



New South Wales

Gas Supply Amendment Regulation 2010

under the

Gas Supply Act 1996

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Gas Supply Act 1996*.

VIRGINIA JUDGE, MP
Minister for Fair Trading

Explanatory note

The objects of this Regulation are as follows:

- (a) to re-organise and consolidate the regulations under the *Gas Supply Act 1996* (**the Principal Act**) as a consequence of the enactment of the *Gas Supply Amendment Act 2010* (**the amending Act**) (and to implement the remaining recommendations contained in the *Review Report: Reforming arrangements for regulating gasfitting, gas installations and appliances*, published by the Better Regulation Office in June 2009),
- (b) to ensure that the Minister for Fair Trading is responsible for the regulation of all types of gas appliances,
- (c) to insert new Parts 3–8 into the *Gas Supply (Gas Appliances) Regulation 2004* and to change the name of that Regulation to the *Gas Supply (Consumer Safety) Regulation 2004* to more accurately reflect the nature of the provisions contained in the Regulation (the new Parts contain provisions that are made under section 83A of the Principal Act, as amended by the amending Act, and relate to qualifications and standards required for gasfitting work and autogas work, gas installations and autogas installations),
- (d) to exclude gas installations, autogas installations and gas appliances with a carrying capacity or inlet pressure greater than 200 kilopascals that are located within a workplace from the *Gas Supply (Consumer Safety) Regulation 2004* (since they will be regulated under the *Occupational Health and Safety Act 2000*),

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- (e) to repeal the *Dangerous Goods (Gas Installations) Regulation 1998* following the transfer of the provisions of that regulation to the *Gas Supply (Consumer Safety) Regulation 2004* (this Regulation also consolidates the transferred provisions with other provisions relating to gasfitting work, gas installations and autogas installations),
- (f) to omit Part 5 of the *Gas Supply (Safety and Network Management) Regulation 2008* (the kinds of gasfitting work currently regulated by Part 5 will be regulated under the new Parts of the *Gas Supply (Consumer Safety) Regulation 2004*),
- (g) to change the name of the gasfitting rules to the network operator rules (to more accurately reflect the nature of the rules),
- (h) to prescribe equipment for the purposes of the definition of **basic metering equipment** (as inserted into the Principal Act by the amending Act),
- (i) to make other minor changes, changes consequential on the enactment of the amending Act and the re-organisation of the regulatory framework and law revision amendments.

This Regulation is made under the *Gas Supply Act 1996*, including sections 83 (the general regulation-making power) and 83A.

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1 Name of Regulation

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

2 Commencement

This Regulation commences on 3 September 2010 and is required to be published on the NSW legislation website.

3 Repeal

The *Dangerous Goods (Gas Installations) Regulation 1998* is repealed.

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Schedule 1 Amendment of Gas Supply (Gas Appliances) Regulation 2004

Schedule 1 Amendment of Gas Supply (Gas Appliances) Regulation 2004

[1] Clause 1 Name of Regulation

Omit “*Gas Supply (Gas Appliances) Regulation 2004*”.

Insert instead “*Gas Supply (Consumer Safety) Regulation 2004*”.

[2] Clause 3 Definitions

Insert in clause 3 (1) in alphabetical order:

approved means approved for the time being by the Director-General.

Australian Standard or ***Australian and New Zealand Standard*** means such a standard published by Standards Australia as in force for the time being.

autogas (CN Gas) installation means an autogas installation that is designed for use with compressed natural gas.

autogas (LP Gas) installation means an autogas installation that is designed for use with liquefied petroleum gas.

contractor’s licence, in relation to a particular kind of gasfitting work, means a licence in force under the *Home Building Act 1989* authorising the holder to contract to carry out that kind of work.

defect notice means a defect notice referred to in clause 30.

employee means an employee within the meaning of the *Occupational Health and Safety Act 2000*.

patent defect means a defect that presents an immediate or potential danger to persons and that is apparent on testing or inspection, and ***patently defective*** has a corresponding meaning.

person responsible means:

- (a) in relation to the carrying out of gasfitting work, the person who carries out the gasfitting work (or who supervises the carrying out of gasfitting work) under the authority of an appropriate supervisor certificate, or
- (b) in relation to the carrying out of autogas work, the person who carries out the autogas work (or who supervises the carrying out of autogas work) under the authority of an appropriate trade certificate.

repairer means a repairer within the meaning of the *Motor Vehicle Repairs Act 1980*.

repairer’s licence means a licence granted under the *Motor Vehicle Repairs Act 1980*.

supervisor certificate, in relation to a particular kind of gasfitting work, means a supervisor certificate in force under the *Home Building Act 1989* authorising the holder to carry out, and to supervise, that kind of work, and includes a licence endorsed under that Act to show that it is the equivalent of such a certificate.

trade certificate means:

- (a) in relation to autogas work carried out on an autogas (LP Gas) installation, a tradesperson's certificate (other than a provisional tradesperson's certificate) granted under the *Motor Vehicle Repairs Act 1980* in respect of a class of repair work that includes work of a liquefied petroleum gas mechanic within the meaning of that Act, or
- (b) in relation to autogas work carried out on an autogas (CN Gas) installation, a tradesperson's certificate (other than a provisional tradesperson's certificate) granted under the *Motor Vehicle Repairs Act 1980* in respect of a class of repair work that includes work of a natural gas mechanic within the meaning of that Act.

tradesperson certificate, in relation to a particular kind of gasfitting work, means a tradesperson certificate in force under the *Home Building Act 1989* authorising the holder to carry out that kind of work under general supervision.

[3] Clause 3 (1), definition of "Director-General"

Omit "Department of Commerce".

Insert instead "Department of Services, Technology and Administration".

[4] Clause 4

Omit the clause. Insert instead:

4 Regulation not to apply to certain gas installations, autogas installations and appliances

This Regulation does not apply to or in respect of:

- (a) a gas installation or autogas installation with a carrying capacity greater than 200 kilopascals, or
- (b) a gas appliance with an inlet pressure greater than 200 kilopascals,

that is located partially or wholly within a place of work in respect of which the *Occupational Health and Safety Act 2000* is applicable.

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Schedule 1 Amendment of Gas Supply (Gas Appliances) Regulation 2004

[5] Part 2 Certification and labelling of gas appliances

Omit the heading. Insert instead:

Part 2 Gas appliances

Division 1 Certification and labelling of gas appliances

[6] Clause 5 Restrictions on sale and supply of gas appliances

Omit “a form approved by the Director-General” from clause 5 (1) (b).

Insert instead “the approved form”.

[7] Clause 5 (1) (b)

Omit “a manner approved by the Director-General”.

Insert instead “the approved manner”.

[8] Clause 5A

Insert after clause 5:

5A Restrictions on connection of gas appliances to certain gas installations

- (1) This clause applies only in respect of a gas installation to which gas is supplied from a gas network.
- (2) A person must not connect a gas appliance to a gas installation or modify a gas appliance connected to a gas installation unless the appliance (or appliance as modified) is a certified gas appliance.
Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

[9] Clauses 7 (2) and 12 (e)

Omit “the form approved by the Director-General” wherever occurring.

Insert instead “the approved form”.

[10] Part 3 Unsafe gas appliances

Omit the heading. Insert instead:

Division 2 Unsafe gas appliances

[11] Part 3

Omit “this Part” wherever occurring. Insert instead “this Division”.

[12] Part 4 Miscellaneous

Omit the heading. Insert instead:

Division 3 Miscellaneous**[13] Part 3**

Omit clause 20. Insert instead:

Part 3 Gasfitting work**20 Gasfitting work to be carried out by qualified persons**

A person must not carry out gasfitting work, or employ any other person to carry out gasfitting work, unless the person by whom the work is carried out does so:

- (a) under the authority of an appropriate supervisor certificate, or
- (b) under the authority of an appropriate tradesperson certificate and under the general supervision of the holder of an appropriate supervisor certificate, or
- (c) under the immediate supervision of the holder of an appropriate supervisor certificate.

Maximum penalty: 100 penalty units (in the case of a corporation) or 25 penalty units (in any other case).

21 Gasfitting work to comply with certain standards

A person must not carry out gasfitting work unless the work is carried out in accordance with whichever of the following Standards applies to that type of gasfitting work:

- (a) the Australian Standard entitled AS 5601—2004, *Gas installations*,
- (b) the Australian Standard entitled AS 4041—2006, *Pressure Piping*,
- (c) the Australian and New Zealand Standard entitled AS/NZS 1596:2008, *The storage and handling of LP Gas*.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

Part 4 Autogas work

22 Autogas work to be carried out by qualified persons

A person must not carry out autogas work, or employ any other person to carry out autogas work, unless the person by whom the work is carried out does so:

- (a) under the authority of an appropriate trade certificate, or
- (b) under the authority of an appropriate provisional trade certificate and under the general supervision of the holder of an appropriate trade certificate, or
- (c) under the immediate supervision of the holder of an appropriate trade certificate.

Maximum penalty: 100 penalty units (in the case of a corporation) or 25 penalty units (in any other case).

23 Autogas work to comply with certain standards

- (1) A person must not carry out autogas work on an autogas installation otherwise than in accordance with:
 - (a) AS/NZS 1425, in the case of work on an autogas (LP Gas) installation, or
 - (b) AS/NZS 2739, in the case of work on an autogas (CN Gas) installation.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

- (2) In this clause:

AS/NZS 1425 means the Australian and New Zealand Standard entitled AS/NZS 1425:2007, *LP Gas fuel systems for vehicle engines*.

AS/NZS 2739 means the Australian and New Zealand Standard entitled AS/NZS 2739:2009, *Natural gas (NG) fuel systems for vehicle engines*.

Part 5 Gas installations (supplied from a gas network)

24 Application of Part

- (1) This Part applies only in relation to gasfitting work carried out:
 - (a) on a gas installation to which gas is supplied from a gas network, or
 - (b) for the purpose of connecting a gas appliance to such a gas installation.
- (2) This Part does not apply to the connection of a gas installation to, or the disconnection of a gas installation from, a gas supply point.

25 Testing for defects and certificates of compliance

- (1) Immediately after completing gasfitting work on a gas installation, the person responsible for the carrying out of the gasfitting work:
 - (a) must test the installation for defects, and
 - (b) must inspect all gas appliances connected to the installation.
- (2) Immediately after testing a gas installation following the completion of gasfitting work, the person responsible for the carrying out of the gasfitting work must issue a certificate of compliance with respect to that work:
 - (a) to the owner of the installation, or
 - (b) to a person having the control or management of the installation.
- (3) The person responsible for the carrying out of the gasfitting work must, within 7 days after completing the gasfitting work, send a copy of the certificate of compliance to the relevant network operator.
- (4) A certificate of compliance:
 - (a) must be in the approved form, and
 - (b) must indicate the nature of the gasfitting work that has been carried out, and
 - (c) must state that the gasfitting work has been carried out in accordance with a relevant Standard referred to in clause 21, and
 - (d) must indicate whether or not the gas installation is in safe working order.

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- (5) A person who issues a certificate of compliance must keep a copy of the certificate for 5 years from the date on which it was issued.
- (6) In this clause:
network operator rules means the rules established by the network operator in accordance with the *Gas Supply (Safety and Network Management) Regulation 2008*.
Maximum penalty (subclauses (1), (2), (3) and (5)): 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

Part 6 Gas installations (not supplied from a gas network)

Division 1 Application of Part

26 Part does not apply to certain gasfitting work

This Part does not apply in relation to:

- (a) a gas installation to which gas is supplied from a gas network, or
- (b) gasfitting work carried out:
 - (i) on a gas installation to which gas is supplied from a gas network, or
 - (ii) for the purpose of connecting a gas appliance to such a gas installation.

Division 2 Testing, inspection and compliance

27 Testing for patent defects

Immediately after the completion of gasfitting work on a gas installation, the person responsible for the carrying out of the work:

- (a) in the case of work comprising the installation of a new gas installation:
 - (i) must inspect all gas containers, gas regulators and gas appliances connected to the installation, and
 - (ii) must test the whole installation for patent defects, or

- (b) in the case of work comprising the alteration, extension or repair of an existing gas installation:
 - (i) must inspect such part of the installation as has been altered, extended or repaired, and
 - (ii) must inspect all gas containers, gas regulators and gas appliances connected to such part of the installation as has been altered, extended or repaired, and
 - (iii) must test the whole installation for patent defects.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

28 Certificates of inspection

- (1) Immediately after testing a gas installation following the completion of gasfitting work, the person responsible for the carrying out of the work must furnish a certificate of inspection for the installation:
 - (a) to the owner of the installation, or
 - (b) to a person having the control or management of the installation.
- (2) In the case of a gas installation that is installed in any premises (or in any machine that forms part of any premises), the person may also send a copy of the certificate to any other person who appears to be the usual supplier of gas for use in connection with the installation if the certificate indicates that the installation is patently defective.
- (3) A certificate of inspection:
 - (a) must be serially numbered and in the approved form, and
 - (b) if it indicates that the installation to which it relates is patently defective, must specify what work needs to be done to rectify the patent defect.
- (4) A person must not issue a certificate of inspection with respect to a gas installation that is patently defective unless the nature of the patent defect is indicated on the certificate.
- (5) A person who issues a certificate of inspection under this clause must keep a copy of the certificate for 5 years from the date on which it is issued.

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- (6) A certificate of inspection issued in respect of a gas installation ceases to have effect if a further certificate of inspection is issued in respect of the same installation.

Maximum penalty (subclauses (1), (4) and (5)): 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

29 Compliance plates

- (1) The person responsible for the carrying out of gasfitting work on a gas installation:
- (a) must detach any compliance plate from the installation before the work is carried out, and
 - (b) must attach a compliance plate to the installation after the work is carried out, unless the certificate of inspection issued as a result of the work being carried out indicates that the installation is patently defective.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

- (2) A compliance plate attached to an installation in accordance with this clause must comply with the requirements set out in clause 44.

30 Defect notices

- (1) The person responsible for the carrying out of gasfitting work on a gas installation:
- (a) if satisfied that the gas installation, or any gas container, gas regulator or gas appliance connected to the installation, is patently defective, must attach a defect notice to the installation, container, regulator or appliance, and
 - (b) if the patent defect cannot be isolated from the installation, must remove any compliance plate from the installation.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

- (2) A defect notice:
- (a) must have the word “DEFECT” clearly printed on it in upper case letters in type at least 20 millimetres high, and
 - (b) must be made of durable and weather-resistant material, and
 - (c) must be securely attached to the gas installation, gas container, gas regulator or gas appliance in a conspicuous position, and
 - (d) must be in the approved form.

Division 3 Miscellaneous

31 Sale of gas installations

A person must not sell any gas installation unless a compliance plate is attached to the installation.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

32 Sale of gas regulators

A person must not sell any gas regulator unless the regulator:

- (a) is suitable and safe for use with the gas with which it is designed to be used, and
- (b) is approved or is of an approved type.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

33 Use of gas installations

- (1) A person must not use a gas installation unless a compliance plate is attached to the installation.
- (2) A person must not use any of the following to which a defect notice is attached:
 - (a) a gas installation,
 - (b) a gas container, gas regulator or gas appliance.

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- (3) This clause does not apply to:
- (a) anything that is done in the course of the carrying out of gasfitting work, or
 - (b) anything that is done in the course of the testing of a gas installation by a person by whom gasfitting work is being carried out or by the holder of an appropriate supervisor certificate, or
 - (c) the use of a gas installation that is installed in a vehicle, vessel or machine registered or licensed under the laws of any State, Territory or country outside New South Wales.

Maximum penalty (subclauses (1) and (2)): 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

34 Supply of gas for use in gas installations

- (1) A person must not supply gas to a gas container that is connected to a gas installation unless a compliance plate is attached to the installation.
- (2) A person must not supply gas to a gas container that is connected to a gas installation if a defect notice is attached to the installation.
- (3) This clause does not apply to:
 - (a) anything that is done in the course of the carrying out of gasfitting work, or
 - (b) anything that is done in the course of the testing of a gas installation by a person by whom gasfitting work is being carried out or by the holder of an appropriate supervisor certificate, or
 - (c) the supply of gas to a gas container that is connected to a gas installation that is installed in a vehicle, vessel or machine registered or licensed under the laws of any State, Territory or country outside New South Wales.

Maximum penalty (subclauses (1) and (2)): 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

35 Connection of gas containers to gas installations

- (1) A person must not connect a gas container to a gas installation unless a compliance plate is attached to the installation.
- (2) A person must not connect a gas container to a gas installation if a defect notice is attached to the installation or container.
- (3) A person must not connect a gas container, gas regulator or gas appliance to a gas installation unless the container, regulator or appliance:
 - (a) is suitable and safe for use with the gas with which it is designed to be used, and
 - (b) is approved or is of an approved type.
- (4) This clause does not apply to:
 - (a) anything that is done in the course of the carrying out of gasfitting work, or
 - (b) anything that is done in the course of the testing of a gas installation by a person by whom gasfitting work is being carried out or by the holder of an appropriate supervisor certificate, or
 - (c) the connection of a gas container to a gas installation that is installed in a vehicle, vessel or machine registered or licensed under the laws of any State, Territory or country outside New South Wales.

Maximum penalty (subclauses (1), (2) and (3)): 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

Part 7 Autogas installations

Division 1 Testing, inspection and compliance

36 Testing for patent defects

Immediately after the completion of autogas work on an autogas installation, the person responsible for the carrying out of the work:

- (a) must inspect all gas cylinders and gas regulators connected to the installation, and

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(b) must test the whole installation for patent defects.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

37 Certificates of inspection

- (1) Immediately after testing an autogas installation following the completion of autogas work, the person responsible for the carrying out of the work must issue a certificate of inspection for the installation:
 - (a) to the owner of the installation, or
 - (b) to a person having the control or management of the installation.
- (2) A certificate of inspection:
 - (a) must be serially numbered and in the approved form, and
 - (b) if it indicates that the installation to which it relates is patently defective, must specify what work needs to be done to rectify the patent defect.
- (3) A person must not issue a certificate of inspection with respect to an autogas installation that is patently defective unless the nature of the patent defect is indicated on the certificate.
- (4) A person who issues a certificate of inspection under this clause must keep a copy of the certificate for 5 years from the date on which it is issued.
- (5) A certificate of inspection issued in respect of an autogas installation ceases to have effect if a further certificate of inspection is issued in respect of the same installation.

Maximum penalty (subclauses (1), (3) and (4)): 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

38 Compliance plates

- (1) The person responsible for the carrying out of autogas work on an autogas installation must attach a compliance plate to the installation after it has been tested unless the certificate of inspection issued as a result of the test indicates that the installation is patently defective.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

- (2) A compliance plate attached to an installation in accordance with this clause must comply with the requirements set out in clause 44.

39 Identification labels

- (1) The person responsible for fitting an autogas installation to any vehicle, vessel or machine must ensure that an identification label is attached to the outside of the vehicle, vessel or machine in a conspicuous position.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

- (2) In the case of a vehicle registered under the *Road Transport (Vehicle Registration) Act 1997*, the identification label must be attached to both the front and back number plates of the vehicle.

- (3) An identification label:

- (a) must be in the shape of a square, having sides at least 25 millimetres long, and
- (b) must be constructed of approved material, and
- (c) must be coloured red, and
- (d) must bear the letters “LPG” (in the case of an autogas (LP Gas) installation) or “CNG” (in the case of an autogas (CN Gas) installation) in white symbols at least 10 millimetres high along one of the diagonals of the square, and
- (e) must be mounted diamond-wise, so that the symbols appear upright and horizontal.

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Division 2 Miscellaneous

40 Sale of gas cylinders

A person must not sell any gas cylinder for use in connection with an autogas installation unless the cylinder:

- (a) is suitable and safe for use with the gas with which it is designed to be used, and
- (b) is of an approved type.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

41 Use of autogas installations

- (1) A person must not use a vehicle, vessel or machine to which an autogas installation is fitted unless:

- (a) a compliance plate is attached to the installation, and
- (b) an identification label is attached to the vehicle, vessel or machine.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

- (2) This clause does not apply to:

- (a) anything that is done in the course of the carrying out of autogas work, or
- (b) anything that is done in the course of the testing of an autogas installation by a person by whom autogas work is being carried out or by the holder of an appropriate trade certificate, or
- (c) the use of a vehicle, vessel or machine registered or licensed under the laws of any State, Territory or country outside New South Wales.

42 Supply of gas for use in autogas installations

- (1) A person must not supply gas to a gas cylinder that is connected to an autogas installation unless a compliance plate is attached to the installation.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

- (2) This clause does not apply to:
- (a) anything that is done in the course of the carrying out of autogas work, or
 - (b) anything that is done in the course of the testing of an autogas installation by a person by whom autogas work is being carried out or by the holder of an appropriate trade certificate, or
 - (c) the supply of gas to a gas cylinder that is connected to an autogas installation that forms part of a vehicle, vessel or machine registered or licensed under the laws of any State, Territory or country outside New South Wales.

43 Connection of gas cylinders to autogas installations

- (1) A person must not connect a gas cylinder to an autogas installation unless a compliance plate is attached to the installation.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

- (2) This clause does not apply to:
- (a) anything that is done in the course of the carrying out of autogas work, or
 - (b) anything that is done in the course of the testing of an autogas installation by a person by whom autogas work is being carried out or by the holder of an appropriate trade certificate, or
 - (c) the connection of a gas cylinder to an autogas installation that forms part of a vehicle, vessel or machine registered or licensed under the laws of any State, Territory or country outside New South Wales.

Part 8 Miscellaneous

44 Requirements for compliance plates

- (1) A compliance plate:
 - (a) must be in the approved form, and
 - (b) must be constructed of approved material at least 0.5 millimetres thick, and
 - (c) must have a display area of at least 70 millimetres by 45 millimetres, and
 - (d) must be attached to the installation in a conspicuous position adjacent to the control valve or other point by which the installation is designed to be connected to a gas cylinder or gas container.
- (2) A compliance plate must be permanently and legibly inscribed, in figures at least 6 millimetres high, with the following information:
 - (a) the serial number of the certificate of inspection for the installation,
 - (b) the date on which the testing of the installation was carried out,
 - (c) in the case of a compliance plate to be attached to a gas installation:
 - (i) the serial number of the supervisor certificate held by the person by whom the installation was tested, and
 - (ii) the serial number of the contractor's licence held by that person or by the contractor by whom that person is employed, and
 - (iii) an indication of the number and types of gas appliances connected to the installation,
 - (d) in the case of a compliance plate to be attached to an autogas installation:
 - (i) the serial number of the trade certificate or supervisor certificate held by the person by whom the installation was tested, and
 - (ii) the serial number of the repairer's licence held by the repairer, if any, by whom that person is employed, and

- (iii) the engine number and vehicle identification number, if any, of the vehicle, vessel or machine to which the installation is fitted.
- (3) For the purposes of subclause (2) (c) (iii), the type of gas appliance specified in Column 1 of the Table to this clause is to be indicated by the numeral specified opposite that appliance in Column 2 of that Table.

Table

Column 1	Column 2
Type of appliance	Numeral
Cooker	1
Refrigerator	2
Sink heater	3
Hot water heater	4
Hot plate	5
Oven	6
Gas light	7
Room heater	8
Other appliance	9

- (4) In the case of a vehicle manufactured before 1 January 1989, the reference in subclause (2) (d) (iii) to the vehicle's vehicle identification number is a reference to the vehicle's chassis number.

45 Unauthorised attachment of compliance plates

A person must not attach to a gas installation or an autogas installation any compliance plate, or any device that resembles a compliance plate, otherwise than as authorised by this Regulation.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

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46 Removal of compliance plates by investigators

An investigator may remove a compliance plate from a gas installation or autogas installation if the investigator is satisfied that the installation (or any gas container, gas regulator, gas cylinder or gas appliance connected to it) is not in safe working order.

47 Unauthorised removal of defect notices

A person must not remove a defect notice from a gas installation, gas container, gas regulator or gas appliance until the relevant patent defect has been rectified or is found not to exist.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of a person who contravenes the provision otherwise than in his or her capacity as an employee) or 25 penalty units (in the case of a person who contravenes the provision in his or her capacity as an employee).

Schedule 2 Amendment of Gas Supply (Safety and Network Management) Regulation 2008

[1] Clause 3 Definitions

Omit the definitions of *basic metering equipment*, *consumer service*, *gas network* and *gasfitting rules* from clause 3 (1).

Insert in alphabetical order:

network operator rules means the rules established by the network operator in accordance with clause 12 of Schedule 1.

[2] Clause 3A

Insert after clause 3:

3A Definition of “basic metering equipment”

For the purposes of the definition of *basic metering equipment* in the Act, the following equipment is prescribed:

- (a) valves to isolate gas supply,
- (b) pipework (including a combination of pipes, flanges, tees, elbows and other pipe-connecting equipment designed to convey gas),
- (c) fittings, smaller instruments used in connection with fittings, pressure sensing tubing and tube fittings, instrument valves and associated equipment,
- (d) filters (being devices designed to trap and remove foreign matter from gas streams),
- (e) pressure regulators (being devices designed to reduce and control pressure),
- (f) over-pressure protection devices (being devices designed to protect downstream equipment from exposure to excessive pressure if upstream equipment fails),
- (g) non-return valves (being devices designed to ensure that gas flow travels in one direction and to prevent reverse flow),
- (h) mechanical indexes (being devices designed to indicate consumption of raw metered gas),
- (i) meter bars and other equipment designed to support a gas meter, and associated equipment that forms part of the meter installation,

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- (j) electrical connections and wiring designed to convey electrical signals for gas meters, flow correction devices, alarms and metering communications equipment,
- (k) flow correction devices or software designed to enable raw metering data to be adjusted for the effects of temperature, pressure and gas quality (or any of these) and to be referenced to standard pressure and temperature conditions,
- (l) temperature and pressure correction devices or software designed to enable raw metering data to be adjusted for the effects of temperature and pressure,
- (m) devices and equipment designed to analyse and calculate the heating value of a gas stream (for example, chromatography equipment and calorimeters).

3B Regulation not to apply to certain gas installations and appliances

This Regulation does not apply to or in respect of:

- (a) a gas installation with a carrying capacity greater than 200 kilopascals, or
- (b) a gas appliance with an inlet pressure greater than 200 kilopascals,

that is located partially or wholly within a place of work in respect of which the *Occupational Health and Safety Act 2000* is applicable.

[3] Clause 6

Omit the clause. Insert instead:

6 Metering and consumer service work

- (1) This clause applies only to:
 - (a) work involving the installation or replacement of a gas meter or any part of the basic metering equipment, and
 - (b) the installation, alteration, extension or repair of, or any other work on, a consumer service.
- (2) A person must not carry out work to which this clause applies otherwise than in accordance with the requirements of the network operator rules for the gas network to which the work relates.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

- (3) A person who carries out any work to which this clause applies that is not done on behalf of a network operator:
- (a) must be the holder of a licence under the *Home Building Act 1989* authorising its holder to contract to do that work, or must be carrying out the work on behalf of an individual, partnership or corporation that is the holder of such a licence, and
 - (b) must be authorised by the network operator for the gas network to which the work relates to conduct such work in accordance with the requirements of the network operator rules.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

- (4) To ensure that a gas installation is safe to be supplied with gas from a gas network, a person carrying out work to which this clause applies must, immediately before completing the work, conduct a leak test of the gas installation that is downstream of the gas meter.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

[4] Clause 8 Network operator to notify of defective workmanship or unsafe appliance

Omit the clause.

[5] Part 5 Gasfitting work

Omit the Part.

[6] Schedule 1 Safety and operating plans

Omit clause 11 (3).

[7] Schedule 1, clause 12

Omit the clause. Insert instead:

12 Network operator rules

- (1) A safety and operating plan must establish rules concerning the manner in which any work to which clause 6 of this Regulation applies is to be carried out.
- (2) The rules established in accordance with subclause (1) must be no less stringent than any code of practice or standard that is applied to any such work by any regulations under the Act.

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- (3) A safety and operating plan must identify:
 - (a) procedures that provide for the authorising of persons to carry out work to which clause 6 of this Regulation applies, and
 - (b) steps that are to be taken to ensure those persons comply with the rules established in accordance with subclause (1) in carrying out the work.