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THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY

GAS SAFETY ACT 2000
GAS SAFETY REGULATIONS

EXPLANATORY STATEMENT

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Outline

The Gas Safety Regulations (“the Regulations”) establish the regulatory framework for the natural gas industry concerning gasfitting work on consumer piping systems.

Legislative background

Section 5 of the Act provides that the meaning of *gas safety legislation* includes regulations under the Act.

Subsection 7 (1) of the Act establishes that a holder of certain classes of licences under the *Plumbers, Drainers and Gasfitters Board Act 1982* may do gasfitting work when the work is done under the general supervision of a gasfitter. Classes of licences are to be prescribed under the regulations.

Subsection 7 (2) of the Act establishes that a holder of certain classes of licences under the *Plumbers, Drainers and Gasfitters Board Act 1982* may do gasfitting work on a high pressure consumer piping system when the work is done under the general supervision of an advanced gasfitter. Classes of licences are to be prescribed under the regulations.

Section 8 of the Act provides that the responsible gasfitter must ensure that the gasfitting work, examinations and tests are done in accordance with the legislation.

Section 9 of the Act provides that compliance indicators and certificates must be issued in accordance with the regulations.

Subsection 12(2) of the Act provides that the responsible gasfitter must deal with an unsafe system and give notice to certain persons in accordance with the regulations.

Section 72 of the Act provides that regulations may be made in relation to:

- the construction, installation or positioning of consumer piping systems or appliances; and
- the safety of people who own, or are likely to be near, a consumer piping system or an appliance; and
- the doing, inspecting and testing of gasfitting work or appliance work, including requirements for related notices; and
- compliance indicators, including their attachment to consumer piping systems or appliances and their approval; and
- certificates of compliance, including their provision and safekeeping.

In the Dictionary of the Act, the definition of serious gas accident includes an accident in which gas causes, or contributes to damage to property where the reasonable cost of repair or replacement exceeds the amount prescribed under the regulations.

The Regulations are made pursuant to the above mentioned sections of the Act.

Outline of Regulations

The Regulations prescribes certain matters required under the Act to be prescribed.

The Regulations establish the responsibilities for persons doing or supervising gasfitting work on consumer piping systems. These responsibilities include conforming to industry standards and testing for defects and leaks. The Regulations also establish notification and compliance procedures, including the placing of compliance indicators, the issuance of compliance certificates and immediate notification in the event of a consumer piping system being unsafe.

The Regulations are transferred from the gasfitting requirements set out under the Gas Supply Regulations which is repealed on the enactment of the Act. There are no significant changes to previous regulatory requirements or additional impacts on the gas industry or gas consumers.

Revenue / Cost Implications

Cost of regulation is to be recouped by a fee payable when a certificate of compliance is lodged by a gasfitter. The fee aligns the audit of gasfitting work with building fees.

Detailed notes

Part 1: Preliminary

Regulations 1 to 4 are formal provisions typically found in legislation.

Regulation 1 sets out the short title of the Regulations.

Regulation 2 specifies that the Regulations will commence on the day they are notified in the Gazette.

Regulation 3 provides that the dictionary at the end of the Regulations forms part of the Regulations.

Regulation 4 provides that a note included in the Regulations is explanatory and is not part of the Regulations.

Part 2: Work safety and standards

Regulations 5 to 17 cover gasfitting work, which is work on a consumer piping system up to but not including any gas appliances attached to the piping system.

Regulation 5 establishes that normal gasfitting work and gasfitting work on a high pressure consumer piping system may be done by holders of certain classes of

licences under the *Plumbers, Drainers and Gasfitters Board Act 1982* under the general supervision of a gasfitter and an advanced gasfitter respectively.

Regulation 6 establishes that after gasfitting work is done, the responsible gasfitter must test for defects and ensure it is safe.

Regulation 7 establishes that the person who connects a consumer piping system to a gas distribution network must inspect and test the appliances attached to the system and their installations when gas supply is the first time connected to the system.

Regulation 8 establishes that only appliances certified under a Australian Gas Association scheme or approved by the chief executive can be connected.

Regulation 9 establishes that the gasfitter must inspect and test the appliance and its installation immediately after it is connected to a gas outlet in a consumer piping system that is connected to a gas supply.

Regulation 10 establishes that when an appliance is disconnected from a system the outlet must be capped and the system must be tested for leaks.

Regulation 11 establishes that when a gasfitting work is completed in accordance with the legislation, the responsible gasfitter must fix a compliance indicator in a conspicuous place to a permanent structure near the meter.

Regulation 12 establishes that when a gasfitting work is completed in accordance with the legislation, the responsible gasfitter must give a certificate of compliance to the owner or occupier of the premises and a copy to the chief executive.

Regulation 13 establishes that a compliance indicator must not be interfered with expect to be removed by the person who affixed it or by an inspector in believing that the system is unsafe.

Regulation 14 establishes that a person must not record false or misleading information on compliance indicators.

Regulation 15 establishes that, upon discovering that a consumer piping system is unsafe, the responsible gasfitter must isolate the system and attach a defect tag to the appropriate meter control or isolation valve to indicates that the system is unsafe. The gasfitter must also give notice to the owner or occupier of the premise.

Regulation 16 establishes that a defect tag must not be interfered with expect to be removed by the person who affixed it or by an inspector in believing that the system is safe.

Regulation 17 establishes that the chief executive may order a test of a consumer piping if it is believed to be unsafe.

Part 3: Use of consumer piping systems and appliances

Regulation 18 establishes that a consumer piping system must not be used unless a certificate of compliance has been prepared for or a compliance indicator is fixed to the system.

Part 4: Miscellaneous

Regulations 19 and 20 deal with miscellaneous matters.

Regulation 19 establishes that the chief executive may approve defect tags for the regulations, and, if he or she does so, the approved defect tags must be used for those purposes.

Regulation 20 establishes that if an accident in which gas causes, or contributes to damage to property where the reasonable cost of repair or replacement exceeds \$2000, it is a serious gas accident for the purpose of the Act.

Part 5: Savings and transitional provisions

Regulations 21 and 22 provide a scheme to ensure that the requirements regarding certificates of compliance and records of certificate information under the Gas Supply Regulations 1999 retain their validity after the commencement of the Regulations.

Regulation 21 provides that a person who issued a certificate under regulation 17(1) of the Gas Supply Regulations 1999 must keep a copy of the certificate for at least 2 years from the day it was issued.

Regulation 22 provides that the owner or operator of the distribution pipeline must keep a record of the information contained in a certificate issued under regulation 17(1) of the Gas Supply Regulations 1999 for 10 years from the day the copy of the certificate was received.