

Australian Capital Territory

Gas Safety (Appliance Worker Accreditation Code) Approval 2006

Disallowable Instrument DI2006-239

made under the

Gas Safety Regulation 2001, Subsection 17A(1)

1 Name of instrument

This instrument is the *Gas Safety (Appliance Worker Accreditation Code) Approval 2006*.

2 Commencement

This instrument commences on the day after it is notified.

3 Instrument Revoked

The *Gas Safety (Appliance Worker Accreditation Code) Approval 2002 DI2002-187* is revoked.

4 Approval

I approve the schedule to this instrument as the *Gas Safety (Appliance Worker Accreditation Code)*.

Neil Savery
Chief Planning Executive

ACT Planning and Land Authority
25 October 2006

Definitions

1. In this Approval:

Act means the *Gas Safety Act 2000*;

advanced gasfitter's licence means an advanced gasfitter's licence issued under the *Construction Occupations (Licensing) Act 2004*;

appliance has the same meaning as defined under the Act;

appliance work has the same meaning as defined under the Act;

approved scheme means a scheme of another State or Territory declared by the chief planning executive under clause 17 to be an approved scheme for this code;

approved training course means a training course approved under clause 18 of this code;

certified copy means a copy of a document certified by —

- a. a member of the profession of accountant, chiropractor, dentist, engineer, legal practitioner, medical practitioner, nurse, patent attorney, pharmacist, physiotherapist, psychologist or veterinary surgeon; or
- b. a Justice of the Peace; or
- c. an agent of the Australian Postal Corporation; or
- d. a bank, building society or credit union officer with 5 or more years of services; or
- e. a permanent employee of the ACT government with 5 or more years of services; or
- f. a police officer; or
- g. a teacher employed on a full-time basis at a school or tertiary education institution.

chief planning executive has the same meaning and functions as in the Act;

gas safety legislation has the same meaning as defined under the Act;

general gasfitter's licence means a gasfitter's licence issued under the *Construction Occupations (Licensing) Act 2004*;

inspector means a person appointed under section 40 (Appointment of inspectors) of the Act;

journeyperson gasfitter's licence means a journeyperson gasfitter's licence issued under the *Construction Occupations (Licensing) Act 2004*;

type A appliance has the same meaning as defined under the *Gas Safety Regulations 2001*;

type B appliance has the same meaning as defined under the *Gas Safety Regulations 2001*.

This is the Schedule to the *Gas Safety (Appliance Worker Accreditation Code) Approval 2006* DI2006-239 signed by the Chief Planning Executive for the ACT Planning and Land Authority on 25 October 2006

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

Purpose

2. The purpose of this code is to provide detailed requirements and procedures in relation to the accreditation of people for gas appliance work.

Types of accreditation

3. **Type A accreditation-** Type A accreditation allows the accredited person to disconnect, reconnect and service Type A gas appliances in accordance with the gas safety legislation.
4. **Type A Trainee accreditation-** Type A accreditation allows a person who does not have 2 or more years of proven work experience in gas Type A gas appliance work to disconnect, reconnect and service Type A gas appliances under the supervision of a person who holds Type A Appliance Worker accreditation.
5. **Type B accreditation -** Type B accreditation allows the accredited person to perform installation, service, design, modification and commissioning work on the components between the gas isolation valve adjacent to the appliance and the flue spigot of Type B appliances in accordance with the gas safety legislation.
6. **Restricted Type B accreditation -** Restricted type B accreditation allows the accredited person to perform installation, service and commissioning work on the components between the gas isolation valve adjacent to the appliance and the flue spigot of Type B appliances in accordance with the gas safety legislation and the restrictions specified under the accreditation. It also allows the holder to change components on a like for like basis.
7. **Restricted Type B Trainee accreditation-** Restricted Type B Trainee accreditation allows a person who does not have 2 or more years of proven work experience in gas Type B gas appliance work to disconnect, reconnect and service Restricted Type B gas appliances under the supervision of a person who holds Type B Appliance Worker accreditation.

Approving authority

8. All applications for accreditation are approved by the chief planning executive or a delegate of the chief planning executive.

Eligibility to apply for accreditation

9. **Eligibility to apply for Type A accreditation -** A person is eligible to apply for type A accreditation and renewal of such accreditation if the person—
 - a. holds a general gasfitter's licence, advanced gasfitter's licence or journey person gasfitter's licence; or
 - b. is accredited in the ACT or under an approved scheme; or
 - c. has satisfactorily completed an approved training course; and
 - d. has 2 or more years of proven work experience in Type A appliance work.
10. **Eligibility to apply for a Type A Trainee accreditation –** A person is eligible to apply for a Type A Trainee accreditation if the person-
 - a. is accredited in the ACT or under an approved scheme; or
 - b. provides a letter from their employer confirming employment and the name of the person who will perform the supervision of training and that persons Type A appliance worker accreditation details.

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11. **Eligibility to apply for Type B accreditation** - A person is eligible to apply for type B accreditation and renewal of such accreditation if the person—
 - a. is accredited in the ACT or under an approved scheme; or
 - b. has satisfactorily completed an approved training course; and
 - c. has 2 or more years of proven work experience in Type B appliance work.

12. **Eligibility to apply for Restricted Type B accreditation** - A person is eligible to apply for a restricted type B accreditation and renewal of such accreditation if the person-
 - a. has Restricted type B accreditation in the ACT or under an equivalent approved scheme; or
 - a. has satisfactorily completed an approved training course; and
 - b. has 2 or more years of proven work experience in Type B appliance work.

13. **Eligibility to apply for Restricted Type B Trainee accreditation**- A person is eligible to apply for a restricted Type B Trainee accreditation and renewal of such accreditation if the person-
 - a. has restricted type B Trainee accreditation in the ACT or under an equivalent approved scheme; or
 - b. provides a letter from their employer confirming employment and the name of the person who will perform the supervision of training and that persons Type B or Type B Restricted appliance worker accreditation details.

Applications

14. **Application made to the chief planning executive** - An application for accreditation or renewal of accreditation, must be made to the chief executive.

15. **Supporting documents** - An applicant must include certified copies of the following documents, where applicable:
 - a. identity certificate, eg. driver's licence, passport or birth certificate (must be included for all applications);
 - b. letter of recommendation from an accredited appliance worker;
 - c. journey person gasfitter's licence, general gasfitter's licence or advanced gasfitter's licence;
 - d. documents showing 2 or more years of relevant work experience (eg. Written statements from current or previous employers, written statements from manufacturer members of the Gas Appliance Manufacturers Association of Australia Inc, written statements from any licensed gasfitter who has supervised or witnessed the applicant's work);
 - e. documents showing the satisfactory completion of an approved training course;
 - f. document of accreditation under an approved scheme;
 - g. statement of work performed from the type B appliance supplier or manufacturer or the gas supplier;

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- h. any other relevant documents.
- 16. Further information** - The chief planning executive may require an applicant for accreditation or renewal of accreditation to provide further information as is necessary for the purpose of assessing the application for accreditation.

Accreditation

17. Accreditation approved by the chief planning executive

On receiving an application, the chief planning executive must accredit the applicant, or renew the applicant's accreditation if, after considering all the documents submitted by the applicant, the chief planning executive is satisfied that the applicant is eligible for accreditation and is fit and proper to undertake appliance work.

For restricted type B accreditation, the chief planning executive may, as he or she thinks fit, stipulate restrictions under the accreditation.

18. Accreditation Conditions

- a. The chief executive may impose conditions on:
 - i. a new or renewed accreditation; or
 - ii. an existing accreditation where recommended by an inspector; or
 - iii. the requirement to complete further training; or
 - iv. to obtain additional trade qualifications
- b. Conditions may be for a specified period of not more than 24 months and can only include conditions on:
 - i. the type of appliances that can be serviced; and/or
 - ii. requirements relating to the supervision of work; and/or
 - iii. additional training and qualification requirements.
- c. Conditions must be reviewed at the end of the specified period.

19. Certificate of accreditation

If the chief planning executive accredits an applicant, renews the applicant's accreditation, or adds conditions to an existing accreditation, he or she must issue the applicant with a certificate of accreditation.

A certificate of accreditation must include the following particulars:

- a. name of the accredited appliance worker;
- b. address of the accredited appliance worker;
- c. type of accreditation;
- d. accreditation number;
- e. the period for which the accreditation has effect;
- f. restrictions and conditions applied.

20. Duration of accreditation

- a. The maximum duration of accreditation for an applicant who holds a general gasfitter's licence or advanced gasfitter's licence or journey person gasfitter's licence applying for type A or type B accreditation is 3 years, unless it is sooner suspended or cancelled.
- b. The maximum duration of accreditation for an applicant who has satisfactorily completed an approved training course is 3 years, unless it is sooner suspended or cancelled.

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- c. The maximum duration of restricted type B accreditation is stipulated by the chief planning executive and based on the practical needs of the application. The maximum duration the chief planning executive may stipulate is 3 years.
- 21. Renewal of accreditation** - A person may apply for renewal of accreditation no earlier than 2 months before the expiration of the existing accreditation period.
- 22. Suspension or cancellation of accreditation**
- a. The chief planning executive may suspend for a period as the chief planning executive thinks fit, or cancel, the accreditation if satisfied that any of the following circumstances exist:
 - i. the accredited person obtained accreditation, or a renewal of accreditation, by a false statement or misrepresentation;
 - ii. the accredited person has breached the gas safety legislation, including codes of practice;
 - iii. the accredited person does not have the required skills to do appliance work;
 - iv. the accredited person does not have sufficient knowledge of the gas safety legislation;
 - v. the accredited person's journey person gasfitter's licence, general gasfitter's licence or advanced gasfitter's licence is suspended or cancelled;
 - vi. the accredited person has failed to comply with instructions given by an inspector or the chief planning executive;
 - vii. the accredited person's accreditation under the approved scheme, through which he or she obtained the accreditation under the gas safety legislation, has been suspended, cancelled or disqualified;
 - viii. the accredited appliance worker, when being a supervisor to a person working on appliance work, has failed to give proper instructions or supervision to that person;
 - ix. the accredited person has been convicted or found guilty of an offence that was committed directly or indirectly in the capacity of an accredited appliance worker;
 - x. the accredited person is not fit for doing appliance work for any other reasons.
 - b. The chief planning executive must not suspend or cancel an accredited appliance worker's accreditation unless the chief planning executive—
 - i. has notified the appliance worker in writing of the grounds on which the chief planning executive believes the accreditation should be suspended or cancelled and that the appliance worker may show cause, within a specified period after the date of the notice (being not less than 3 working days), why the accreditation should not be suspended or cancelled; and
 - ii. has considered any representation made by the appliance worker within the specified period.

Notification of changes of status

- 23.** An accredited appliance worker must notify, in writing, the chief planning executive of the change of status of any of the following items within 14 days after the occurrence of the change in—
- a. postal address; or
 - b. relevant qualifications and licences held.

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Further training

24. For the purpose of accreditation the chief planning executive may, in writing direct an accredited appliance worker to undertake an approved training course within a specified period. A direction for further training must be sent by prepaid post, addressed to the individual, to a home or business address of the individual. If the accredited appliance worker fails to comply with the direction, the chief planning executive may suspend or cancel their accreditation.

Competency-based assessment

25. For the purpose of accreditation the chief planning executive may, in writing, direct an accredited appliance worker to undertake a competency-based assessment within a specified period. A direction for undertaking a competency-based assessment must be sent by prepaid post, addressed to the individual, to a home or business address of the individual.

Approval of accreditation scheme

26. The chief planning executive may, by notifiable instrument, declare an accreditation scheme under a law of another State or Territory to be an approved scheme.

Approval of training course

27. The chief planning executive may, by notifiable instrument, approve a training course.

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