



Australian Capital Territory

Gas Safety Regulations 2001

Subordinate Law 2001 No 18

The Australian Capital Territory Executive makes the following regulations under the *Gas Safety Act 2000*.

Dated 20 June 2001.

BRENDAN SMYTH
Minister

MICHAEL MOORE
Minister



Australian Capital Territory

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Gas Safety Act 2000

Contents

	Page
Part 1	Preliminary
1	Name of regulations 1
2	Commencement 1
3	Dictionary 1
4	Notes 1
Part 2	Work safety and standards
5	People qualified to do gasfitting work—Act, s 7 2
6	Gasfitting work on consumer piping system—testing—Act, s 8 2

Contents

	Page
7 Gas connection service—testing	2
8 Appliances to be certified safe	3
9 Appliance connection—testing	3
10 Appliance disconnection—testing etc	3
11 Compliance indicators	4
12 Certificates of compliance	4
13 Interfering with compliance indicators	5
14 False information on compliance indicators	6
15 Unsafe consumer piping system—Act, s 12	6
16 Interfering with defect tags	7
17 Chief executive may direct testing of consumer piping system	7
Part 3 Use of consumer piping systems and appliances	
18 Consumer piping system not to be used unless certified safe	9
Part 4 Miscellaneous	
19 Approved defect tags	10
20 Serious gas accidents—prescribed amount	10
Part 5 Savings and transitional provisions	
21 Former certificates of compliance to be kept	11
22 Records of former certificate information to be kept	11
Dictionary	12

Part 1 Preliminary

1 Name of regulations

These regulations are the *Gas Safety Regulations 2001*.

2 Commencement

These regulations commence on the day they are notified in the Gazette.

3 Dictionary

The dictionary at the end of these regulations is part of these regulations.

Note 1 The dictionary at the end of these regulations defines certain words and expressions used in these regulations, and includes references (*signpost definitions*) to other words and expressions defined elsewhere in these regulations or in other legislation.

For example, the signpost definition '*gas distributor*—see the *Utilities Act 2000*, dictionary.' means that the expression 'gas distributor' is defined in the dictionary to that Act and the definition applies to these regulations.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire regulations unless the definition, or another provision of the regulations, provides otherwise or the contrary intention otherwise appears (see *Interpretation Act 1967*, s 11F and s 11G).

4 Notes

A note included in these regulations is explanatory and is not part of these regulations.

Note See *Interpretation Act 1967*, s 12 (1), (4) and (5) and *Subordinate Laws Act 1989*, s 9 for the legal status of notes.

Part 2 Work safety and standards

5 People qualified to do gasfitting work—Act, s 7

- (1) For the Act, section 7 (1), the prescribed licence is a journeyman gasfitter's licence under the *Plumbers, Drainers and Gasfitters Board Act 1982*.
- (2) For the Act, section 7 (2), the prescribed licence is a gasfitter's licence or a journeyman gasfitter's licence under the *Plumbers, Drainers and Gasfitters Board Act 1982*.

6 Gasfitting work on consumer piping system—testing—Act, s 8

Immediately after completing gasfitting work on a consumer piping system, the responsible gasfitter must—

- (a) cap any appliance outlet from the system that does not have an appliance connected to it; and
- (b) if the work included the installation of a system—test the system for defects and ensure that it is safe; and
- (c) if the work was done on part of the system—test the part for defects and ensure that the system is safe.

Maximum penalty: 10 penalty units.

7 Gas connection service—testing

A person who connects a consumer piping system to a gas distribution network must—

- (a) ensure that the system and the installation of each appliance comply with all relevant codes; and

- (b) inspect and test each appliance connected to the system to ensure that it operates in accordance with the manufacturer's instructions and specifications.

Maximum penalty: 10 penalty units.

Note 'Code' is defined in the Act, dict, as a code of practice approved under the Act, s 69 (Codes of practice) as varied and in force from time to time.

8 Appliances to be certified safe

A gasfitter must not, without reasonable excuse, connect an appliance to a gas outlet in a consumer piping system unless the appliance is—

- (a) certified, by the Australian Gas Association, as safe for use; or
- (b) approved for use by the chief executive.

Maximum penalty: 10 penalty units.

9 Appliance connection—testing

Immediately after connecting an appliance to a gas outlet in a consumer piping system that is connected to a gas distribution network, the responsible gasfitter must—

- (a) ensure that the installation of the appliance complies with all relevant codes; and
- (b) inspect and test the appliance to ensure that it operates in accordance with the manufacturer's instructions and specifications.

Maximum penalty: 10 penalty units.

10 Appliance disconnection—testing etc

- (1) This regulation applies to gasfitting work if—
 - (a) in the course of the work an appliance (the *original appliance*) is disconnected from a consumer piping system; and

- (b) the original appliance has not been reconnected; and
 - (c) another appliance has not been connected in place of the original appliance.
- (2) This regulation applies to gasfitting work whether or not other gasfitting work is performed on the same consumer piping system.
- (3) As soon as possible after the gasfitting work is performed and before leaving the premises where, at the time of the disconnection, the original appliance was located, the person must—
 - (a) cap the system outlet for the appliance; and
 - (b) test the system and ensure that there are no leaks.

Maximum penalty: 10 penalty units.

11 Compliance indicators

- (1) For the Act, section 9 (1), a compliance indicator must be fixed in a conspicuous place to a permanent structure near the meter through which gas is conveyed to the consumer piping system.
- (2) For the Act, section 9 (2), a compliance indicator must contain sufficient details to identify the consumer piping system that it refers to and the certificate of compliance given for the work.

12 Certificates of compliance

- (1) For the Act, section 9 (1), the certificate of compliance must be signed by the gasfitter and given to the owner or occupier of the premises where the gasfitting work is completed, either—
 - (a) by giving it to the owner or occupier personally; or
 - (b) by leaving it, addressed to the owner or occupier, in a conspicuous place on the premises.

- (2) A gasfitter who gives a certificate of compliance in relation to gasfitting work must give a copy of the certificate to the chief executive.

Maximum penalty: 10 penalty units.

- (3) A gasfitter who gives a certificate of compliance must keep a copy of the certificate for at least 2 years after the day it was signed.

Maximum penalty: 10 penalty units.

- (4) The chief executive must keep a record of the information in a certificate received under subregulation (2) for at least 10 years after the day of receipt.

13 Interfering with compliance indicators

- (1) A person must not, without reasonable excuse, remove, alter, damage or deface a compliance indicator attached to a consumer piping system.

Maximum penalty: 10 penalty units.

- (2) Subregulation (1) does not apply to the removal of a compliance indicator by the person who attached it to the consumer piping system, or by an inspector, if the person or the inspector believes on reasonable grounds that the system is unsafe.

- (3) An inspector who removes a compliance indicator under subregulation (2) must, as soon as practicable, notify, in writing, the person who had attached the indicator of the removal.

- (4) In this regulation:

compliance indicator includes a compliance plate attached in relation to a consumer piping system under the repealed Gas Supply Regulations, regulation 15 (2).

14 False information on compliance indicators

- (1) A person must not record on a compliance indicator information that is false or misleading in a material particular.

Maximum penalty: 10 penalty units.

- (2) In this regulation:

compliance indicator includes a compliance plate attached in relation to a consumer piping system under the repealed Gas Supply Regulations, regulation 15 (2).

15 Unsafe consumer piping system—Act, s 12

- (1) For the Act, section 12 (2), the responsible gasfitter must, immediately upon discovering that a consumer piping system is unsafe—

- (a) isolate the system from the gas supply; and
- (b) securely attach, in a conspicuous place to on appropriate meter control or isolation valve in the system, a defect tag that indicates that the system has been isolated because it is unsafe.

Note If a defect tag is approved under reg 19 (Approved defect tags) for this regulation, the tag must be used.

- (2) For the Act, section 12 (2), the notice of the unsafe system and the action necessary to make it safe must be given to the owner or occupier of the premises.
- (3) A gasfitter who gives a notice under subregulation (2) must keep for at least 2 years a record of the notice sufficient to identify the premises where the system is located and when the notice was given.

Maximum penalty: 10 penalty units.

- (4) A gasfitter who keeps a record under subregulation (3) must not, without reasonable excuse, fail to produce the record if requested to do so by an inspector.

Maximum penalty (for subregulation (4)): 10 penalty units.

16 Interfering with defect tags

- (1) A person must not, without reasonable excuse, remove, alter, damage or deface a defect tag attached to a consumer piping system.

Maximum penalty: 10 penalty units.

- (2) Subregulation (1) does not apply to the removal of a defect tag by the person who attached it to the consumer piping system, or by an inspector, if the person or the inspector believes on reasonable grounds that the system is safe.

- (3) An inspector who removes a defect tag under subregulation (2) must, as soon as practicable, notify, in writing, the person who had attached the tag of the removal.

- (4) In this regulation:

defect tag includes an approved tag attached in relation to a consumer piping system under the repealed Gas Supply Regulations, regulation 14 (2).

17 Chief executive may direct testing of consumer piping system

- (1) This section applies if the chief executive believes on reasonable grounds that a consumer piping system is not safe, or may not be safe, having regard to all or any of the following matters:

- (a) the period since the system was tested;
- (b) the age of the system;
- (c) the number of times work has been done on the system;

- (d) an accident, a natural disaster, the alteration of the premises or some other act that may have adversely affected the system.
- (2) The chief executive may, by notice in writing, direct the owner of premises where the system is installed to arrange for the system to be tested to find out if it is safe.
- (3) The direction may state that the period within which the testing is to be completed.
- (4) A person must not, without reasonable excuse, contravene a direction under subregulation (2).

Maximum penalty (for subregulation (4)): 10 penalty units.

Part 3

Use of consumer piping systems and appliances

18 Consumer piping system not to be used unless certified safe

- (1) This regulation applies to a consumer piping system on which gasfitting work is done after the commencement of these regulations, whether the work involves—
 - (a) installation of the system as new; or
 - (b) work on a previously existing system.
- (2) The owner of the system must not, without reasonable excuse, use gas supplied through the system, or allow gas supplied through the system to be used, unless, in relation to the gasfitting work done after the commencement—
 - (a) a compliance indicator is attached in accordance with regulation 11 (Compliance indicators); and
 - (b) a certificate of compliance has been given in accordance with regulation 12 (Certificates of compliance).

Maximum penalty: 10 penalty units.

- (3) Subregulation (1) does not apply to the testing of the system by the responsible gasfitter in relation to the gasfitting work.

Part 4 Miscellaneous

19 Approved defect tags

- (1) The chief executive may approve defect tags for these regulations.
- (2) If the chief executive approves a defect tag for a particular purpose, the defect tag must be used for that purpose.

20 Serious gas accidents—prescribed amount

For the Act, dictionary, definition of *serious gas accident*, paragraph (c), the prescribed amount is \$2 000.

Part 5 Savings and transitional provisions

21 Former certificates of compliance to be kept

- (1) Despite the repeal of the *Gas Supply Regulations 1999*, the provisions of regulation 17 (1) of those regulations continue to apply in relation to a certificate of compliance issued under the repealed regulations.
- (2) This regulation expires 2 years after it commences.

22 Records of former certificate information to be kept

- (1) Despite the repeal of the *Gas Supply Regulations 1999*, the provisions of regulation 17 (2) of those regulations continue to apply in relation to the owner or operator of a distribution pipeline who, under the repealed regulations, received information contained in a certificate of compliance.
- (2) This regulation expires 10 years after its commencement.

Dictionary

(see reg 3)

appliance, in part 2 (Work safety and standards), does not include an appliance designed to be portable by users.

defect tag—see regulation 15 (1).

gas distribution network means a gas distribution network under the *Utilities Act 2000*, section 10 (2).

gas distributor—see the *Utilities Act 2000*, dictionary.

repealed Gas Supply Regulations means the *Gas Supply Regulations 1999* in force before their repeal on 20 June 2001.

Endnotes

Notification

- 1 Notified in Gazette 2001 No S37 on 21 June 2001.

Penalty units

- 2 Section 33AA of the *Interpretation Act 1967* (as applied by section 9 of the *Subordinate Laws Act 1989*) deals with the meaning of offence penalties that are expressed in penalty units.

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