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Confidential Draft prepared by the Office of Chief Parliamentary Counsel Victoria

Gas Safety (Gas Installation) Amendment (Type A Appliances) Regulations 2022

S.R. No.

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STATUTORY RULES 2022

Second Draft 4/2/2022

S.R. No.

Gas Safety Act 1997

Gas Safety (Gas Installation) Amendment (Type A Appliances) Regulations 2022

The Governor in Council makes the following Regulations:

Dated:

Responsible Minister:

LILY D'AMBROSIO

Minister for Energy, Environment and Climate Change

Clerk of the Executive Council

1 Objective

The objective of these Regulations is to amend the Gas Safety (Gas Installation) Regulations 2018—

- (a) to prescribe AS 4575 as the standard to which a certain kind of gasfitting work applies; and
- (b) to require the creation and giving of records in relation to that work.

2 Authorising provision

These Regulations are made under section 118 of the **Gas Safety Act 1997**.

3 Commencement

These Regulations, come into operation on 1 June 2022.

4 Principal Regulations

In these Regulations the Gas Safety (Gas Installation) Regulations 2018¹ are called the Principal Regulations.

5 Definitions

- (1) In regulation 5 of the Principal Regulations **insert** the following definitions—

"**AS 4575** means AS 4575, "Gas appliances— Servicing of Type A appliances" as published or amended from time to time;

licensed gasfitter means a person who is licensed, under section 221M of the **Building Act 1993**, to carry out gasfitting work within the meaning of the Plumbing Regulations 2018;

registered gasfitter means a person who is registered, under section 221O of the **Building Act 1993**, to carry out gasfitting work within the meaning of the Plumbing Regulations 2018;

supervising gasfitter, for gasfitting work (within the meaning of the Plumbing Regulations 2018) carried out by a registered gasfitter, means the licensed gasfitter under whose supervision the work is carried out as described in section 221OA(5) of the **Building Act 1993**;

Type A appliance servicing work is the internal cleaning, maintenance and adjusting of a Type A appliance and includes the adjustment, repair or replacement of a component of the Type A appliance;

VBA means the Victorian Building Authority established by section 193 of the **Building Act 1993**."

- (2) In regulation 5 of the Principal Regulations, in the definition of *the Act*, for "1997." substitute "1997;".

6 Prescribed standards for gasfitting work

After regulation 12(3) of the Principal Regulations insert—

- "(4) For the purposes of section 72(1) of the Act, the prescribed standard for Type A appliance servicing work on an appliance that is part of a standard gas installation is AS 4575."

7 New regulations 36, 37 and 38 inserted

After regulation 35 of the Principal Regulations insert—

"36 Licensed gasfitter who carries out certain work must create and provide a record

- (1) This regulation applies in relation to Type A appliance servicing work carried out on an appliance that is part of a standard gas installation (*applicable work*).
- (2) A licensed gasfitter who carries out applicable work must create a record of the work that—
- (a) includes the matters specified in Schedule 14; and
 - (b) includes the additional matters (if any) specified by the VBA; and
 - (c) is not false or misleading in any material detail; and
 - (d) is in the form specified by the VBA.

Penalty: 20 penalty units.

- (3) A licensed gasfitter who carries out applicable work must, within 5 days of carrying out the work, give a copy of the record to the person for whom the work was carried out.

Penalty: 20 penalty units.

- (4) A licensed gasfitter who carries out applicable work must, within 5 days of carrying out the work, give the VBA a record of the work that complies with subregulation (2)(a), (b) and (c) in the manner and form specified by the VBA.

Penalty: 20 penalty units.

37 Licensed gasfitter who supervises certain work must create and provide a record

- (1) This regulation applies in relation to Type A appliance servicing work carried out on an appliance that is part of a standard gas installation, and for which there is a supervising gasfitter (*applicable work*).
- (2) The supervising gasfitter for the applicable work must create a record of the work that—
- (a) includes the matters specified in Schedule 14; and
 - (b) includes the additional matters (if any) specified by the VBA; and
 - (c) is not false or misleading in any material detail; and
 - (d) is in the form specified by the VBA.

Penalty: 20 penalty units.

- (3) The supervising gasfitter for the applicable work must, within 5 days of carrying out the work, give a copy of the record to the person for whom the work was carried out.

Penalty: 20 penalty units.

- (4) The supervising gasfitter for the applicable work must, within 5 days of carrying out the work, give the VBA a record of the work that complies with subregulation (2)(a), (b) and (c) in the manner and form specified by the VBA.

Penalty: 20 penalty units.

38 Publication of matters specified by the VBA

The VBA must take reasonable steps to ensure that the following information is published on the VBA's website—

- (a) the matters, specified by the VBA under regulation 36(2)(b), that are to be included in a record referred to in regulation 36;
- (b) the form, specified by the VBA under regulation 36(2)(d), that is to be used for a record created under regulation 36(2);
- (c) the manner and form, specified by the VBA under regulation 36(4), in which a record under that provision is to be given to the VBA;
- (d) the matters, specified by the VBA under regulation 37(2)(b), that are to be included in a record referred to in regulation 37;

- (e) the form, specified by the VBA under regulation 37(2)(d), that is to be used for a record created under regulation 37(2);
- (f) the manner and form, specified by the VBA under regulation 37(4), in which a record under that provision is to be given to the VBA."

8 New Schedule 14 inserted

After Schedule 13 to the Principal Regulations
insert—

**"Schedule 14—Matters included in
record of Type A appliance
servicing work**

(Regulations 36(a)(i) and 37(a)(i))

- 1 The name of the licensed or registered gasfitter who carried out the work.
- 2 The licence or registration number of the licensed or registered gasfitter who carried out the work;
- 3 If the work was carried out by a registered gasfitter—
 - (a) the name of the supervising gasfitter for the work; and
 - (b) the licence number of the supervising gasfitter.
- 4 The business name of the vendor in the financial transaction for provision of the work.
- 5 The ABN of the vendor in the financial transaction for provision of the work.
- 6 The date the work was carried out.

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- 7 The address at which the work was carried out.
- 8 Details of the appliance on which the work was carried out, including—
 - (a) make;
 - (b) model;
 - (c) model number;
 - (d) gas type;
 - (e) serial number or date of manufacture;
 - (f) certification body;
 - (g) certification number.
- 9 A completed version of the checklist in Appendix E of AS 4575.
- 10 Details of the work carried out, including any adjustments, replacements, testing and repairs.
- 11 A statement to the effect that the information in the record is not false or misleading in any material detail.
- 12 The signature of the licensed gasfitter who either undertook the work or was the supervising gasfitter for the work.
- 13 The date on which the signature referred to in item 12 was given."

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Endnotes

¹ Reg. 4: S.R. No. 140/2018.

Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter is included in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 5 which inserts the definition of AS 4575 into regulation 5 of the Principal Regulations Regulation 6 which inserts regulation 12(4) into the Principal Regulations	AS 4575, "Gas appliances— Servicing of Type A appliances" published on 9 August 2019 by Standards Australia	The whole
Schedule 14, item 9	AS 4575, "Gas appliances— Servicing of Type A appliances" published on 9 August 2019 by Standards Australia	Appendix E