels with lower or medium pressure (A2), Field assembling welding of and petal fabrication for spherical tank (A3) , Non-metallic material pressure vessel(A4) and Oxygen cabin for medical treatment(A5)	For Level A1, structure type should be clearly indicated, such as, single layered, forged-and-welded, coil wounded, hot-shrink-fitted, spiral wrapped, seamless, forging, tube-made pressure vessel.
B	Seamless gas cylinders(B1), Welded gas cylinders(B2), Special gas cylinders(B3)	For Level B2, shall indicate including (or for containing) dissolved acetylene or liquefied petroleum gas cylinders(only); For Level B3 shall indicate for motor-driven vehicles or wrapped, non-rechargeable, vacuum and thermal insulation cryogenic gas cylinder, etc.
C	Railway tanker(C1), Tank truck or tubular trailer(C2),Tubular container(C3)	
D	Pressure vessel of Category I (D1),Low and medium pressure vessels of Category II(D2)	

Notes:

1. The classification of Category I, II, III pressure vessels shall be in accordance with Safe Technical Supervision Code of Pressure Vessel.
2. Super-high pressure vessel: pressure vessels with design pressure higher or equal to 100MPa,
High-pressure vessel: pressure vessels with design pressure higher or equal to 10 MPa and less than 100MPa,
Medium pressure vessels: pressure vessels with design pressure higher or equal to 1.6 MPa and less than 10MPa,
Low-pressure vessel: pressure vessels with design pressure higher or equal to 0.1 MPa and less than 1.6MPa.
3. For fabricating pressure vessels designed by analysis, the manufacturer shall have manufacture license with Level A or Level C.
4. The title under petal fabrication for spherical tank shall include the fabrication of various kinds of heads with diameter lager or equal to 1800mm.
5. For the manufacturers producing rather single products, their licensing scope shall be restricted, such as, giving the limitation of their products or manufacturing process, material, types or use.

Attachment 2

Sample of Manufacture License for Boiler and Pressure Vessel

**MANUFACTURE LICENSE
FOR BOILER & PRESSURE VESSEL
THE PEOPLE'S REPUBLIC OF CHINA**

LICENSE No.

(NAME OF MANUFACTURER)

(LOCATION OF MANUFACTURE)

IS QUALIFIED THE MANUFACTURE LICENSING FOR FOLLOWING
PRODUCTS

SIGNATURE
(AUTHORIZED PERSON)

ISSUE ORGAN

DATE OF ISSUE

ADMINISTRATION ORGAN OF THE LICENSE (FULL NAME OF SAFETY
SUPERVISION ORGAN OF THE LICENSE-ISSUE ORGAN)