*Gas Technical Regulators of Australia*

# GAS EQUIPMENT CERTIFICATION SCHEME

## "THE RULES"

Version 4.0
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# 1 GENERAL

## 1.1 Introduction

The Australian States and Territories administer legislation requiring *gas equipment* to be *certified* before they are offered for sale, sold and used in Australia.

Each State and Territory has its own individual legislation for *gas equipment* which must be adhered to. Details are in appendix B.

## 1.2 Scope

*The Rules* apply to *Conformity Assessment Bodies (CABs)* that are recognised by Gas *Technical Regulators* in Australia to certify *gas equipment*.

Note:

1. *The Rules* apply only to the *CAB* and the references to other bodies are intended to be informative, provide guidance and explain the relationship between the various bodies.
2. *The Rules* may be subject to change from time to time following due process and consultation with stakeholders.

## 1.3 Objectives

The objective of this document is to provide minimum requirements for the operation of a "type" certification scheme to certify *gas equipment* in relevant Australian jurisdictions. The *CABs* may have their own governance rules so long as they are consistent with *The Rules*.

*The Rules* are an attempt to harmonise requirements across jurisdictions and provide consistency of information to *CABs* and other stakeholders. However *The Rules* do not negate the legislative requirements of each individual jurisdiction.

*The Rules,* when adopted by a *Technical Regulator,* provide a set of requirements for the operation of a certification scheme when applied in conjunction with each jurisdiction's legislation. *The Rules* must be complied with in each jurisdiction once adopted by the respective *Technical Regulator*.

**Failure to comply with *The Rules* may result in a *Technical Regulator(s)* withdrawing its acceptance of a *CAB's* Certification Scheme or imposing conditions or restrictions on the extent of regulatory acceptance of a CAB's Certification Scheme. In the event regulatory acceptance of a CAB's Certification Scheme is withdrawn (voluntary or otherwise) then existing product certification under coverage of the withdrawn Scheme may continue to be recognised for new manufactured products for a period of 6 months, or longer if required, subject to approval of the regulatory authority**

## 1.4 Overview of the Rules

The overview of *The Rules* is detailed in the flowchart in Appendix A of this document which sets out the process of certifying *gas equipment* under *The Rules*.

## 1.5 Dispute Resolution

Any dispute between the *CAB* and the *certificate holder* in relation to the use of the *GCM* must be initially addressed by the *CAB.* If a resolution cannot be reached then the *CAB* may contact the Department of Mines, Industry Regulation and Safety in an attempt to resolve the matter.

# 2 DEFINITIONS

**Applicant**

Any individual or entity applying for certification of *gas equipment* from a *Conformity Assessment Body (CAB).*

**AS 3645**

Australian standard "Essential requirements for gas equipment".

**Certificate**

A document issued by a *CAB* to the *certificate holder* confirming that the *gas equipment* is *certified.*

**Certificate holder**

The entity to which the *certificate* is issued or will be issued.

**Certified**

Assessed by a *Conformity Assessment Body* as complying with the requirements of applicable standard/s, *Technical Guidance Bulletins* and other requirements as promulgated by the *Technical Regulators*, and represented by a unique *certificate* and markings.

**Component**

Constituent parts of a gas appliance or gas installation or accessory for a gas appliance falling within the scope of one of the Standards listed in clause A2 of *AS 3645*.

**Conformity Assessment Body (CAB)**

A body that operates a Gas Equipment Certification Scheme which has been accepted for regulatory purposes by the responsible *Technical Regulator*.

**Gas Compliance Mark (GCM)**

A marking as described in the Gas Compliance Mark Styleguide intended to be affixed to a gas appliance for which a *certificate* has been issued to the *certificate holder* by the *CAB* as evidence of certification.

**Gas Technical Regulators Committee (GTRC)**

The Gas Technical Regulators Committee is an association of Government departments responsible for the *safe* use of gas. The committee includes representatives from every State and Territory in Australia and New Zealand.

**Gas equipment**

A gas appliance or *component.*

**High Risk Gas equipment**

Gas equipment that requires regular safety critical testing in addition to routine visual inspection for post certification surveillance.

**JAS-ANZ**

JAS-ANZ is the government-appointed accreditation body for Australia and New Zealand responsible for providing accreditation of conformity assessment bodies (*CABs*) to ISO/IEC17065 in the fields of certification and inspection.

**LP Gas**

A gas complying with AS 4670 – "Commercial propane and commercial butane for heating purposes".

**Marketing**

The activity of promoting a product that has been certified by a CAB, over and above the required process of publically documenting that a product has been certified as conforming to a standard.

Marketing includes promoting, listing or otherwise advertising one certified product differently from

another certified product or promoting aspects of certified products other than compliance with the relevant standard.

**National database**

The national database is an on-line database administered by Energy Safe Victoria on behalf of the *Technical Regulators* and contains the details of *certified gas equipment*. The database provides a central repository and is only a replication of information that is held by each individual *CAB* which is freely accessible to the general public via the internet.

**Natural Gas**

A gas complying with AS 4564 – "Specification for general purpose natural gas".

**Normally used**

The *gas equipment* is:

a) installed, operated and/or serviced in accordance with the manufacturer's instructions;

b) used with the gas type and gas pressure as marked; and

c) used for its intended purpose and in a way that can be reasonably foreseen.

**Safe**

Unlikely to endanger persons (particularly children, the elderly and people with disabilities), domestic animals or cause damage to property when *normally used*.

**Technical guidance bulletin**

A document issued by the *Technical Regulators* acting as technical guidance to the *CABs* and other relevant stakeholders on a position by jurisdictions on specific issues.

**Technical regulator**

An Australian State or Territory Government authority that has jurisdiction over *gas equipment* safety legislation within their jurisdiction.

**Technical specification**

A document that provides a comprehensive detailed description of the *gas equipment* and includes information such as technical data, instructions and engineering drawings.

# 3 APPLICATION

*Gas equipment* that may be *certified* under *The Rules* in Australia includes *gas equipment* that:

(a) meets the requirements of *AS 3645*; or for which there are no product specific Australian standards, but where relevant standards and/or codes acceptable to *Technical Regulators* are available;

(b) does not require adjustment other than those required for commissioning (for example fuel gas type, inlet gas pressure) and to cater for varying installation conditions (for example flueing and ventilation arrangements); and.

(c) is a *component* of an appliance and which is made available as a spare part.

# 4 ROLES AND RESPONSIBILITIES OF STAKEHOLDERS

## 4.1 Key stakeholders in the operation of The Rules

The key stakeholders are:

(a) State/Territory of Australia *Technical Regulators*;

(b) *Conformity Assessment Bodies (CABs)*;

(c) Test Laboratories;

(d) *Applicants; and*

(e) *Certificate Holders.*

Each of the above stakeholders has a specific responsibility and role in relation to *The Rules* and the details of the roles of the stakeholders are set out in the following sections of this document.

## 4.2 Technical Regulators

The *Technical Regulators* are responsible:

a) Through their respective jurisdictional legislation, for delegating to a *CAB* the powers of responsibility to ensure compliance and safety when certifying *gas equipment*.

b) For having criteria for approving *CABs*.

c) For reviewing and modifying *The Rules* as required.

d) For providing *Technical Guidance Bulletins* to notify stakeholders of any changes to requirements.

e) For reviewing the High risk gas equipment list and making adjustments to the list when appropriate.

## 4.3 Conformity Assessment Bodies

4.3.1 A *Conformity Assessment Body* (*CAB*) is responsible for:

a) Developing laboratory test programs specifying the type testing to be undertaken at a laboratory recognised by the *CAB* to conduct testing in accordance with the laboratory test program for the purpose of verifying compliance with the applicable standards and *Technical Guidance Bulletins*.

b) Evaluating and certifying *gas equipment* for compliance with applicable standards and/or *Codes* and regulatory requirements and in accordance with *The Rules*.

c) Taking all reasonable steps to satisfy it that a test laboratory providing testing or other services used as part of the *CAB*'s certification process satisfies the requirements of ISO/IEC 17025, is competent and has appropriate accreditation by NATA or a body with a mutual recognition with NATA through ILAC. If the test laboratory is accredited by an authority other than NATA then the *CAB* must undertake its own auditing activities using competent personnel in addition to audits conducted by the

accreditation body.

d) The content and adequacy of the test program used for certification purposes and the assessment and interpretation with test results as reported by the test laboratory. If the *CAB* has any doubt with the proposed test program or the potential to certify the *gas equipment* then the *CAB* is to escalate the details of the proposed test program and/or *gas equipment* to the appropriate *Technical Regulator* for advice.

e) The evaluation of *gas equipment*, through the overarching principles set out in *AS 3645 and as interpreted through the requirements of the relevant product standard*.

f) Ensuring relevant information from *Technical Guidance Bulletins* is taken into account when processing a certification of *gas equipment*.

g) Confirming that the *gas equipment* being supplied to the market is identical to the *certified* design by conducting an inspection of an off-tool production sample prior to finalisation of certification. Where a production sample is not available an inspection may be deferred to the first production supply. Any deferred inspection process must include sufficient controls and ongoing monitoring by the certification body to ensure the risk of supply of product to the market prior to inspection is managed and minimised. This would include suspension of certification if product inspection is not provided in a reasonable timeframe (e.g. 6 months). If a deferred inspection does not confirm compliance then product must be quarantined and certification suspended until the non-compliance is resolved. For administrative modifications to an existing certification a physical inspection may not be required.

h) Conducting post-certification *gas equipment* surveillance in accordance with the provisions as set out in Section 6.6 of *The Rules*.

i) Periodically inspecting gas appliances to confirm that the *GCM* is correctly displayed. Note: This does not negate the requirements under individual legislation of *certified gas equipment*.

j) Notifying the *certificate holder* that it:

   a) Is responsible for ensuring that the *GCM* is displayed on appliances.

   b) Maintains all relevant records and submits product for additional testing for any modifications to the *gas equipment* for auditing and continuity of certification.

4.3.2 A *Conformity Assessment Body (CAB)* must:

a) Have an Australian Business Number (ABN) and be registered with the Australian Business Register (ABR).

b) Provide the *Technical Regulators* with any documents or information pertaining to any certification when requested.

c) Immediately contact the appropriate *Technical Regulators* upon receipt of information that public safety may be at risk.

d) Comply with ISO/IEC 17065.

e) Provide information for uploading onto the *National Database*.

f) Inform all *Technical Regulators* immediately of any changes, which, in any way, affect its ability to carry out the duties within the authorised scope to the declared procedures. This includes any change in its status.

g) Ensure that its rules incorporate and are consistent with the relevant requirements of *The Rules* as detailed in this document.

h) Maintain accreditation from *JAS-ANZ* in the field of *gas equipment* certification for any standard for which it intends to offer certification services.

i) Obtain a declaration of conformity from the *certificate holder* which includes the information listed in section 6.5 for each certification.

j) Ensure that it has all necessary documentation before certifying *gas equipment* during

a transfer of certification from another *CAB*.

k) Withhold certification in the event it becomes aware that *gas equipment* for which certification is sought fails to meet the safety intent of applicable standards and/or *GTRC Technical Guidance Bulletins*.

l) Attend meetings with regulatory authorities as required. Note this includes GTRC meetings as appropriate.

### 4.4 Test Laboratories

The role of a testing laboratory is to undertake the assessment against all items specified in the test/assessment plan issued by the *CAB*, and provide an accredited test report. A test laboratory is responsible for:

1. being appropriately equipped and resourced and having the necessary technical competencies to carry out conformance testing for *gas equipment* for the purposes of certification;

2. holding a current accreditation to the requirements of AS ISO/IEC 17025 for the standards and/or codes used in certification testing as nominated in the test program.

   AS ISO/IEC 17025 accreditation must have been issued by one of the following:

   a) The National Association of Testing Authorities (NATA); or

   b) equivalent accreditation body with verification from a technical expert who specialises in Australian *gas equipment* standards.

3. satisfying the *CAB* it meets the requirements of (1) and (2), and is capable of accurately conducting the required testing.

### 4.5 Applicant

The *applicant*:

- Provides samples and design and supporting documentation to a *CAB*.
- Arranges the type testing of *gas equipment* by an acceptable testing laboratory to demonstrate compliance with the test program specified by the *CAB*.
- Submits test reports and appliance or *component* samples to a *CAB*, for certification assessment.

### 4.6 Certificate Holder

The *certificate holder*:

- Ensures that the *GCM* is displayed on appliances.
- Maintains all records and submits product for additional testing for any modifications to the *gas equipment* for auditing and continuity of certification.
- Provides all information in relation to the *gas equipment* to another *CAB* when seeking to transfer the certification to the other *CAB*.
- The *certificate holder* is responsible for providing the relevant technical support to installers.

# 5 GAS COMPLIANCE MARK

*Technical Regulators* recognise the need for a common badge or label that can be recognised by the retailer, consumer and gas fitter to demonstrate that a gas appliance is *certified*. The badge or label is known as the *Gas Compliance Mark (GCM)*. Gas *components* are not required to display the *GCM*.

The application of the *GCM* to *gas* appliances will become mandatory in relevant jurisdictions once *The Rules* have been adopted by the respective jurisdictions.

The *GCM* must be applied to the appliance data plate or as a separate marking on the appliance. The *certificate holder* is responsible for ensuring that the *CAB's* proprietary certification label or marking is displayed adjacent to the *GCM* along with the unique certification number wherever practicable.

*CABs* are authorised by the holder of the intellectual property (Department of Mines, Industry Regulation and Safety in WA) to use the *GCM* on *certified* appliances. The *GCM* must be in the form and must be applied as shown in the *GCM* Style guide.

The *GCM* must comply with the durability requirement for permanent markings in AS/NZS 5263.0.

The Gas Safety Certification *GCM* Style guide is issued by the Department of Mines Industry Regulation and Safety in WA. It provides details of how the *GCM* must be displayed. This document is provided to the *applicant* and *certificate holder* by the *CAB*.

An example of the GCM showing the principal colours is detailed below. Where the principle colours are not able to be used the *GCM* Style guide includes both grey and monochrome options. Refer to the *GCM* Style guide for further details.



Unlike the Australian (*GCM*), the New Zealand Gas Safety Compliance Label **does not** include an inscription and can be obtained directly from the Energy Safety New Zealand website. The New Zealand Gas Safety Compliance Label is **not accepted** in Australia.

The *GCM* may be in the form of a plate, a label or screen printed version on the appliance directly and can also be included in a rating plate or label. The inscription must be applied as follows.

| Condition | Inscription | Comment |
|---|---|---|
| Australia and New Zealand | AUSTRALIA AND NEW ZEALAND<br>GAS SAFETY CERTIFICATION | Applies to all Australian *certified natural gas* appliances and Australian *certified* Universal *LP Gas* appliances |
| Australia ONLY | AUSTRALIA ONLY<br>GAS SAFETY CERTIFICATION | Applies to all Australian *certified natural gas* appliances and Australian *certified LP Gas*, appliances that operate on propane only |

Note: The intellectual property for the *GCM* resides with the Department of Mines, Industry Regulation and Safety in WA on behalf of all *Technical Regulators* adopting *The Rules.*

Following relevant examination, tests and on provision of a signed declaration, the *CAB* must issue a *certificate* of conformity which must be provided to the *certificate holder*.

For appliances where it may be impractical to apply the *GCM* due to physical constraint, the *certificate holder* may apply to the *CAB* for a variation to the marking requirements.

# 6 OPERATION

## 6.1 Essential Requirements

As a minimum requirement, all *gas equipment* must be designed and constructed to conform to the requirements of Australian standard, *AS 3645*.

Methods of satisfying the requirements of *AS 3645*

*CABs* are required to ensure that *gas equipment* meets *Standards* that exist for the types of *gas equipment* produced as listed in *AS 3645*.

The hierarchy in the application of standards to be complied with under *The Rules* in case of a conflict or a lack of relevant *Standards* is as follows:

(a) *AS 3645 and the standards referenced in* appendix A;

(b) Combination of requirements from existing Australian standards referenced in *AS 3645*;

(c) Relevant International standards as approved by a *Technical Regulator*;

(d) Combination of Australian and overseas standards;

(e) Where there is no published standard, a proprietary standard must comply with Section 2 of *AS 3645*.

Notes:

1. If unclear about the relevant requirements, the details of the proposed test program, product details and risk assessment approach are to be submitted to the *Technical Regulator* for consideration.
2. *Technical Regulators* operating in each jurisdiction have legislative powers to impose additional requirements.

Process for *gas equipment* for which a specific standard does not exist:

Where a recognised standard does not exist, *gas equipment* must be designed, constructed and assessed by using a combination of standards or parts of standards that will satisfy the requirements of *AS 3645* and applicable *Technical Guidance Bulletins*.

## 6.2 Testing by Accredited Laboratories

Test laboratories assess *gas equipment* based upon test programs developed or endorsed by the *CAB*. The results of the assessment are documented by the test laboratory in test reports which include test results, a review of markings and instructions and a review of the *technical specification*.

At the sole discretion of the *CAB,* testing may be performed by laboratories which may not have full accreditation and are associated with the *applicant*, *certificate holder* or manufacturer of the *gas equipment*, but have been authorised by the *CAB* to conduct limited specified testing witnessed and/or directly supervised by the *CAB*. The *CAB* must maintain records of test equipment used including calibration records and must be satisfied that testing personnel are competent.

Note: This includes certain specific tests that are impractical to be performed in a test laboratory (e.g. endurance testing of some appliance *components*).

## 6.3 Certification

In order to demonstrate that the relevant *Standards* or *AS 3645* are being satisfied, the process requires the involvement of the *CAB* in type examination of *gas equipment* and in post-certification compliance assessment.

## 6.4 Process of certification

The process for certification is based upon ISO/IEC 17067 “Conformity assessment—Fundamentals of product certification and guidelines for product certification schemes”.

The application must include the following information:

(a) the name, address and contact details of the manufacturer and the intended *certificate holder*;

(b) the contact details of the *applicant* if not the manufacturer or *certificate holder*;

(c) details of previous certification (if applicable) and all documentation necessary to facilitate the transfer of certification;

(d) the *technical specification*; and

(e) the test report(s), in accordance with the relevant standards, carried out by a NATA accredited laboratory or an accepted equivalent.

The *CAB* must examine the *technical specification* and verify that the *gas equipment* has been manufactured in conformity with it and perform, or have performed, the appropriate examinations and/or tests to check conformity with the relevant standards as described above. If the *applicant* has chosen not to apply specified standards, the *CAB* must check that the solutions adopted by the *applicant* meet the requirements of *AS 3645* and that the reasons for not applying the specified standards have not reduced safety.

Where the *CAB* is satisfied that it will issue a *certificate* to the intended *certificate holder*, the *certificate* must include information necessary for the identification of the *gas equipment*. The *CAB* must upload this information into the *National Database w*hich is administered by Energy Safe Victoria on behalf of the *Technical Regulators*. The *CABs* may choose to operate their own operational database as well.

## 6.5 Declaration of Conformity to Type (Guarantee of Production Quality)

This is the procedure whereby a *certificate holder* declares to the *CAB* that:

(a) Suitable systems are in place to ensure that *gas equipment* manufactured and supplied under coverage of a *certificate* issued by a *CAB* conforms in every respect to the *certified* design.

(b) The markings on the *gas equipment* are consistent with information set out on the *certificate* issued by a *CAB*.

(c) The *gas equipment* meets the requirements of the standards to which it has been *certified*.

(d) The gas equipment is *safe.*

Note: A declaration template is provided in Appendix C.

## 6.6 Post Certification Surveillance

Post-certification surveillance provides assurance that the *gas equipment* continues to meet the requirements of the certification.

This includes surveillance of a representative sample which will be taken from a production batch that represents the current *gas equipment*.

### 6.6.1 All Gas Equipment

Surveillance includes but is not limited to a visual inspection of *gas equipment* by the *CAB* on an annual basis or for a longer period at the discretion of the *CAB* if justified by documented ongoing

conformance. The visual inspection includes comparing the *gas equipment* against the *certified* design to confirm ongoing compliance and includes the following:

(a) Dimensional check of safety critical features of *gas equipment* against the *technical specification* using equipment that is calibrated to a NATA traceable source.

(b) Review of markings and operating and installation instructions.

(c) Review of any complaints or safety related incidents associated with the *gas equipment.*

6.6.2 High Risk Gas Equipment (Safety Critical Testing)

Gas equipment classified as high risk incorporate risks or functions that are not able to be satisfactorily addressed though ongoing visual inspection and so are required to undergo laboratory testing at least every 2 years to maintain certification in addition to annual physical inspection. A list of products classified as High risk gas equipment and the testing required to be undertaken every 2 years are specified in the GTRC High Risk Safety Critical Testing document. This document is issued by the GTRC and is published on the GTRC website http://www.gtrc.gov.au/. The GTRC High Risk Safety Critical Testing document is reviewed by the GTRC at least annually. Any change to requirements or transitional arrangements will take into consideration the criteria listed in the High Risk Safety Critical Testing document and be made in consultation with stakeholders.

CABs shall ensure that safety critical testing is undertaken in accordance with the latest version of the GTRC High Risk Safety Critical Testing document. CABs shall manage the timing of Safety Critical Testing within each two year period for each affected certificate. Consideration may be given to the anniversary of the month of certification or the age of the certification for implementation. CABs shall report to the GTRC by 31 July of each financial year over a two year rolling period the number of certifications where Safety Critical Testing was required, the number of certifications where Safety Critical Testing was not completed and the number of non-compliant certifications.

6.6.3 Post Certification Safety Issues or Concerns

In the event that safety issues or concerns identified in respect to *gas equipment* arise, a *Technical Regulator* may require additional testing and or inspections to be arranged by the *certificate holder* or *CAB*, at the expense of the *certificate holder*.

## 6.7 Gas Equipment Modification

Where modifications to the *certified* design are identified or proposed the *CAB* must undertake an assessment to establish whether the modification to the *gas equipment* is compliant with the relevant standard. Where the compliance of the *gas equipment* is unable to be established, or the *gas equipment* is confirmed to be non-compliant then the *CAB* must notify the *Technical Regulator* and take appropriate action under section 6.10 as appropriate.

A modification includes any change in instructions, markings, design, construction or material of the product, or a change in the manufacturing process that can compromise compliance.

## 6.8 Documentation

There shall be adequate documentation to enable a *CAB* to assess whether the *gas equipment* complies with the relevant standard. Such documentation includes:

(a) a description of the *gas equipment*, including sufficient details and *technical specification* documentation relevant to demonstrating compliance;

(b) descriptions and explanations necessary for the understanding of the product including the operation of the *gas equipment*;

(c) a list of the specified standards, applied in full or in part, and descriptions of the solutions adopted to meet *AS 3645* where the specified standards have not been applied;

(d) test reports;

(e) manuals for installation, commissioning, use and servicing;

(f) documentation to satisfy section 6.5; and

(g) any other documentation required for the *CAB* to undertake the assessment.

The documentation referenced above must be maintained by the *CAB* for a minimum period of 10 years following cancellation of the *certificate*.

## 6.9 GTRC National Database

The *CABs* are responsible for uploading certification information on to the *National Database* which is administered by Energy Safe Victoria on behalf of the *Technical Regulators*.

This information is required for effective enforcement by the *Technical Regulators*, and provides transparency of information regarding compliance of *gas equipment* in the market or already installed, to the general public from a single source. Data must be uploaded to the web based centralised *National Database* on a minimum monthly basis.

The following information for each *certified* appliance and *component* must be provided:

(a) details on the *certified gas equipment* (i.e. trade name, model number, equipment class, product description);

(b) name of *CAB* that has *certified* the *gas equipment*;

(c) name of *certificate holder*;

(d) manufacturer's details (Note: manufacturer's details are not publicly displayed)*;*

(e) date of certification, suspension or cancellation;

(f) certification number;

(g) relevant standard(s);

(h) certification status i.e. *certified*, suspended, cancelled or expired;

(i) *certified* date, expiry date, last modified date; and

(j) where applicable, annual energy consumption, star rating, gas type, rated gas pressure.

Note: The database includes a number of additional informative fields that should be provided where possible. These include gas consumption, flame supervision, ignition method and details of any limitations/conditions (e.g. profile comments).

## 6.10 Suspension and Cancellation of Certificate

*CABs* have the authority to suspend or cancel a certification in accordance with the CAB's governing rules at any time. A *CAB* must cancel or suspend a certification in the following cases:

a) A request by all *Technical Regulators.*

b) The *gas equipment* is found to be modified from the certified design, and safety or compliance is not able to be established in a reasonable timeframe.

c) Post certification surveillance is not completed for the *gas equipment* within an acceptable timeframe.

d) Failure by the *certificate holder* to display the *GCM* in accordance with *The Rules* and failure to display the *CAB's* proprietary certification mark or label in accordance with the *CAB's* governing rules.

e) Failure of the *gas equipment* to comply with changes to requirements and standards within the required timeframe (refer to section 6.11).

Note: Cancellation of certification is not retrospective for product already supplied or installed.

All *Technical Regulators* must be advised by the *CAB* in writing if it becomes aware of safety or compliance issues that require action by regulatory authorities to address risks to public safety and

compliance. The *CAB* must provide the *Technical Regulators* with an explanation of the action taken.

Where a *certificate* for *gas* equipment has been cancelled by a *CAB* and the certification of that *gas equipment* is taken over by another *CAB*, the new certification may be subjected to review during the next audit of the *CAB* by the *Technical Regulators*.

## 6.11 Changes in Standards and transitional arrangements

Standards are regularly revised and republished as new issues are identified and innovations occur. The *CAB* must ensure it remains up to date regarding changes to standards and/or codes and assess whether products already *certified* are affected. Any changes in a standard that affects the safety or efficiency of the *gas equipment* must trigger a review of the *gas equipment* to verify ongoing compliance. This may result in design modifications to the *gas equipment* and further testing to achieve compliance, or the cancellation of the *certificate* in the event compliance is not able to be achieved.

Compliance of *certified gas equipment* with any changes in standards and/or codes is usually assessed during surveillance audits conducted by the *CAB*.

***Gas equipment*** **must comply with any new or amended requirements within 2 years of date of publication of the relevant standard and/or code, unless a specific time frame is specified within the standard**. Extensions may be negotiated with the relevant *Technical Regulators* on a case by case basis.

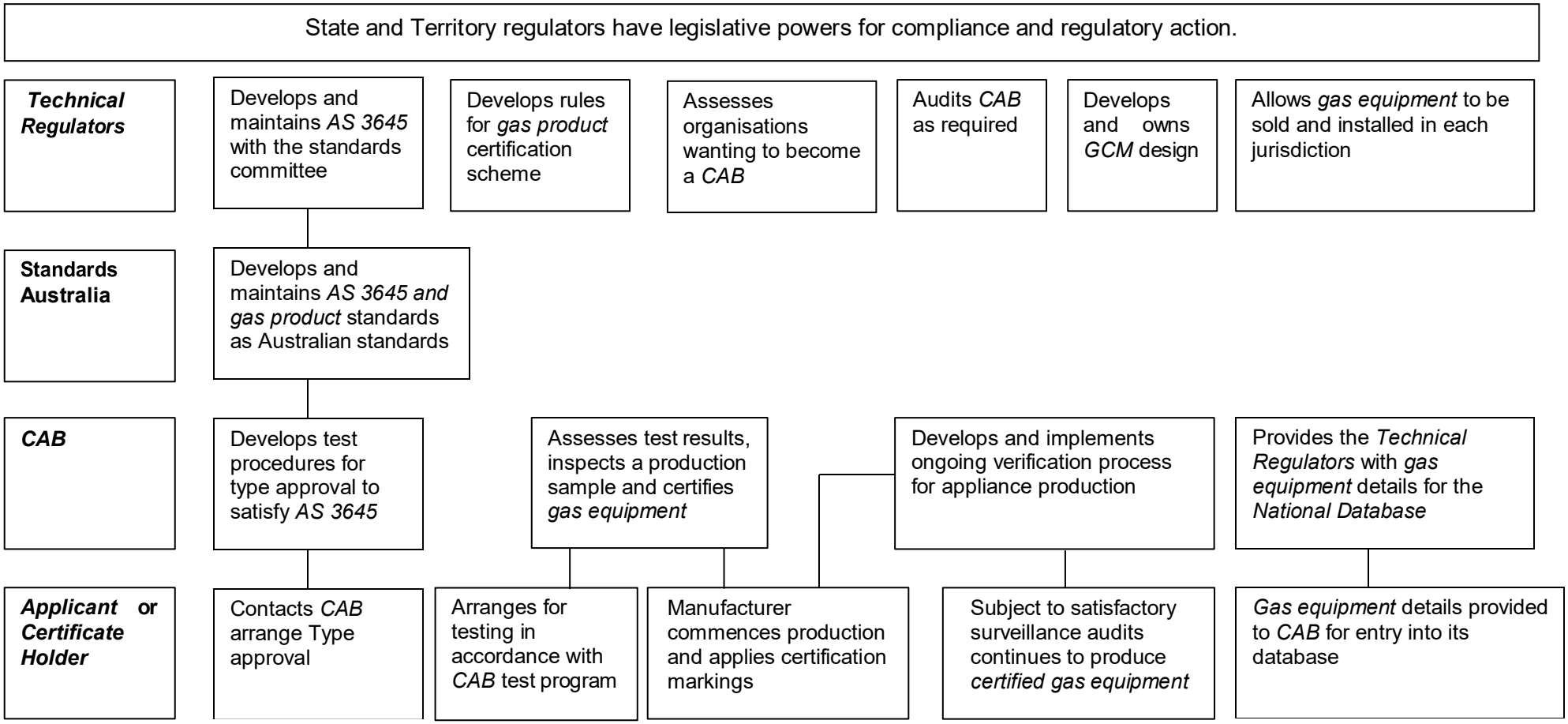
From time to time safety critical issues may be identified with *certified gas equipment* which is not addressed within a standard and/or code. In these cases *CABs* must work with *Technical Regulators* and responsible entities (e.g. *certificate holders*) to ensure appropriate action is taken to mitigate the risk to the public within an acceptable timeframe.

## 6.12 Impartiality and independence

CABs shall ensure they, and any personnel involved in carrying out conformity assessment activities, are not directly involved in the design, manufacture or construction, the marketing, installation, use or maintenance of gas equipment, or represent the commercial interests of the parties engaged in those activities. In particular CABs shall not engage in any activity that may conflict with their independence of judgement or integrity in relation to conformity assessment activities for which they undertake. Note that restrictions relating to the use of gas equipment do not apply to any use of gas equipment necessary for the operations of the CAB, or any reasonable use for personal purposes.

# APPENDIX A – FLOWCHART FOR CERTIFYING GAS EQUIPMENT

**Figure 1: Flow chart for certifying *gas equipment* under *The Rules***



# APPENDIX B - LIST OF LEGISLATION

**Western Australia**

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_378_homepage.html

**Northern Territory**

http://www.worksafe.nt.gov.au/LawsAndCompliance/Pages/Dangerous-Goods-Laws.aspx

**Queensland**

https://www.business.qld.gov.au/industry/energy/gas/gas-regulation/queensland-gas-legislation

**NSW**

https://legislation.nsw.gov.au/view/html/inforce/current/act-2017-015
https://legislation.nsw.gov.au/view/whole/html/inforce/current/sl-2018-0501

**ACT**

http://www.legislation.act.gov.au/a/2000-67/default.asp

http://www.legislation.act.gov.au/sl/2001-18/default.asp

**Victoria**

*Gas Safety Act 1997*
Gas Safety (Installation) Regulations 2008
http://www.esv.vic.gov.au/Legislation-Regulations/Legislation-administered-by-ESV

**Tasmania**

http://www.justice.tas.gov.au/building/gas/gas_resources

**South Australia**

Appliances covered in:
*Energy Products (Safety and Efficiency) Act 2000* Installation covered in:
*Gas Act 1997* (and Gas Regulations 2012)
https://www.sa.gov.au/topics/water-energy-and-environment/electrical-gas-and-plumbing-safety-and-technical-regulation/acts,-regulations-and-standards/gas-acts-regulations-and- standards

Note: The above hyperlinks were accurate at the time of publication and may be subject to change.

# APPENDIX C – CERTIFICATE HOLDER DECLARATION

Sample Declaration form (refer clause 6.5)

..... declares that:
(Certificate Holder name)

(a) Suitable systems are in place to ensure that gas equipment manufactured and supplied under coverage of a certificate issued by a CAB conforms in every respect to the certified design.

(b) The markings on the gas equipment are consistent with information set out on the certificate issued by a CAB.

(c) The gas equipment meets the requirements of the standards to which it has been certified.

(d) The gas equipment is safe.

Name and Titleof representative .....

Signature of representative ..... Date .....

# CONTACT

The contact for further information about this document is:

*GTRC*

C/o Energy Safe Victoria

PO BOX 262, Collins St West, Vic 8007 Phone:

+61 3 9271 5408

Email: enzo.alfonsetti@energysafe.vic.gov.au

Further information on how to make contact with a jurisdictional *Technical Regulator* is available on the GTRC website.

www.gtrc.gov.au