



Australian Capital Territory

Gas Safety Regulations 2001

SL2001-18

made under the

Gas Safety Act 2000

Republication No 6

Effective: 1 September 2004 – 3 November 2004

Republication date: 1 September 2004

Last amendment made by A2004-15
(republiation for amendments by A2004-13)

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Gas Safety Regulations 2001*, made under the *Gas Safety Act 2000* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 1 September 2004. It also includes any amendment, repeal or expiry affecting the republished law to 1 September 2004.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

Gas Safety Regulations 2001

made under the

Gas Safety Act 2000

Contents

| | Page | |
|---------------------|---|------------|
| Part 1 | Preliminary | |
| 1 | Name of regulations | 2 |
| 3 | Dictionary | 2 |
| 4 | Notes | 2 |
| 4AA | Offences against regulations—application of Criminal Code etc | 2 |
| 4A | References to Australian Gas Association standards and codes | 3 |
| Part 2 | Work safety and standards | |
| Division 2.1 | Gasfitting work | |
| 6 | Testing gasfitting work on consumer piping system—Act, s 8 | 4 |
| 7 | Testing gas connection service | 4 |
| 9 | Testing appliance connection | 5 |
| <hr/> | | |
| R6 | Gas Safety Regulations 2001 | contents 1 |
| 01/09/04 | Effective: 01/09/04-03/11/04 | |

Contents

| | | Page |
|--|--|------|
| 10 | Testing appliance disconnection etc | 6 |
| 11 | Compliance indicators | 7 |
| 12 | Certificates of compliance | 7 |
| 13 | Interfering with compliance indicators | 8 |
| 15 | Unsafe consumer piping system—Act, s 12 | 8 |
| 16 | Interfering with defect tags | 9 |
| 17 | Chief executive may direct testing of consumer piping system | 9 |
| Division 2.2 Appliance work | | |
| 17A | Accreditation to do appliance work | 10 |
| 17B | Certificate of accreditation | 11 |
| 17C | Appliance work—testing | 12 |
| 17D | Unsafe appliance | 12 |
| 17E | Interfering with defect tag | 14 |
| Part 3 Use of consumer piping systems and appliances | | |
| 18 | Consumer piping system not to be used unless certified safe | 16 |
| Part 3A Regulation of appliances | | |
| 18B | Appliances declared to be approved—Act, s 20 (1) | 17 |
| 18C | Approval by chief executive, type A appliance—Act, s 21 | 17 |
| 18D | Approval by chief executive, type B appliance—Act, s 21 | 18 |
| 18E | Application for approval of type B appliance | 18 |
| 18F | Prescribed circumstances for unapproved appliances—Act, s 24 (4) | 19 |
| 18G | Compliance indicators—Act, s 25 | 20 |
| 18H | Prescribed circumstances for prohibited appliances—Act, s 28 (4) | 21 |
| Part 4 Miscellaneous | | |
| 19 | Approved defect tags | 22 |
| 19A | Approved compliance indicator | 22 |
| 20 | Serious gas accidents—prescribed amount | 22 |
| 20A | Review of decisions | 22 |
| 20B | Notification of decisions | 23 |
| 21 | Place for keeping records—Act, s 19 (2) (b) and s 65 (5) (b) | 23 |

| | Page |
|--|---|
| Part 5 | |
| Savings and transitional provisions | |
| 22 | Records of former certificate information to be kept 24 |
| 23 | Compliance indicators 24 |
| 24 | Defect tags 24 |
| | |
| Dictionary | 25 |
| | |
| Endnotes | |
| 1 | About the endnotes 26 |
| 2 | Abbreviation key 26 |
| 3 | Legislation history 27 |
| 4 | Amendment history 27 |
| 5 | Earlier republications 30 |



Australian Capital Territory

Gas Safety Regulations 2001

made under the

Gas Safety Act 2000

Part 1 Preliminary

1 Name of regulations

These regulations are the *Gas Safety Regulations 2001*.

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 that dictionary 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 *Legislation Act 2001*, s 155 and s 156 (1)).

4 Notes

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

Note See *Legislation Act 2001*, s 127 (1), (4) and (5) for the legal status of notes.

4AA Offences against regulations—application of Criminal Code etc

Other legislation applies in relation to offences against these regulations.

Note 1 *Criminal Code*

The Criminal Code, ch 2 applies to the following offences against these regulations (see Code, pt 2.1):

- reg 17D (2) and (4) (Unsafe appliance)
- reg 17E (1) (Interfering with defect tag)
- reg 18G (4) (Compliance indicators—Act, s 25)

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

Note 2 *Penalty units*

The Legislation Act, s 133 deals with the meaning of offence penalties that are expressed in penalty units.

4A **References to Australian Gas Association standards and codes**

- (1) In these regulations, a reference consisting of the letters ‘AG’ followed by a number is a reference to the standard or code so numbered, published by or on behalf of the Australian Gas Association (a *gas association standard or code*).
- (2) A gas association standard or code applied by these regulations is applied as in force from time to time.

Part 2 Work safety and standards

Division 2.1 Gasfitting work

6 Testing gasfitting work on consumer piping system—Acts 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 Testing gas connection service

- (1) 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 and that its installation complies with any condition of an exemption under subregulation (2) or regulation 9 (2).

Maximum penalty: 10 penalty units.

Note **Code** is defined in the Act, dict, as a code of practice approved under the Act, s 65 (Codes of practice) as varied and in force from time to time.

- (2) The chief executive may exempt a person from the application of subregulation (1) (a) to the installation of an appliance if the chief executive believes on reasonable grounds that—
 - (a) compliance with the relevant codes does not justify the cost of compliance; and
 - (b) the degree of safety reached in other ways is acceptable.
- (3) The chief executive must give the person written notice of the exemption.
- (4) An exemption under this regulation is subject to any condition stated in the exemption.

9 Testing appliance connection

- (1) 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 and that its installation complies with any condition of an exemption under subregulation (2) or regulation 7 (2).

Maximum penalty: 10 penalty units.

- (2) The chief executive may exempt a person from the application of subregulation (1) (a) to the installation of an appliance if the chief executive believes on reasonable grounds that—
 - (a) compliance with the relevant codes does not justify the cost of compliance; and
 - (b) the degree of safety reached in other ways is acceptable.
- (3) The chief executive must give the person written notice of the exemption.
- (4) An exemption under this regulation is subject to any condition stated in the exemption.

10 Testing appliance disconnection 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 safe.
- (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.

15 Unsafe consumer piping system—Act, s 12

- (1) For the Act, section 12 (2), the responsible gasfitter must, immediately on 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 an 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 and to an inspector.

- (3) A gasfitter who gives a notice under subregulation (2) must keep for at least 5 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: 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.

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 written notice, 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 (subregulation (4)): 10 penalty units.

Division 2.2 Appliance work

17A Accreditation to do appliance work

- (1) The chief executive must approve a code in relation to the accreditation of people to do appliance work.

Note A person must not do appliance work of a particular kind unless accredited to do work of that kind (see the Act, s 13).

- (2) The code may make provision in relation to accreditation, including provision for—
 - (a) the qualifications and practical experience required for accreditation; and
 - (b) the imposition of conditions on accreditation; and
 - (c) the duration and renewal of accreditation; and
 - (d) the suspension or cancellation of accreditation.
- (3) A code approved under subregulation (1) is a disallowable instrument.

Note A disallowable instrument must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

- (4) The chief executive must keep a register of people accredited to do appliance work.
- (5) The register must contain the following details in relation to each person accredited to do appliance work—
 - (a) the type of appliance work the person is accredited to do;
 - (b) the period of the person's accreditation;
 - (c) any conditions imposed on the person's accreditation.
- (6) The chief executive must make a copy of the register available for public inspection during ordinary office hours at the office of the chief executive and at any other place decided by the chief executive.

17B Certificate of accreditation

- (1) An accredited appliance worker must not, without reasonable excuse, fail to produce his or her certificate of accreditation if asked to do so by—
 - (a) an inspector; or
 - (b) the owner or occupier of premises where the appliance worker is carrying out appliance work.
- (2) If a person's accreditation is suspended or cancelled, the person must not, without reasonable excuse, fail to return his or her certificate of accreditation to the chief executive within 7 days after the day when the suspension or cancellation takes effect.
- (3) After the end of a period of suspension of a person's accreditation, the chief executive must, on request, return the person's certificate of accreditation unless—
 - (a) the accreditation has been earlier cancelled or is further suspended; or
 - (b) the period of accreditation has ended.

17C Appliance work—testing

- (1) Immediately after completing appliance work, an accredited appliance worker must—
 - (a) inspect and test the appliance; and
 - (b) ensure that the appliance operates in accordance with the manufacturer's instructions and specifications.
- (2) An accredited appliance worker must keep, for at least 5 years, a record of appliance work done sufficient to identify the appliance worked on, the premises where the appliance is located and when the work was completed.
- (3) An accredited appliance worker who keeps a record under subregulation (2) must not, without reasonable excuse, fail to produce the record if asked to do so by an inspector.

17D Unsafe appliance

- (1) This regulation applies if an accredited appliance worker—
 - (a) inspects and tests an appliance under regulation 17C or at the request of the owner or occupier of the premises where the appliance is located; and
 - (b) believes on reasonable grounds the appliance is unsafe.
- (2) The appliance worker must immediately—
 - (a) isolate the appliance from gas and electricity supplies; and
 - (b) if necessary, disconnect the appliance from the consumer piping system or the electricity supply; and
 - (c) securely attach, in a conspicuous place on the appliance, a defect tag that—

- (i) indicates that the appliance is unsafe and should not be operated; and

Example

‘danger, do not operate’

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see *Legislation Act 2001*, s 126 and s 132).

- (i) indicates that the appliance has been isolated or disconnected; and
- (ii) states the reason for the isolation or disconnection; and
- (iii) states the name, accreditation number and telephone number of the appliance worker.

Maximum penalty: 10 penalty units.

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

- (3) An appliance worker meets the requirements of subregulation (2) (a) if the appliance worker engages a qualified person to undertake necessary work for which the appliance worker is not qualified under the Act or the *Electricity Safety Act 1971*.
- (4) The appliance worker must give the owner or occupier of the premises written notice of the unsafe appliance—
 - (a) identifying the appliance and its location; and
 - (b) stating the date when the notice is given; and
 - (c) setting out the reason for the isolation of the appliance and the action necessary to make it safe; and

(d) stating the name, accreditation number and telephone number of the appliance worker.

Maximum penalty: 10 penalty units.

- (5) The appliance worker must also tell an inspector about the unsafe appliance and the action taken under subregulation (2).
- (6) An appliance worker who gives a notice under subregulation (4) must keep, for at least 5 years, a record of the notice sufficient to identify the unsafe appliance, the premises where the appliance is located and when the notice was given.
- (7) An appliance worker who keeps a record under subregulation (5) must not, without reasonable excuse, fail to produce the record if asked to do so by an inspector.
- (8) An offence against this regulation is a strict liability offence.

17E Interfering with defect tag

- (1) A person must not remove, alter, damage or deface a defect tag attached to an appliance.

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 appliance, or by an inspector, if the person or inspector believes on reasonable grounds that the appliance is safe.
- (3) An inspector who removes a defect tag under subregulation (2) must, as soon as practicable, tell the person who attached the tag about the removal.

- (4) Also, subregulation (1) does not apply to a person who has a reasonable excuse for removing, altering, damaging or defacing the tag.

Example of reasonable excuse

removing a tag from an appliance to use the appliance as scrap

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (5) An offence against this regulation is a strict liability offence.

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 3A Regulation of appliances

18B Appliances declared to be approved—Act, s 20 (1)

The following kinds of appliances are approved:

- (a) an appliance listed in the *Australian Gas Association Directory of Certified Gas Appliances and Components*, as in force from time to time;
- (b) an appliance approved under the Australian Gas Association Second Tier Appliance Scheme (Individual Compliance Approval) before 20 December 2001 that meets the requirements of that scheme as in force when the appliance was approved;
- (c) a type B appliance approved under the procedures for the approval of industrial and commercial appliances set out in the Australian Gas Association Standard 501 (Australian Standard 3814) before 20 December 2001 that meets the requirements of that standard as in force when the appliance was approved.

18C Approval by chief executive, type A appliance—Act, s 21

- (1) For the Act, section 21 (1) (a), the relevant examinations and tests for a type A appliance are—
 - (a) for an appliance to which a certification scheme under an Australian Gas Association code applies—the examinations and tests required by the scheme; and
 - (b) any other examinations and tests stated by the chief executive in a written notice given to the applicant.
- (2) For the Act, section 21 (1) (b), the relevant requirements for a type A appliance are—

- (a) for an appliance to which a certification scheme under an Australian Gas Association code applies—the approval requirements of the scheme; and
- (b) any other requirements stated by the chief executive in a written notice given to the applicant.

18D Approval by chief executive, type B appliance—Act, s 21

- (1) For the Act, section 21 (1) (a), the relevant examinations and tests for a type B appliance are—
 - (a) the examinations and tests set out in the Australian Gas Association Standard AG 501 (Australian Standard 3814); and
 - (b) any other examinations and tests stated by the chief executive in a written notice given to the applicant.
- (2) For the Act, section 21 (1) (b), the relevant requirements for a type B appliance are—
 - (a) the requirements for approval of industrial and commercial appliances set out in the Australian Gas Association Standard AG 501 (Australian Standard 3814); and
 - (b) any other requirements stated by the chief executive in a written notice given to the applicant.

18E Application for approval of type B appliance

- (1) An application under the Act, section 22 for approval of a type B appliance must be given to the chief executive before the appliance is installed.
- (2) The application must comply with the procedures for the approval of industrial and commercial appliances set out in the Australian Gas Association Standard AG 501 (Australian Standard 3814), Appendix B, to the extent that they are not inconsistent with this regulation.

(3) The chief executive must, within 20 days after receiving an application—

(a) approve the commissioning of the appliance (with or without conditions); or

Example

It may be a condition of commissioning that the appliance be operated only in the presence of an accredited appliance worker.

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see *Legislation Act 2001*, s 126 and s 132).

(b) refuse to approve the application; or

(c) extend the time for giving approval for commissioning of the appliance.

(4) The chief executive must, as soon as practicable—

(a) tell the applicant in writing of the decision under subregulation (3); and

(b) if the application is refused or the time for giving approval extended—give reasons for the decision.

**18F Prescribed circumstances for unapproved appliances—
Act, s 24 (4)**

The Act, section 24 does not apply in the following circumstances:

(a) the connection of an appliance to a consumer piping system or its use, in accordance with approval for commissioning, under regulation 18E;

(b) the connection of an appliance to a consumer piping system, or its use, with the chief executive's approval, for product testing, product development or experimental purposes;

(c) the sale, for scrap material, of an appliance that has been disabled for the use of gas.

18G Compliance indicators—Act, s 25

- (1) A compliance indicator must be attached in a conspicuous place to an appliance declared to be approved under regulation 18B.
- (2) If an appliance is approved by the chief executive under the Act, section 20, the applicant for approval must attach a compliance indicator to the appliance, in a conspicuous place, as soon as practicable after it is approved.
- (3) For this regulation, a compliance indicator for a type B appliance must be of durable material and contain at least the following information:
 - (a) a description of the appliance;
 - (b) the name and licence number of the gasfitter who connects the appliance to the consumer piping system;
 - (c) the name of the commissioning agent;
 - (d) the name and accreditation number of the accredited appliance worker who carries out the commissioning;
 - (e) the date of approval;
 - (f) the approval number;
 - (g) the following information expressed in kPa:
 - (i) the designed inlet pressure;
 - (ii) the maximum inlet pressure;
 - (iii) the outlet pressure;
 - (iv) the over pressure protection limit;
 - (v) the over pressure set point;

(vi) the high gas pressure switch (HGPS) setting.

Note 1 If a compliance indicator is approved under reg 19A (Approved compliance indicator) for this regulation, the approved indicator must be used.

Note 2 There is a penalty for attaching a compliance indicator to an appliance that is not approved (see the Act, s 26 (2)).

Note 3 There is a penalty for attaching to an appliance anything that falsely purports to be a compliance indicator (see the Act, s 26 (3)).

- (4) A person must not remove, alter, damage or deface a compliance indicator attached to an appliance.

Maximum penalty: 10 penalty units.

- (5) Subregulation (4) does not apply to a person who has a reasonable excuse for removing, altering, damaging or defacing the compliance indicator.

Example of reasonable excuse

removing a compliance indicator to use the appliance as scrap

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (6) An offence against this regulation is a strict liability offence.

**18H Prescribed circumstances for prohibited appliances—
Act, s 28 (4)**

The Act, section 28 does not apply in the following circumstances:

- (a) the connection of an appliance to a consumer piping system, or its use, with the chief executive's approval, for product testing, product development or experimental purposes;
- (b) the sale, for scrap material, of an appliance that has been disabled for the use of gas.

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.

19A Approved compliance indicator

- (1) The chief executive may approve compliance indicators for these regulations.
- (2) If the chief executive approves a compliance indicator for a purpose, the compliance indicator 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.

20A Review of decisions

- (1) Application may be made to the administrative appeals tribunal for review of the following decisions:
 - (a) refusing to exempt a person under regulation 7 (2) (Testing gas connection service);
 - (b) exempting a person under regulation 7 (2) subject to a condition;
 - (c) refusing to exempt a person under regulation 9 (2) (Testing appliance connection);
 - (d) exempting a person under regulation 9 (2) subject to a condition;

- (e) refusing to approve an appliance for commissioning under regulation 18E (Application for approval of type B appliance);
 - (f) refusing to approve the connection of an appliance, or its use, for product testing, product development or experimental purposes under regulation 18F (Prescribed circumstances for unapproved appliances—Act, s 24 (4));
 - (g) refusing to approve the connection of an appliance, or its use, for product testing, product development or experimental purposes under regulation 18H (Prescribed circumstances for prohibited appliances—Act, s 28 (4)).
- (2) Application may be made to the administrative appeals tribunal for review of a decision under a code approved for regulation 17A (1)—
- (a) refusing to accredit a person to do appliance work; or
 - (b) imposing a condition on a person's accreditation; or
 - (c) refusing to renew a person's accreditation; or
 - (d) suspending a person's accreditation; or
 - (e) cancelling a person's accreditation.

20B Notification of decisions

- (1) A person who makes a decision mentioned in regulation 20A must give written notice of the decision to the person affected by the decision.
- (2) A notice under subregulation (1) must be in accordance with the code of practice in force under the *Administrative Appeals Tribunal Act 1989*, section 25B (1).

21 Place for keeping records—Act, s 19 (2) (b) and s 65 (5) (b)

The office of ACT Workcover is prescribed.

Part 5 Savings and transitional provisions

22 Records of former certificate information to be kept

- (1) Despite the repeal of the *Gas Supply Regulations 1999*, the provisions of those regulations, 17 (2) 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.

23 Compliance indicators

- (1) In these regulations:
compliance indicator includes a compliance plate attached in relation to a consumer piping system under the *Gas Supply Regulations 1999* (repealed), regulation 15 (2).
- (2) This regulation expires on 1 July 2005.

24 Defect tags

- (1) In these regulations:
defect tag includes an approved tag attached in relation to a consumer piping system under the *Gas Supply Regulations 1999* (repealed), regulation 14 (2).
- (2) This regulation expires on 1 July 2005.

Dictionary

(see reg 3)

Note 1 The Legislation Act contains definitions and other provisions relevant to this Act.

Note 2 For example, the Legislation Act, dict, pt 1, defines the following terms:

- under
- function.

Note 3 Terms used in these regulations have the same meaning that they have in the *Gas Safety Act 2000* (see Legislation Act, s 148). For example, the following terms are defined in the *Gas Safety Act 2000*, dict:

- premises.

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

Australian Gas Association means the company named The Australian Gas Association (ACN 004206044).

certificate of accreditation means a certificate of accreditation under the accreditation code approved under regulation 17A.

defect tag—

- for a consumer piping system—see regulation 15 (1);
- for an appliance—see regulation 17D.

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

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

type A appliance—see Australian Gas Association Standard AG 601 (Australian Standard 5601).

type B appliance—see Australian Gas Association Standard AG 601 (Australian Standard 5601).

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

| | |
|--|--|
| am = amended | ord = ordinance |
| amdt = amendment | orig = original |
| ch = chapter | par = paragraph/subparagraph |
| cl = clause | pres = present |
| def = definition | prev = previous |
| dict = dictionary | (prev...) = previously |
| disallowed = disallowed by the Legislative Assembly | pt = part |
| div = division | r = rule/subrule |
| exp = expires/expired | reg = regulation/subregulation |
| Gaz = Gazette | renum = renumbered |
| hdg = heading | reloc = relocated |
| IA = Interpretation Act 1967 | R[X] = Republication No |
| ins = inserted/added | RI = reissue |
| LA = Legislation Act 2001 | s = section/subsection |
| LR = legislation register | sch = schedule |
| LRA = Legislation (Republication) Act 1996 | sdiv = subdivision |
| mod = modified/modification | sub = substituted |
| o = order | SL = Subordinate Law |
| om = omitted/repealed | <u>underlining</u> = whole or part not commenced or to be expired |

3 Legislation history

Gas Safety Regulations 2001 No 18

notified 21 June 2001 (Gaz 2001 No S37)
commenced 21 June 2001 (reg 2)

as amended by

Gas Safety Amendment Regulations 2002 (No 1) SL2002-30

notified LR 29 October 2002
reg 1, reg 2 commenced 29 October 2002 (LA s 75)
remainder commenced 1 January 2003 (reg 2)

Urban Services (Application of Criminal Code) Amendment Regulations 2002 SL2003-1 pt 2

notified LR 9 January 2003
reg 1, reg 2 commenced 9 January 2003 (LA s 75 (1))
pt 2 commenced 10 January 2003 (reg 2 (1) (b))

Construction Occupations Legislation Amendment Act 2004 A2004-13 sch 1 pt 1.2, sch 2 pt 2.15

notified LR 26 March 2004
s 1, s 2 commenced 26 March 2004 (LA s 75 (1))
sch 1 pt 1.2, sch 2 pt 2.15 commenced 1 September 2004 (s 2 and see Construction Occupations (Licensing) Act 2004 A2004-12, s 2 and CN2004-8)

Criminal Code (Theft, Fraud, Bribery and Related Offences) Amendment Act 2004 A2004-15 sch 2 pt 2.42

notified LR 26 March 2004
s 1, s 2 commenced 26 March 2004 (LA s 75 (1))
sch 2 pt 2.42 commenced 9 April 2004 (s 2 (1))

4 Amendment history

Commencement

reg 2 om R1 (IA s 43 (4))

Offences against regulations—application of Criminal Code etc

s 4AA ins SL2003-1 reg 4

Endnotes

4 Amendment history

References to Australian Gas Association standards and codes

reg 4A ins 2002 No 30 reg 4
sub SL2003-1 reg 4

Gasfitting work

div 2.1 hdg ins 2002 No 30 reg 5

Work declared to be gasfitting work—Act, dict, def *gasfitting work*, par (c)

reg 4B ins 2002 No 30 reg 6
om A2004-13 amdt 2.61

People qualified to do gasfitting work—Act, s 7

reg 5 om A2004-13 amdt 2.62

Testing gas connection service

reg 7 am 2002 No 30 regs 7-10

Appliances to be certified safe

reg 8 om 2002 No 30 reg 11

Testing appliance connection

reg 9 am 2002 No 30 regs 12-14

Interfering with compliance indicators

reg 13 am A2004-13 amdt 2.63, amdt 2.64

False information on compliance indicators

reg 14 om A2004-15 amdt 2.94

Unsafe consumer piping system—Act, s 12

reg 15 am 2002 No 30 reg 15, reg 16; A2004-13 amdt 2.67

Interfering with defect tags

reg 16 am A2004-13 amdt 2.68

Appliance work

div 2.2 hdg ins 2002 No 30 reg 17

Accreditation to do appliance work

reg 17A ins 2002 No 30 reg 17

Certificate of accreditation

reg 17B ins 2002 No 30 reg 17

Appliance work—testing

reg 17C ins 2002 No 30 reg 17

Unsafe appliance

reg 17D ins 2002 No 30 reg 17
am SL2003-1 reg 5

Interfering with defect tag

reg 17E ins 2002 No 30 reg 17
sub SL2003-1 reg 6
am A2004-13 amdt 2.69

Regulation of appliances

pt 3A hdg ins 2002 No 30 reg 18

Instruments applied by pt 3A

reg 18A ins 2002 No 30 reg 18
om SL2003-1 reg 7

Appliances declared to be approved—Act, s 20 (1)

reg 18B ins 2002 No 30 reg 18

Approval by chief executive, type A appliance—Act, s 21

reg 18C ins 2002 No 30 reg 18

Approval by chief executive, type B appliance—Act, s 21

reg 18D ins 2002 No 30 reg 18

Application for approval of type B appliance

reg 18E ins 2002 No 30 reg 18

Prescribed circumstances for unapproved appliances—Act, s 24 (4)

reg 18F ins 2002 No 30 reg 18

Compliance indicators—Act, s 25

reg 18G ins 2002 No 30 reg 18
am SL2003-1 reg 8

Prescribed circumstances for prohibited appliances—Act, s 28 (4)

reg 18H ins 2002 No 30 reg 18

Approved compliance indicator

reg 19A ins 2002 No 30 reg 19

Review of decisions

reg 20A ins 2002 No 30 reg 20

Notification of decisions

reg 20B ins 2002 No 30 reg 20

Place for keeping records—Act, s 19 (2) (b) and s 65 (5) (b)

reg 21 exp 21 June 2003 (reg 21 (2))
ins A2004-13 amdt 1.6

Records of former certificate information to be kept

reg 22 exp 21 June 2011 (reg 22 (2))

Compliance indicators

reg 23 ins A2004-13 amdt 2.70
exp 1 July 2005 (reg 23 (2))

Endnotes

5 Earlier replications

Defect tags

reg 24

ins A2004-13 amdt 2.70
exp 1 July 2005 (reg 24 (2))

Dictionary

dict

am A2004-13 amdt 2.71
def **Australian Gas Association** ins 2002 No 30 reg 21
def **certificate of accreditation** ins 2002 No 30 reg 22
def **defect tag** sub 2002 No 30 reg 23
def **repealed Gas Supply Regulations** om A2004-13
amdt 2.72
def **type A appliance** ins 2002 No 30 reg 24
def **type B appliance** ins 2002 No 30 reg 24

5 Earlier replications

Some earlier replications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised replications have also been published in printed format. These replications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

| Replication No | Amendments to | Replication date |
|----------------|---------------|-------------------|
| 1 | not amended | 12 September 2001 |
| 2 | SL2002-30 | 1 January 2003 |
| 3 | SL2003-1 | 10 January 2003 |
| 4 | SL2003-1 | 22 June 2003 |
| 5 | A2004-15 | 9 April 2004 |

© Australian Capital Territory 2004