



New South Wales

Gas Supply Amendment Act 2010 No 7

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Gas Supply Amendment Act 2010 No 7

Act No 7, 2010

An Act to amend the *Gas Supply Act 1996* to make further provision, and to clarify the regulatory framework, in relation to gasfitting work, autogas work, gas installations, autogas installations and gas appliances. [Assented to 23 March 2010]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Gas Supply Amendment Act 2010*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

Schedule 1 Amendment of Gas Supply Act 1996 No 38

[1] Section 55 Powers of entry

Insert after section 55 (2):

- (2A) A person appointed under section 18 of the *Fair Trading Act 1987* as an investigator for the purposes of any provision of this Act that is administered by the Minister for Fair Trading (or any regulations made under such a provision):
- (a) may enter any premises for the purpose of ascertaining whether an offence against the provision (or the regulations made under the provision) has been committed, and
 - (b) is taken to be an inspector for the purposes of this Act (except section 77).

[2] Section 77 Inspectors

Insert at the end of the section:

Note. For the purposes of any provisions of this Act administered by the Minister for Fair Trading (and any regulations made under any such provisions), investigators may be appointed under section 18 of the *Fair Trading Act 1987*.

[3] Section 83 Regulations

Omit section 83 (2) (g) and (g1). Insert instead:

- (g) the carrying out of work involving the installation or replacement of a gas meter or any part of the basic metering equipment,
- (g1) the installation, alteration, extension or repair of, or any other work on, a consumer service,

[4] Section 83A Regulations as to gas appliances, gas and autogas installations, gasfitting and autogas work and gas meters

Omit section 83A (e). Insert instead:

- (e) gas installations and the carrying out of gasfitting work,
- (e1) autogas installations and the carrying out of autogas work,

[5] Section 83A (g)

Insert after section 83A (f):

- (g) fees, charges and payments relating to the matters in paragraphs (a)–(f).

[6] Schedule 2 Savings, transitional and other provisions

Insert at the end of clause 1 (1):

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[7] Dictionary

Omit the definitions of *gas appliance*, *gas installation* and *gasfitting work*.

Insert in alphabetical order:

basic metering equipment means a gas meter and any equipment prescribed by the regulations for the purposes of this definition when used in conjunction with gas meters.

consumer service means any pipe or system of pipes used to convey or control gas, and any associated fittings and equipment, that are connected to a gas network upstream of the gas supply point, but does not include any part of a gas network.

gas appliance means any gas burning or gas using appliance that is manufactured, adapted or designed for connection to a gas installation, whether by means of a gas outlet socket or otherwise, and includes any liquefied petroleum gas dispenser, catalytic burner or vaporiser, but does not include an internal combustion engine that is installed in, or forms part of, a vehicle, vessel or machine.

gas container includes a gas cylinder, a gas cartridge, a pressure vessel and a gas tank.

gas installation means:

- (a) any pipe or system of pipes used to convey or control gas, and any associated fittings and equipment, that are downstream of the gas supply point, but does not include anything beyond the gas installation end point, and
- (b) any flue that is downstream of the gas supply point, but does not include an autogas installation.

gas installation end point means:

- (a) in the case of a gas installation to which gas is supplied from a gas network—the gas outlet socket, or
- (b) in any other case—the control valve or other connection point of a gas appliance or of another gas container.

gas network means a distribution pipeline or a distribution system.

gas supply point means:

- (a) in the case of a gas installation to which gas is supplied from a gas network—the outlet of the gas meter at which the gas is supplied, or
- (b) in any other case—the control valve or other connection point of a gas container.

gasfitting work means any work involved in:

- (a) the installation, alteration, extension or repair of a gas installation, or
- (b) the installation, alteration, extension, removal or repair of a flue, or
- (c) the connection of a gas installation to, or the disconnection of a gas installation from, a gas supply point, or
- (d) the connection of a gas appliance to, or the disconnection of a gas appliance from, a gas installation (otherwise than where the point of connection is a gas outlet socket), or
- (e) the connection of a gas container, gas regulator or gas appliance to, or the disconnection of a gas container, gas regulator or gas appliance from, a gas installation (otherwise than where it is designed to be readily detachable from the installation whether by the use of a tool, mechanical force or otherwise).

[Agreement in principle speech made in Legislative Assembly on 3 December 2009
Second reading speech made in Legislative Council on 17 March 2010]

BY AUTHORITY