

**Reprint
as at 10 November 2011**



**Gas (Safety and Measurement)
Regulations 2010**
(SR 2010/76)

Anand Satyanand, Governor-General

Order in Council

At Wellington this 29th day of March 2010

Present:
His Excellency the Governor-General in Council

Pursuant to sections 54 and 54A of the Gas Act 1992, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister of Energy after consultation with the Environmental Risk Management Authority in accordance with section 54(6) of the Gas Act 1992, makes the following regulations.

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Ministry of Economic Development.

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Safety of gas appliances and fittings

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Regulations

1 Title

These regulations are the Gas (Safety and Measurement) Regulations 2010.

2 Commencement

- (1) Regulation 45 comes into force on 1 April 2010.
- (2) The rest of these regulations come into force on 4 May 2010.

Part 1

Preliminary provisions

Interpretation

3 Interpretation

- (1) In these regulations, unless the context otherwise requires,—
accredited auditor means any of the following bodies:
 - (a) a body accredited by either of the following to assess an organisation's compliance with these regulations and safety management systems generally:
 - (i) the Joint Accreditation System of Australia and New Zealand;
 - (ii) a signatory to the International Accreditation Forum multilateral recognition arrangement for management systems;
 - (b) a body approved, by or under an international agreement between New Zealand and another country that does not have a national accreditation body that is a signatory to the International Accreditation Forum multilateral recognition arrangement for management systems, to assess an organisation's compliance with these regulations and safety management systems generally

Act means the Gas Act 1992

all practicable steps has the meaning given in section 2(1) of the Act

audited safety management system means an audited safety management system for which an audit certificate has been issued under regulation 36 and not cancelled under regulation 38

Board has the meaning given in section 2(1) of the Act

calorific value means the gross calorific value

canister means a non-refillable container designed to supply gas to a portable gas appliance

certificate of compliance means a certificate issued in respect of gasfitting in accordance with regulations 44 to 47

CNG means compressed gas consisting of more than 50% methane by volume for storage or use outside a transmission or distribution system

CNG station means a CNG gas installation supplying CNG for use in vehicle cylinders, transportable cylinders, or both types of cylinder

competent organisation means—

- (a) a testing laboratory accredited to ISO 17025 by International Accreditation New Zealand for the purposes of regulation 22, 77, 79, 83, 84, or 88, or GCP 2, as the case may be; or
- (b) an organisation that is accredited to ISO 17020 either by International Accreditation New Zealand under the Testing Laboratory Registration Act 1972 or by a third-party agency accredited under the agreement negotiated between the Australian and New Zealand Governments entitled Joint Accreditation System of Australia and New Zealand (JAS-ANZ) for the purposes of regulation 22, 79, or 83, or GCP 2, as the case may be; or
- (c) any other laboratory or organisation that satisfies the Secretary that it is competent to perform the relevant functions for the purposes of regulations 22, 79, or 83, or GCP 2, as the case may be

connect means to carry out gasfitting whereby a supply of gas—

- (a) will be provided to a gas installation or part of a gas installation; or
- (b) could be provided to a gas installation or part of a gas installation through a further activity that is not itself gasfitting

danger includes dangers such as, or associated with, fire, burns, mechanical injury, toxicity, and radiation

error means the deviation of a measured or applied value from a true value (usually expressed as a percentage of the true value)

fittings means 1 or more fittings within the meaning given in section 2(1) of the Act

gas appliance has the meaning given in section 2(1) of the Act

gas distributor has the meaning given in section 2(1) of the Act

gas retailer has the meaning given in section 2(1) of the Act

gas supplier means a gas wholesaler, a gas distributor, or a gas retailer, as the context requires

gas wholesaler has the meaning given in section 2(1) of the Act

GCP 2 has the meaning given in Schedule 1

grade A offence has the meaning given in regulation 6(1)

grade B offence has the meaning given in regulation 6(2)

hazard has the meaning given in section 54A(5) of the Act, and includes an existing hazard and a potential hazard

install, in relation to a gas installation, includes to construct, alter, or add to the whole or any part of the installation

Internet site means an Internet site maintained by, or on behalf of, the Secretary for the purpose of these regulations

lower explosive limit means the concentration of flammable gas, vapour, or mist in air below which an explosive gas atmosphere will not be formed

non-reticulated gas means gas supplied to a consumer other than by means of a gas distribution system

point of supply has the meaning given in regulation 5

reticulated gas means piped gas that is supplied to a consumer from a distribution system

safe has the meaning given in regulation 4

safety management system means a system that is implemented and maintained by a safety management system operator for the purpose of ensuring that all practicable steps are taken to prevent the gas supply system from presenting a significant risk of—

(a) serious harm to any member of the public; or

- (b) significant damage to property owned by a person other than the safety management system operator

safety management system operator means—

- (a) an owner or operator of a gas supply system who is required by section 46A of the Act to implement and maintain a safety management system; or
- (b) a person who opts to implement and maintain a safety management system

serious harm has the meaning given in section 2(1) of the Act

specified fittings means fittings specified under regulation 64

standard conditions means a temperature of 15°C and an absolute pressure of 101.325 kilopascals

supplier declaration means a declaration that complies with regulation 67

supply includes supply (or resupply) by way of gift, sale, exchange, lease, hire, or hire purchase

trickle-fill, in relation to the filling of a vehicle cylinder with gas, means that the vehicle cylinder filling is completed in a period exceeding 30 minutes

unsafe has the meaning given in regulation 4

year means a calendar year.

- (2) Expressions not defined in these regulations but defined in the Act have, in these regulations, the meanings so defined.
- (3) A term used in connection with a particular standard has the meaning used in that standard, unless the term is defined in the Act or these regulations, in which case it has that meaning.
- (4) In these regulations, gas codes of practice (**GCPs**) and official standards are referred to by the abbreviations listed in Schedule 1.
- (5) If an official standard is referred to in any other official standard by an abbreviation listed in the first column of Schedule 1, the abbreviation must be taken to refer to the appropriate official standard listed in column 2 of Schedule 1.

Regulation 3(1) **accredited auditor**: substituted, on 10 November 2011, by regulation 4(1) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 3(1) **competent organisation** paragraph (a): amended, on 10 November 2011, by regulation 4(2) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 3(1) **competent organisation** paragraph (b): amended, on 10 November 2011, by regulation 4(3) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 3(1) **connect**: substituted, on 10 November 2011, by regulation 4(4) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 3(1) **non-reticulated gas**: substituted, on 10 November 2011, by regulation 4(5) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

4 Meanings of safe and unsafe

In these regulations, unless the context otherwise requires,—
safe, in respect of any distribution system, gas installation, fittings, gas appliance, or associated equipment, means that there is no significant risk that a person or property will be injured or damaged by dangers arising from the use of, or passage of gas through, the distribution system, gas installation, fittings, gas appliance, or associated equipment

unsafe, in respect of any distribution system, gas installation, fittings, gas appliance, or associated equipment, means that there is a significant risk that a person may suffer serious harm, or that property may suffer significant damage, as a result of dangers arising from the use of, or passage of gas through, the distribution system, gas installation, fittings, gas appliance, or associated equipment.

5 Definition of point of supply

(1) The purpose of this regulation is to prescribe where the point of supply is deemed to be for the purpose of—

- (a) the Gas Act 1992 (*see* definition of distribution system in section 2(1) of that Act);
- (b) section 5 of the Plumbers, Gasfitters, and Drainlayers Act 2006;
- (c) these regulations.

(2) **Point of supply**, unless the context otherwise requires, means,—

- (a) in relation to a place to which reticulated gas is supplied to a consumer or gas refueller,—

- (i) the outlet of the gas measurement system that exclusively supplies gas to the consumer or gas refueller; or
 - (ii) if there is no gas measurement system that exclusively supplies gas to the consumer or gas refueller, the point that is the outlet of the first upstream isolation valve on the gas line; or
 - (iii) if there is no such valve, the point at which gas enters the place; and
 - (b) in relation to a place to which non-reticulated liquefied petroleum gas is supplied to a consumer or gas refueller,—
 - (i) the outlet of the outlet valve of the cylinder, if the gas is supplied from a cylinder;
 - (ii) the first stage regulator of the tank, if the gas is supplied from a tank;
 - (iii) the outlet of the fittings, if the gas is supplied from fittings; and
 - (c) in relation to a place to which biogas is supplied to a consumer or gas refueller,—
 - (i) the outlet of the gas measurement system that exclusively supplies biogas to the consumer or gas refueller; or
 - (ii) the outlet of any processing facility; or
 - (iii) the outlet of any manifold collecting biogas if there is neither an outlet referred to in subparagraph (i) nor an outlet referred to in subparagraph (ii); and
 - (d) in relation to a place to which any other non-reticulated gas is supplied to a consumer, the outlet of the outlet valve of the container from which gas is supplied to the consumer.
- (3) However, the point of supply in relation to a gas installation may be varied by agreement as follows:
- (a) in relation to a gas installation that typically consumes 10 terajoules or more of gas per year, the point of supply is the point that is specifically agreed between the consumer or gas refueller on the one hand and the gas supplier on the other hand if those 2 parties have spe-

- cifically agreed on a point of supply other than that prescribed in subclause (2); and
- (b) in relation to any other gas installation, the point of supply is the point that is specifically agreed between the gas distributor, the gas retailer, or the gas wholesaler (as appropriate), and the consumer if those 3 parties have specifically agreed on a point of supply other than that prescribed in subclause (2) and—
 - (i) the point of supply is permanently marked as the point of supply by the gas distributor; and
 - (ii) that point is maintained as the point of supply by the gas distributor; and
 - (iii) records of that point are held at all times by the gas distributor.
- (4) In this regulation, **place** includes a ship, boat, caravan, vehicle, train, or relocatable building.

Offences

6 Grade A and grade B offences

- (1) A **grade A offence** is an offence for which the defendant, on summary conviction, is liable,—
 - (a) for an individual, to a fine not exceeding \$10,000; or
 - (b) for a body corporate, to a fine not exceeding \$50,000.
- (2) A **grade B offence** is an offence for which the defendant, on summary conviction, is liable,—
 - (a) for an individual, to a fine not exceeding \$2,000; or
 - (b) for a body corporate, to a fine not exceeding \$10,000.

7 Strict liability offences

- (1) Subclauses (2) and (3) apply to every offence in these regulations except those that specifically refer to a defendant's state of knowledge or intention regarding the facts constituting the offence.
- (2) In a prosecution for an offence to which this subclause applies, it is not necessary for the prosecution to prove that the defendant knew or intended the facts that constitute the offence.
- (3) It is a defence to a prosecution for an offence to which this subclause applies if the defendant proves—

- (a) that—
 - (i) the action or event to which the prosecution relates was necessary for the purpose of avoiding serious harm to any person, or preventing significant damage to property; and
 - (ii) the defendant's conduct was reasonable in the circumstances; and
 - (iii) the effects of the action or event were adequately mitigated or remedied by the defendant after it occurred; or
- (b) that the action or event to which the prosecution relates occurred because of an event beyond the control of the defendant (such as natural disaster, mechanical failure, or sabotage), and—
 - (i) the action or event could not reasonably have been foreseen or been provided against by the defendant; and
 - (ii) the effects of the action or event were adequately mitigated or remedied by the defendant after it occurred.

Compare: 2004 No 72 s 388

8 Infringement offences

- (1) Offences against the following are infringement offences:
 - (a) all offences against any regulation in Parts 3 to 7 of these regulations;
 - (b) section 21(d) of the Act;
 - (c) section 27 of the Act.
- (2) The infringement fee for a grade A offence is,—
 - (a) for an individual, \$1,000; and
 - (b) for a body corporate, \$3,000.
- (3) The infringement fee for a grade B offence is,—
 - (a) for an individual, \$500; and
 - (b) for a body corporate, \$1,000.
- (4) The infringement fee for an offence against section 21(d) or 27 of the Act is the infringement fee set for a grade A offence.
- (5) The prescribed form for infringement notices is form 1 as set out in Schedule 2.

- (6) Reminder notices for infringement offences must be as set out in form 2 of Schedule 2.

Part 2

General safety requirements

Requirements for gas safety

9 Requirements to be safe

- (1) A person who designs, constructs, maintains, uses, or manages a distribution system or gas installation must do so in a way that ensures that the resulting distribution system or gas installation is safe when used for its intended purpose and in a lawful manner.
- (2) A person who designs, installs, manufactures, maintains, or uses a gas appliance or fittings must do so in a way that ensures that the resulting gas appliance or fittings are safe when used for their intended purpose and in a lawful manner.
- (3) The requirements in subclauses (1) and (2) include a requirement that the distribution system, gas installation, fittings, and gas appliance that conveys or utilises the gas must be compatible with the characteristics of the gas, including odourisation.
- (4) A person referred to in subclause (1) or (2) must also ensure that the distribution system, gas installation, fittings, and gas appliance must remain safe when turned off or decommissioned.
- (5) A person who owns, supplies, sells, hires, or operates a distribution system, a gas installation, fittings, or a gas appliance must not use, and must not allow any other person to use, the part of the distribution system, gas installation, fittings, or gas appliance if the part of the distribution system, gas installation, fittings, or gas appliance is unsafe.
- (6) Every person commits a grade A offence who—
- (a) fails to comply with subclause (1) or (2); or
 - (b) fails to comply with subclause (4) or (5) knowing that, or being reckless as to whether, the distribution system, gas installation, fittings, or gas appliance is unsafe.

10 Obligation to notify Secretary of danger

- (1) Any person carrying out gasfitting (including a person acting under an exemption) who has reasonable grounds to believe that any gas installation or gas appliance presents immediate danger to life or property must, as soon as practicable, advise both of the following of the danger:
 - (a) the owner or occupier of the property where the danger exists; and
 - (b) the Secretary.
- (2) A person giving advice under subclause (1)(a) must also advise the owner or occupier to inform the gas retailer or gas wholesaler of the danger.
- (3) A person commits a grade A offence if the person has reasonable grounds to believe that any gas installation or gas appliance presents an immediate danger to life or property and the person fails to comply with subclause (1).

Compare: SR 1997/60 r 50

*When things deemed unsafe***11 General rules for when things deemed to be unsafe**

- (1) A distribution system, a gas installation, fittings, or a gas appliance are deemed to be unsafe if measures are not in place that—
 - (a) ensure a release of gas is detectable or ignition of release is prevented unless such a release is required to establish or sustain combustion; and
 - (b) ensure gas is not released in an uncontrolled manner; and
 - (c) ensure that any oxygen and gas is prevented from mixing in a pipe unless the mixture is outside the flammability limits; and
 - (d) ensure persons are not exposed to carbon monoxide and other harmful products of combustion of gas; and
 - (e) ensure persons and property are not exposed to excessive forces; and
 - (f) ensure that the failure of any control or safety device does not expose the downstream equipment to excessive pressure above the rated pressure of any distribu-

- tion system and equipment downstream of that control or safety device; and
- (g) enable the effective isolation and shut-off of the gas supply, including during an emergency.
- (2) A distribution system, a gas installation, fittings, or a gas appliance are also deemed to be unsafe if—
- (a) the safety-related characteristics of any fittings are impaired so that the safety function is not served; or
 - (b) a joint between pipes, or between pipes and fittings, is inadequate, incompatible, or unreliable; or
 - (ba) the fittings in any distribution system, gas installation, or gas appliance—
 - (i) have a gas leakage (other than a minute leakage that is permissible under relevant testing procedures); or
 - (ii) are capable of being operated in a manner that is hazardous when the fittings are exposed to any reasonably foreseeable torques, pressures, or chemical or physical conditions; or
 - (c) the fittings of any gas installation, distribution system, or gas measurement system are exposed to a pressure exceeding their maximum rated pressure, including as a result of the failure of any control or safety device; or
 - (d) a pipe (whether above or below ground) is inadequately protected against the risk of damage or corrosion; or
 - (e) a pipe is subject to forces beyond its design criteria; or
 - (f) there is insufficient space, access, lighting, ventilation, or facilities to operate, maintain, test, and inspect any fittings required to be operated, maintained, tested, or inspected; or
 - (g) any fittings that cause or are subject to high temperatures are placed in a position, or are unprotected, so as to create a risk of ignition of flammable materials or a risk of injury to persons or damage to property.
- (3) Subclauses (1) and (2) do not limit the rest of these regulations.

Regulation 11(2)(b): amended, on 10 November 2011, by regulation 5(1) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 11(2)(ba): inserted, on 10 November 2011, by regulation 5(2) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

12 Additional rules for when gas installations deemed to be unsafe

An installation is deemed to be unsafe if—

- (a) leakage of gas within the installation is outside the tolerance of a soundness test or has the potential to result in a concentration of gas in air that is in excess of one-fifth of the lower explosive limit; or
- (b) a pipe containing gas or intended to contain gas is not capped or securely closed to prevent leakage or flow of gas (except where ending in a burner or relief valve); or
- (c) the safety controls are inoperative or the safety controls fail; or
- (d) the flue associated with any gas appliance is incorrectly installed; or
- (e) installed permanent ventilation required for safe operation has been closed off or is absent.

Regulation 12(a): amended, on 10 November 2011, by regulation 6 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

13 Additional rules for when gas appliances deemed to be unsafe

- (1) A gas appliance is deemed to be unsafe if—
 - (a) the ignition is delayed beyond the design specification; or
 - (b) the supply of gas to the appliance results in a flashback or an extinguishment of flame or some other flame abnormality; or
 - (c) the appliance or flue is spilling products of combustion abnormally or outside the design specification, directly or indirectly into an enclosed space; or
 - (d) the supply of gas to the appliance results in leakage or failure of a downstream fitting.
- (2) In this regulation, **flame abnormality** means a flame condition that results in appreciable yellow tipping and carbon deposition (not including that which occurs in appliances designed for luminous effect), lifting, floating, lighting back, objectionable odour, incomplete combustion, or noise.

14 Additional rules for when gas supply deemed to be unsafe

A supply of gas is deemed to be unsafe if it is at a pressure or has a characteristic that, in a properly functioning gas installation, results in a gas appliance becoming unsafe.

Protection of fittings

15 Interference with, or movement of, fittings

- (1) A person must not damage or interfere with, or move or attempt to move, any of the fittings of a distribution system or gas measurement system, whether or not the fittings have been damaged, unless—
- (a) the person obtains permission from the owner or operator of the fittings; or
 - (b) the person is authorised by an enactment; or
 - (c) an emergency requires it.
- (2) A person commits a grade B offence if the person fails to comply with subclause (1).

Compare: SR 1993/76 r 36; SR 1997/60 rr 93A, 100(d)(vi)

Part 3

Safety of gas distribution systems

*Requirements for all gas distribution systems
about gas odourisation*

16 General requirement about what gas must be odourised and to what level

- (1) All gas supplied into a distribution system, all gas in or supplied from a distribution system, all gas supplied into an installation, and all gas supplied from a container, must, at all times,—
- (a) be odourised; and
 - (b) have a distinctive and unpleasant odour so that the presence of gas in the atmosphere is readily detectable at concentrations equivalent to and in excess of one-fifth of the lower explosive limit of the gas.
- (2) Compliance with Part 2 of NZS 5263 is deemed to be compliance with subclause (1).
- (3) However, this regulation does not apply to—

- (a) gas in a gas transmission system; or
 - (b) gas supplied directly from a gas transmission system to a gas installation that has the design capacity to consume 60 000 megajoules or more per hour if the owner or operator of the installation—
 - (i) effectively manages the associated risks for that installation; and
 - (ii) can demonstrate that there are documented procedures to ensure that either—
 - (A) the presence of gas in the atmosphere is readily detectable at concentrations equivalent to and in excess of one-fifth of the lower explosive limit of the gas; or
 - (B) ignition of any released gas is prevented; and
 - (iii) has asked the gas supplier to supply non-odorised gas in accordance with a written agreement.
- (4) Every person commits a grade A offence who supplies gas that does not conform to the requirements of this regulation.

Compare: SR 1993/76 r 5

Regulation 16(1): amended, on 10 November 2011, by regulation 7(1) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 16(1)(b): amended, on 10 November 2011, by regulation 7(2) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 16(3)(b)(i): substituted, on 10 November 2011, by regulation 7(3) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 16(3)(b)(ii): substituted, on 10 November 2011, by regulation 7(3) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

17 Responsibility for ensuring odourisation of gas

- (1) The following persons must ensure that gas complies with regulation 16:
- (a) for reticulated gas,—
 - (i) the owner and the operator of the gas distribution system, in respect of any gas supplied into or from any gas distribution system; and
 - (ii) the owner and the operator of the gas distribution system in respect of gas in a gas distribution sys-

- tem that is operated at a gauge pressure of 2 000 kilopascals or less; and
- (iii) the gas retailer, in respect of any gas that is at the point of supply to a consumer:
- (b) for non-reticulated gas,—
 - (i) the gas wholesaler; or
 - (ii) if there is no gas wholesaler in respect of the gas, the gas retailer:
 - (c) for gas imported into New Zealand in canisters, the person who imports the gas into New Zealand.
- (2) Every person commits a grade A offence who fails to comply with this regulation.

18 Requirements for gas odorisation

- (1) Every person who odorises gas, or is responsible for the odorisation of gas, must use only odorants that do not damage the integrity of any distribution system, gas installation, fittings, or gas appliance.
- (2) Every person commits a grade B offence who fails to comply with this regulation.

19 Persons responsible for odorisation must have relevant odorisation documentation

- (1) Every owner and every operator of a distribution system must have documentation that demonstrates that—
 - (a) the gas in the distribution system is odorised to the required level of detectability of concentration equivalent to one-fifth of the lower explosive limit; and
 - (b) a quality assurance procedure in respect of the distribution system is in place that tests and monitors whether the gas is odorised at all times to that required level; and
 - (c) appropriate contingency plans are in place in the event of an emergency in respect of the odorisation of the gas in the distribution system; and
 - (d) all persons carrying out the testing and monitoring of the odorisation are competent to carry out those functions.
- (2) Every other person who is responsible for odorisation of gas under regulation 17 must have documentation that demon-

strates that the person has complied with regulations 16 and 18.

- (3) Every person commits a grade B offence who fails to comply with this regulation.

*Requirements for all gas distribution systems
about measurement of gas*

- 20 Application of regulations about measurement of gas**
Regulations 21 to 23 apply to gas other than CNG sold from a CNG station.

21 Gas measurement

- (1) Every person who sells gas must do so in accordance with the requirements of Part 1 of NZS 5259 unless there is an agreement in writing to the contrary between the seller and the purchaser.
- (2) Gas must be sold by energy content measured by a gas measurement system, and the following margins of error must not be exceeded:
- (a) for volume, uncorrected for pressure or temperature,—
 - (i) prior to a meter being placed in service, plus or minus 2%; or
 - (ii) at any time after a meter has been placed in service, plus or minus 3%:
 - (b) for corrections of the volume measured to standard conditions, whether by a device used for obtaining corrections or by the setting of factors,—
 - (i) prior to a device used for obtaining corrections being placed in service, or on the setting of factors, plus or minus 1%; or
 - (ii) at any time after a device used for obtaining corrections has been placed in service, or on the setting of factors, plus or minus 1.5%:
 - (c) for calorific value measurements, plus or minus 0.5%.
- (3) Every person who owns a gas measurement system used to measure the supply of gas to consumers must manage that gas measurement system to ensure accuracy of measurement and to ensure that adequate records are kept.

- (4) Compliance with NZS 5259 is deemed to be compliance with subclauses (2) and (3).
- (5) Every person commits a grade A offence who fails to comply with this regulation.
Compare: SR 1993/76 r 9

22 Testing and installation of gas measurement systems

- (1) This regulation applies to any gas measurement system to which regulation 21 applies before the system is placed in service, and before it is returned to service after being disconnected from service for the purpose of maintenance or recalibration of that system.
- (2) Every gas measurement system to which this regulation applies must, before being put into service, be tested by a competent organisation to determine its accuracy, and must be sealed by the same competent organisation following confirmation that the system complies with regulation 21(2).
- (3) Compliance with Part 2 of NZS 5259 is deemed to be compliance with subclause (2).
- (4) Any gas measurement system that does not pass the test carried out in accordance with subclause (2) must not be sealed, and any seal that may have been placed on the system must be removed or destroyed.
- (5) If a test has been carried out in accordance with subclause (2) and the gas measurement system has been transported before being put into service, the person owning the gas measurement system must ensure that the calibration of the system is unaffected by that transportation before putting that system into service.
- (6) Every person commits a grade A offence who installs or uses a gas measurement system contrary to the requirements of this regulation.
- (7) Every competent organisation commits a grade A offence that seals a gas measurement system contrary to the requirements in respect of sealing in this regulation.

- (8) Every person commits a grade B offence who, not being a competent organisation, breaks the seal of any gas measurement system to which this regulation applies.

Compare: SR 1993/76 r 10(1)–(4), (7)

23 Records of tests of gas measurement systems must be kept

- (1) A record of the results of each test carried out in accordance with regulation 22 must be kept by—
- (a) the competent organisation that carried out the test; and
 - (b) the operator of the gas measurement system tested.
- (2) The records kept by the operator of a gas measurement system pursuant to subclause (1)(b) must be retained by that operator for the period of that operator's operation of that gas measurement system.
- (3) Every operator of a gas measurement system commits a grade B offence if the operator fails to keep any of the records required by subclause (1).

Compare: SR 1993/76 r 10(5), (6)

Requirements for distribution systems not covered by audited safety management systems

24 Application of regulations 25 to 28

Regulations 25 to 28 apply to all distribution systems in respect of which there is no audited safety management system.

25 Operators of distribution systems must keep records and plans

- (1) Every operator of a distribution system or of a part of a distribution system must keep records and plans of all aspects of that system or part that would enable the owner and operator to readily identify and locate the system or any part of the system.
- (2) Compliance with either Part 3 of NZS 5258 (to the extent that that Part relates to records or plans of distribution systems), or Part 1 of AS/NZS 4645, in relation to that system or part of a system, is deemed to be compliance with subclause (1).

- (3) Every person commits a grade B offence who fails to keep records and plans in accordance with this regulation.

Compare: SR 1993/76 r 6

26 Owners and operators of distribution systems must ensure continuity of supply and safety

- (1) Every owner and every operator of a distribution system or of a part of a distribution system must take all practicable steps to ensure that the system or part is designed, constructed, maintained, and operated in a manner that, as far as practicable, achieves continuity of supply and safety of the distribution system.
- (2) Compliance with Part 1 (network management) of AS/NZS 4645, or compliance with Part 3 of NZS 5258, is deemed to be compliance with subclause (1).
- (3) Compliance with Part 2 (steel pipe systems) and Part 3 (plastic pipe systems) of AS/NZS 4645 is also deemed to be compliance with subclause (1).
- (4) Every person commits a grade A offence who, being the owner or operator of a distribution system or of a part of a distribution system, fails to take all practicable steps to ensure that the distribution system or part is designed, constructed, maintained, and operated in a manner that, as far as practicable, achieves continuity of supply and safety.

Compare: SR 1993/76 r 7(1), (3)

27 Duties of owners and operators of distribution systems in relation to work carried out on systems

- (1) Every owner and every operator of a distribution system or of a part of a distribution system who works on, or authorises work to be carried out on, that system or part must take all practicable steps to ensure that the person or persons who carry out the work are—
- (a) competent to perform the tasks assigned to them; and
 - (b) competent to ensure that the work carried out will be consistent with the ongoing safe operation of the distribution system.

- (2) Compliance with NZS 5258 or AS/NZS 4645 is deemed to be compliance with this regulation.
- (3) This regulation does not limit regulation 26.
- (4) Every person commits a grade A offence who fails to comply with this regulation.

Compare: SR 1993/76 r 7(2)–(4)

28 Safety inspections

- (1) Every owner and every operator of a distribution system that forms part of a system for conveying gas to consumers must—
 - (a) establish a system for regular inspection by a competent person of the safety of that distribution system; and
 - (b) implement and maintain the safety inspection system that is so established.
- (2) The safety inspection system must—
 - (a) provide for periodic inspection at reasonable intervals of the distribution system; and
 - (b) require records to be kept of the results of every periodic inspection.
- (3) A person who owns a distribution system to which this regulation applies commits a grade A offence if the person—
 - (a) fails to comply with this regulation; or
 - (b) fails to carry out the inspections required by a safety inspection system established, implemented, and maintained in accordance with this regulation.
- (4) A person who operates a distribution system to which this regulation applies commits a grade A offence if the distribution system has not been inspected as required by a safety inspection system established for the purposes of this regulation, and the person knows, or is reckless as to whether, the distribution system has not been inspected.

Compare: SR 1997/60 rr 60(3), 66(5)

Requirements for audited safety management systems

29 Overview

Under section 46A of the Act, every person who owns or operates a gas supply system must implement and maintain safety

management systems. Owners or operators of other distribution systems may choose to implement and maintain safety management systems as an alternative to complying with regulations 25 to 28. Regulations 30 to 40 set out requirements and other matters relating to safety management systems.

30 Who must have safety management system

- (1) Every owner and every operator of a gas supply system must implement and maintain an audited safety management system if the gas supply system—
 - (a) is a distribution system, a gas installation, fittings, or a gas appliance that forms part of a system for conveying gas to consumers; and
 - (b) typically measures, or is intended to measure under normal operating conditions, annual consumption greater than 10 terajoules of gas per year.
- (2) Every owner and every operator of any other distribution system may opt in to comply with the requirements of regulations 31 to 40 instead of regulations 25 to 28.
- (3) A person is **opted-in** to comply with the requirements of these regulations about safety management systems for the period commencing on the date when a declaration is made under regulation 31 and ending on the date when the declaration is revoked.
- (4) Once an owner or operator has opted in, that owner and operator must implement and maintain an audited safety management system.
- (5) This regulation does not require a safety management system in respect of a gas measurement system on a gas transmission system.

31 How person opts in

- (1) An owner or operator of a distribution system who is not required to have an audited safety management system by regulation 30(1) may opt in to comply with the requirements of these regulations about safety management systems by making a declaration to the Secretary.

- (2) A declaration may be revoked in the same manner as it was made.

32 What safety management systems must do

- (1) Every safety management system must comply with either—
- (a) NZS 7901; or
 - (b) regulations 33 and 34.
- (2) Nothing in regulations 33 and 34 applies to safety management systems that comply with NZS 7901.
- (3) Every safety management system must include an audit programme that complies with regulations 35 to 38.

33 Substantive requirements of safety management systems

Every safety management system must provide for the following:

- (a) the systematic identification of existing and new or potential hazards associated with the gas supply system, if possible before, and otherwise as, the hazards arise; and
- (b) the assessment by the safety management system operator, at appropriate regular intervals, of the scope and magnitude of each hazard; and
- (c) the steps that must be taken to eliminate, isolate, or minimise hazards (both generally and with respect to particular hazards), and to mitigate risks from those hazards; and
- (d) the assessment of the effectiveness of steps taken to eliminate, isolate, or minimise hazards and to mitigate risks from hazards; and
- (e) the investigation of accidents that involve or affect the gas supply system or the part of the gas supply system in which the safety management system operator is involved; and
- (f) how the safety management system operator proposes to enhance continuously the safety performance of the gas supply system, including performance measurement through key performance indicators as specified in NZS 5258, internal audits, management reviews, and incident reviews; and

- (g) an audit programme setting out the intervals at which audits must be carried out.

34 Documentation of safety management systems

- (1) Every safety management system must be fully documented, and the documentation must include, at a minimum, a description of the following:
 - (a) the gas supply system (including its components) to which the safety management system relates;
 - (b) all the matters referred to in regulation 33.
- (2) The documentation of the safety management system must be in a format and style that enable anyone auditing it to read and understand it easily.

35 Audit of safety management systems

- (1) Every safety management system must be regularly audited to confirm whether—
 - (a) the safety management system complies with NZS 7901 or regulations 33 and 34, as appropriate; and
 - (b) the safety management system operator is implementing and maintaining the safety management system as written; and
 - (c) the effect of the safety management system is that all practicable steps are taken to prevent the gas supply system from presenting a significant risk of—
 - (i) serious harm to any member of the public; or
 - (ii) significant damage to property owned by a person other than the safety management system operator.
- (2) Every audit must be conducted by an accredited auditor.
- (3) The first audit under this regulation of a safety management system must take place before 4 May 2013, and thereafter at intervals determined by the auditor but at least once every 5 years.
- (4) However, the first audit under this regulation of a safety management system for a gas supply system that does not exist on 4 May 2010 may be deferred until 1 year after the date that the gas supply system becomes operational.

36 Audit certificate for safety management systems

- (1) If an accredited auditor is satisfied of the matters in regulation 35(1), the auditor may issue an audit certificate for the safety management system.
- (2) The audit certificate must specify the period for which it is issued, which may be up to 5 years.
- (3) The audit certificate comes into force on and from the date it is issued and remains current for the period for which it is issued, unless earlier cancelled.

37 Statutory declaration by safety management system operator

- (1) Every safety management system operator must, at least once every 5 years, make, and send to the Secretary, a statutory declaration that confirms that the operator's safety management system has an audit certificate that has been issued under regulation 36 and that is still in force.
- (2) However, the first statutory declaration made under this regulation must be made and sent to the Secretary within 6 months after the first audit of the safety management system.

38 Cancellation of audit certificate

- (1) An accredited auditor must cancel an audit certificate—
 - (a) within 10 working days of completing an audit, if the accredited auditor is satisfied that the safety management system, or its implementation by the safety management system operator, does not meet the requirements referred to in regulation 35(1); or
 - (b) within 10 working days of receiving a notice from the Secretary requiring the accredited auditor to cancel the certificate on the grounds that the Secretary is satisfied that the audited safety management system is not being implemented.
- (2) On cancelling an audit certificate, the accredited auditor must, within 10 working days of cancellation, issue a notice of cancellation to the safety management system operator and give a copy of the notice of cancellation to the Secretary.

39 Certification and declaration deemed to be compliance with section 46A of Act

- (1) For the purpose of section 46A of the Act, a person is deemed to be implementing and maintaining a safety management system if—
 - (a) the person holds a current audit certificate in respect of an audited safety management system; and
 - (b) the Secretary has received the statutory declaration required by regulation 37 within the time required by that regulation.
- (2) However, until 4 May 2013, a person is deemed to comply with section 46A of the Act if the person complies with all of regulations 16 to 28.

40 Offences by accredited auditors

An accredited auditor commits a grade A offence if he or she—

- (a) issues an audit certificate under regulation 36 without being satisfied of the matters in regulation 35(1); or
- (b) fails to cancel an audit certificate in the circumstances described in regulation 38(1); or
- (c) fails to issue a notice of cancellation, or give a copy of the notice, as required by regulation 38(2).

Part 4

Safety of gas at point of supply to consumer

41 Quality of gas

- (1) Any gas supplied for use in gas installations and gas appliances, or for use as an automotive fuel, must be of a specification that is suitable and safe for those uses.
- (2) Reticulated natural gas must comply with NZS 5442.
- (3) Liquefied petroleum gas must comply with NZS 5435.
- (4) Every gas retailer and every gas wholesaler must ensure that the gas that it supplies at a consumer's point of supply complies with this regulation.
- (5) Every person commits a grade A offence who fails to comply with subclause (4).

Compare: SR 1993/76 r 3

42 Gas pressure

- (1) Gas must be supplied to consumers at a pressure that ensures the safe supply, passage, and use of the gas, where the gas is used for its intended purpose in a properly functioning gas installation.
- (2) Every gas retailer and every gas wholesaler must ensure that the gas that it supplies at a consumer's point of supply complies with this regulation.
- (3) Every person commits a grade A offence who fails to comply with subclause (2).

Compare: SR 1993/76 r 4

Part 5 **Safety of installations**

Safety of gas installations

43 Safety of gas installations

- (1) Every person who designs, installs, commissions, or tests a gas installation, a part of a gas installation, or an extension or addition to, or replacement of, a gas installation or part of a gas installation, must design, install, commission, or test the installation or part, or the extension, addition, or replacement, in accordance with whichever of the following applies:
 - (a) AS/NZS 5601.1; or
 - (b) AS/NZS 5601.2.
- (2) Every person who supplies or intends to supply an imported installation to a retailer or consumer must, before supplying the installation, ensure that it complies with the requirements set out in section 2 of whichever of the following applies:
 - (a) AS/NZS 5601.1; or
 - (b) AS/NZS 5601.2.
- (3) However, subclauses (1) and (2) do not apply in relation to CNG stations.
- (4) For the purposes of subclauses (1) and (2),—
 - (a) despite anything to the contrary in AS/NZS 5601.1,—
 - (i) a gas installation does not fail to be a gas installation to which AS/NZS 5601.1 applies by reason only that it receives gas at a supply pressure of more than 200 kilopascals; and

- (ii) a gas installation that has the design capacity to consume 60 000 megajoules of gas energy per hour need not meet the requirements of paragraph 8 of clause 2.6.2, or paragraph 7 of clause 2.6.6, of AS/NZS 5601.1; and
 - (b) despite anything to the contrary in AS/NZS 5601.2, a gas installation does not fail to be a gas installation to which AS/NZS 5601.2 applies by reason only that it receives gas at a supply pressure of more than 3 kilopascals.
- (5) Every person who breaches the requirements in subclause (1) or (2) commits a grade A offence.

Regulation 43: substituted, on 10 November 2011, by regulation 8 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Certification of gasfitting work

44 What types of gasfitting must be certified

- (1) For the purposes of section 47(1) of the Act, this regulation and regulations 46 to 48 apply to the following kinds of gasfitting:
 - (a) gasfitting carried out as part of the construction of new gas installations:
 - (b) extensions and additions to, and replacements of, existing gas installations:
 - (c) alterations to gas installations that result in repositioning of pipework or changes to the operation of the installation:
 - (d) repairs to gas installations, gas appliances, or fittings following accidents that are notifiable under section 17 of the Act.
- (2) Every person who is responsible for carrying out any gasfitting to which this regulation applies, or, if that person is acting under supervision, the person who is responsible for that supervision, must ensure that the gasfitting is certified by a person who is authorised under the Plumbers, Gasfitters, and Drainlayers Act 2006 to certify that kind of gasfitting.
- (3) Gasfitting that is carried out under an employer licence issued under section 62 of the Plumbers, Gasfitters, and Drainlayers Act 2006 may be certified by persons authorised to certify under that system of operation.

- (4) Gasfitting that is carried out under a system of operation within the exemption of section 22 of the Plumbers, Gasfitters, and Drainlayers Act 2006 may be certified by the competent person identified in the system of operation who is responsible for the safety and compliance of the gasfitting carried out.
- (5) Every person commits a grade A offence who, being a person who is responsible for ensuring that gasfitting is certified under this regulation, fails to ensure that the gasfitting is certified in accordance with this regulation and regulations 46 to 48.

Compare: SR 1993/76 r 24(1)

Regulation 44(1)(a): substituted, on 10 November 2011, by regulation 9 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

45 Exemptions from requirement to certify gasfitting

Requirements to certify gasfitting do not apply to—

- (a) any work on any pipes or fittings supplied with liquefied petroleum gas from any portable gas storage container or containers that have, or together have, a maximum capacity of 15 kilograms of liquefied petroleum gas; or
- (b) any gasfitting that replaces a gas appliance with an equivalent gas appliance if the work on the replacement appliance, or the replacement appliance itself, does not result in 1 or more of the following:
- (i) repositioning of pipework:
 - (ii) repositioning of flue system components:
 - (iii) a change in the installation pressure:
 - (iv) a change in the gas type:
 - (v) a significant change in the energy consumption:
 - (vi) a change in the ventilation:
 - (vii) a change to the operation of the installation; or
- (c) any gasfitting that replaces a fitting in an installation with an equivalent fitting if the fitting is instrumentation and related controls and the work does not result in repositioning or disturbance of pipework, other than instrumentation and related controls pipework; or
- (d) installing temporary pipework between fittings (or between gas appliances, or between fittings and gas appliances) or repairing fittings and gas appliances; but only if the fittings or appliances are used for experimental,

testing, demonstration, teaching, or research purposes in any gas engineering workshop, manufacturing facility, gas test facility, laboratory, hospital, research project, or teaching institution.

Regulation 45(c): amended, on 10 November 2011, by regulation 10 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 45(d): added, on 10 November 2011, by regulation 10 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

46 Time when gasfitting must be certified

- (1) Certification of gasfitting must be completed within 10 working days of the completion of the work.
- (2) Gasfitting is certified when a certificate of compliance that complies with these regulations is signed by a person authorised under the Plumbers, Gasfitters, and Drainlayers Act 2006 or regulation 44(3) or (4) to certify that gasfitting.
- (3) Every person commits a grade A offence who operates or uses a gas installation knowing that the gasfitting on the gas installation has not been certified in accordance with regulations 44 and 47 and this regulation and that the gasfitting on the installation should have been so certified, or being reckless as to that matter.

Compare: SR 1993/76 r 24A

47 How gasfitting must be certified

- (1) A certificate of compliance must contain—
 - (a) an accurate description of the relevant gasfitting; and
 - (b) a statement that the gas installation on which gasfitting has been done is safe to connect to a gas supply; and
 - (c) a statement that the gasfitting was carried out in accordance with all applicable requirements of the Act and these regulations; and
 - (d) a statement that the gasfitting that the certification applies to does not make other parts of the gas installation unsafe; and
 - (e) in the case of a gas appliance or fittings that have been imported or manufactured by a person for the person's own use, a statement that the appliance or fittings have

- been imported or manufactured by a person for the person's own use.
- (2) The certificate of compliance must be in the form approved by—
- (a) the Secretary (by notice in the *Gazette*), in the case of gasfitting on industrial premises carried out under section 57(3) of the Plumbers, Gasfitters, and Drainlayers Act 1976 or section 22 of the Plumbers, Gasfitters, and Drainlayers Act 2006; or
 - (b) the Secretary (by notice in the *Gazette*), in the case of gasfitting carried out under an employer licence issued under section 62 of the Plumbers, Gasfitters, and Drainlayers Act 2006; or
 - (c) the Board under regulation 49, in any other case.
- (3) A person must not certify gasfitting unless the person is satisfied that the description and statements that must be provided under subclause (1) are accurate.
- (4) Every person commits a grade B offence who signs a certificate of compliance contrary to the requirements of this regulation.

48 Supply and retention of certificates of compliance

- (1) The person who is responsible for ensuring that gasfitting is certified under regulation 44 must ensure that—
- (a) the original of the completed certificate of compliance is supplied to the Board within 5 working days of the certification of the gasfitting, if the gasfitting was carried out by a person authorised under the Plumbers, Gasfitters, and Drainlayers Act 2006; and
 - (b) the original of the completed certificate of compliance is retained by the employer and a copy of the completed certificate of compliance is supplied to the Board within 5 working days of the certification, if the gasfitting was carried out under an employer licence issued under section 62 of the Plumbers, Gasfitters, and Drainlayers Act 2006; and
 - (c) the original of the completed certificate of compliance is retained by the competent person and a copy of the completed certificate of compliance is supplied to the Board

- within 5 working days of the certification, if the gasfitting was carried out under an exemption under section 22 of the Plumbers, Gasfitters, and Drainlayers Act 2006; and
- (d) a copy of the completed certificate of compliance is supplied, within 5 working days of the certification of the gasfitting, to the person for whom the gasfitting was carried out.
- (2) The person certifying the gasfitting, or the person doing gasfitting work referred to in regulation 44(2) to (4), must retain a copy of the certificate of compliance for 7 years or until that person ceases (as the case may be)—
- (a) to be involved in gasfitting; or
- (b) to hold an employer licence; or
- (c) to carry out gasfitting under an exemption issued under section 22 of the Plumbers, Gasfitters, and Drainlayers Act 2006.
- (3) Every person commits a grade B offence who fails to comply with this regulation.

Compare: SR 1993/76 r 24B

Regulation 48(1)(c): amended, on 10 November 2011, by regulation 11 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

49 Forms for certificates of compliance

- (1) The Board must provide or approve forms of certificates of compliance.
- (2) The Board may sell forms of certificates of compliance referred to in regulation 47(2)(c), or may sell them to resellers, who must maintain a register of persons to whom the forms are sold.
- (3) A fee is payable to the Board for each certificate of compliance, whether it is supplied by the Board or in a form approved by the Board, and different fees may be payable for different kinds of certificates.
- (4) Each form must have a unique identifier.
- (5) The fee for each form sold by the Board must be the prescribed fee.

Compare: SR 1993/76 r 25

*Testing of gas installations***50 Obligations of person connecting to gas supply**

- (1) This regulation applies when a gas installation, or any part of it, is being connected to a gas supply (unless regulation 51 applies).
- (2) Before connecting a gas installation to a gas supply, the person doing the connection must—
 - (a) do all of the following:
 - (i) ensure that the connection is safe; and
 - (ii) ensure that, once connected, the installation is operating in a safe manner; and
 - (iii) ensure that the gas installation is compatible with the gas supply; and
 - (iv) ensure that, once connected, the whole installation is safe; and
 - (b) if gasfitting has been done on the installation that requires certification in accordance with regulation 44, either certify the work in accordance with that regulation, or sight a certificate given by another person that complies with subclause (3); and
 - (c) if the gas installation is an imported installation, ensure that the installation complies with—
 - (i) the requirements set out in section 2 of whichever of the following applies:
 - (A) AS/NZS 5601.1; or
 - (B) AS/NZS 5601.2; or
 - (ii) until 31 December 2012, the essential safety requirements of NZS 5261.
- (3) Any certification for the purpose of subclause (2)(b) must—
 - (a) be dated not earlier than 6 months before the date of connection of the gas installation to the gas supply; and
 - (b) comply with regulation 47.
- (4) A person who connects a gas installation to a gas supply commits a grade A offence if the person fails to comply with subclause (2) or (3).
- (5) This regulation does not limit section 47 of the Act.

Regulation 50(2)(b): amended, on 10 November 2011, by regulation 12 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 50(2)(c): added, on 10 November 2011, by regulation 12 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

51 Supplying gas to gas installations on which no gasfitting done

- (1) This regulation applies to a gas installation—
 - (a) that is disconnected or isolated from a gas supply; and
 - (b) on which no gasfitting has been done since the gas installation was last disconnected or isolated from a gas supply.
- (2) However, this regulation does not apply to an imported installation that is being connected for the first time in New Zealand to a gas supply.
- (3) If the period since the last disconnection or isolation is 6 months or less and the owner of the installation confirms that no gasfitting has occurred during that time, regulation 50 does not apply, and a person may reconnect the gas installation to the gas supply, or resupply gas to the gas installation, without doing the things referred to in that regulation, provided the installation will operate safely once resupplied with gas.
- (4) For the purposes of this regulation, a person doing a reconnection or a restoration of a gas supply is entitled (if acting in good faith) to rely on a written confirmation by the owner of the installation that no gasfitting has been done on the installation since it was last disconnected or isolated.
- (5) For the purposes of this regulation, a gas installation is isolated from a gas supply if the flow of gas to the installation is stopped in such a way that it can be restored by an action other than gasfitting.

Regulation 51: substituted, on 10 November 2011, by regulation 13 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

52 Cessation of supply if gas installation unsafe

- (1) A gas wholesaler or gas retailer may cease supply of gas to a gas installation if the wholesaler or retailer becomes aware that the installation is unsafe.
- (2) This regulation does not limit section 47 of the Act.

Compare: SR 1993/76 r 26

Part 6

Safety of gas appliances and fittings

Safety of gas appliances and fittings

53 Gas appliances and fittings to be safe

- (1) Every gas appliance and all fittings, whether new or used, that are sold or offered for sale must be safe.
- (2) Every person who manufactures, imports, sells or offers to sell, hires or leases out, or installs a gas appliance or fittings must take all practicable steps to ensure that the gas appliance or fittings are safe.
- (3) In subclause (2), a **gas appliance or fittings** includes a gas appliance and fittings that are imported as part of an installation (for example, as part of an imported caravan).
- (4) A person who fails to comply with subclause (2) commits a grade A offence.

Regulation 53: substituted, on 10 November 2011, by regulation 14 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

54 Gas appliances and specified fittings to be certified

- (1) This regulation applies to—
 - (a) every gas appliance that is manufactured in, or imported into, New Zealand on or after 1 July 2013; and
 - (b) fittings that the Secretary, under regulation 64, has specified must be certified under this regulation (**specified fittings**).
- (2) Despite subclause (1), this regulation does not apply to—
 - (a) a gas appliance that has the design capacity to consume 60 000 megajoules or more of gas energy per hour; or
 - (b) any gas appliance or specified fittings endorsed under regulation 57.
- (3) The importer or manufacturer of the gas appliance or specified fittings must ensure that, before the appliance or fittings are sold or offered for sale in New Zealand, the appliance or fittings are certified in accordance with regulation 55.
- (4) An importer or manufacturer that fails to comply with subclause (3) commits a grade A offence.

- (5) A person who sells or offers to sell a gas appliance or specified fittings to which this regulation applies commits a grade A offence if the person—
- (a) knows that the appliance or fittings are not certified as required by subclause (3), or is reckless as to that matter; or
 - (b) knows that any purported certification of the appliance or fittings is false, or is reckless as to that matter.

Regulation 54: substituted, on 10 November 2011, by regulation 14 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

55 Certification requirements for gas appliances and specified fittings

- (1) A gas appliance and specified fittings are certified for the purposes of regulation 54(3) if—
- (a) the appliance or fittings are certified by a body specified in clause 1 of Schedule 2A; and
 - (b) the body certifies the appliance or fittings to the standard, and complying with any conditions, specified in Schedule 2A for that body and that type of appliance or fittings; and
 - (c) the certification was valid at the time the appliance or fittings were manufactured in, or imported into, New Zealand.
- (2) However, in the case of specified fittings for which the Secretary, under regulation 64, has specified an alternative time at which the certification must be valid, the certification must be valid at that time and subclause (1)(c) does not apply.

Regulation 55: substituted, on 10 November 2011, by regulation 14 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

56 Offence by certification body

A body specified in clause 1 of Schedule 2A commits a grade A offence if the body certifies a gas appliance or specified fittings, knowing that the appliance or fittings do not meet the certification requirements set out in Schedule 2A, or being reckless as to that matter.

Regulation 56: substituted, on 10 November 2011, by regulation 14 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

57 Endorsement may replace certification for certain appliances and fittings

- (1) This regulation applies to—
 - (a) a small production appliance; and
 - (b) specified fittings that the Secretary, under regulation 64, has specified may be endorsed under this regulation.
- (2) In this regulation,—

approved practitioner means a person approved by the Secretary under regulation 59

small production appliance means a gas appliance—

 - (a) of which there are 11 or fewer in New Zealand; or
 - (b) that is a new or used gas appliance that forms part of an imported new or used gas installation.
- (3) The importer or manufacturer of the small production appliance or specified fittings may, instead of complying with regulation 54(3), ensure that, before the appliance or fittings are sold or offered for sale in New Zealand, the appliance or fittings are endorsed by an approved practitioner.
- (4) An endorsement must include the following:
 - (a) the full name and New Zealand address of the manufacturer or importer of the appliance or fittings; and
 - (b) the full name of the approved practitioner giving the endorsement; and
 - (c) a statement identifying the appliance or fittings covered by the endorsement; and
 - (d) a statement that, in the opinion of the approved practitioner, the appliance or fittings comply with these regulations and NZS 5266; and
 - (e) where endorsed as part of a gas installation, the address of the installation; and
 - (f) the type of gas that the appliance or fittings can safely use.
- (5) A copy of every endorsement—
 - (a) must be sent to the Secretary within 10 working days of a request being made by the Secretary; and
 - (b) must be given to the owner or purchaser of the appliance or fittings covered by the endorsement.

- (6) Regulations 54 and 72 do not apply to an appliance or fittings endorsed in accordance with this regulation.

Regulation 57: substituted, on 10 November 2011, by regulation 14 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

58 Offences in relation to endorsement regime

- (1) Every person commits a grade A offence who issues an endorsement under regulation 57 when that person is not an approved practitioner.
- (2) Every person commits a grade B offence who issues an endorsement under regulation 57 knowing that the gas appliance or specified fittings endorsed do not meet the requirements of that regulation, or being reckless as to that matter.
- (3) Every person commits a grade B offence who installs or connects a gas appliance or fittings that have an endorsement under regulation 57 while knowing that the gas appliance or fittings do not meet the requirements for endorsement under regulation 57, or being reckless as to that matter.

Regulation 58 heading: amended, on 10 November 2011, by regulation 15(1) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 58(2): amended, on 10 November 2011, by regulation 15(2) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 58(3): amended, on 10 November 2011, by regulation 15(3)(a) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 58(3): amended, on 10 November 2011, by regulation 15(3)(b) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

59 Approved practitioner regime

- (1) The Secretary, on application made on the form approved by the Secretary for the purpose, may grant to the applicant an approval authorising the applicant to issue endorsements for the purposes of regulation 57.
- (2) The Secretary may not approve an application unless the applicant has qualifications and experience in assessing the safety and suitability of gas appliances and fittings as follows:
- (a) every applicant must have demonstrated competence, technical knowledge, and relevant experience to assess

- the suitability of appliances in 1 or more of the cases referred to in regulation 57; and
- (b) every applicant must have relevant business structures and arrangements including liability insurance; and
 - (c) every applicant for approval to issue endorsements—
 - (i) must demonstrate sound understanding and knowledge of the relevant means of compliance with standards; and
 - (ii) must be able to undertake or assess testing and commissioning of the appliance or fitting.
 - (d) *[Revoked]*
- (3) The Secretary may grant an approval subject to any terms and conditions that the Secretary thinks fit, and may revoke an approval at any time.
- (4) The Secretary must publish and maintain a list of approved practitioners on the Internet site at all reasonable times.
- (5) Every person commits a grade A offence if that person issues an endorsement other than in accordance with the terms and conditions of the grant of approval by the Secretary under this regulation.

Regulation 59(2)(c): amended, on 10 November 2011, by regulation 16(1) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 59(2)(c)(ii): substituted, on 10 November 2011, by regulation 16(2) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 59(2)(d): revoked, on 10 November 2011, by regulation 16(3) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Declared and prohibited articles

- 60 Declared articles not to be offered for sale unless approved**
- (1) The Secretary may, by notice in the *Gazette*, declare that particular types or categories of gas appliances or fittings are declared fittings or appliances (in this regulation and regulations 61 and 62, **declared articles**).
 - (2) A declared article may not be offered for sale in New Zealand unless—

- (a) it is approved for sale by the Secretary under regulation 61 and all conditions of the approval are complied with; or
 - (b) it is deemed, under regulation 62, to be approved by the Secretary, and all conditions of the approval are complied with.
- (3) A person who offers a declared article for sale in New Zealand commits a grade A offence if—
- (a) the article is not approved under regulation 61 or deemed to be approved under regulation 62; or
 - (b) the article is approved under regulation 61, or deemed to be approved under regulation 62, but all conditions of the approval or deemed approval are not complied with.

Compare: SR 1993/76 r 28

61 Approval by Secretary of declared articles

- (1) Any person may apply to the Secretary for approval to offer a declared article for sale in New Zealand by applying in a form prescribed by the Secretary and paying the prescribed fee set out in Schedule 5.
- (2) The Secretary may refer the application to an experienced person for advice on compliance by the declared article with safety requirements.
- (3) The Secretary must notify the applicant in writing of his or her decision, and must notify the applicant of any conditions of the approval imposed by the Secretary.
- (4) The Secretary may, on giving 7 days' notice in writing to the applicant,—
 - (a) vary or withdraw the approval; or
 - (b) vary or revoke any condition, or specify any additional conditions, to which the approval is subject.

62 Deemed approval by Secretary of declared articles

- (1) A declared article is deemed to have the Secretary's approval to be offered for sale in New Zealand if the article—
 - (a) is approved or certified by an organisation or agency, or under a programme or regime, recognised by the Secretary under subclause (3); and

- (b) complies, as required, with any conditions of the approval or certification.
- (2) The conditions of approval must include a requirement for a supplier declaration to be made and must set out the information that must be included in that declaration.
- (3) The Secretary may, by notice in the *Gazette*, recognise an organisation or agency, or a programme or regime of compliance, for the purposes of subclause (1).
- (4) The Secretary may, by notice in the *Gazette*, specify conditions to which a deemed approval is subject.
- (5) The Secretary may, by notice in the *Gazette*,—
 - (a) vary or withdraw any deemed approval; or
 - (b) vary or revoke any conditions, or specify additional conditions, to which the deemed approval is subject.
- (6) A notice given under subclause (4) takes effect on the seventh day after the date of notification in the *Gazette*.

63 Prohibition and control of unsafe gas appliances and fittings

- (1) The manufacture, importation, sale (including an offer to sell), or use (including installation) of any gas appliance or fittings is prohibited if—
 - (a) the Secretary believes on reasonable grounds that the appliance or fittings are or may be unsafe (having regard to the tests, standards, and safety criteria prescribed by these regulations); and
 - (b) a prohibition notice in respect of that appliance or fittings has effect under subclause (3).
- (2) The installation of a gas appliance or any fittings used or intended to be used in the application of gas is controlled if—
 - (a) the Secretary believes on reasonable grounds that the appliance or fittings are or may be unsafe; and
 - (b) a control notice in respect of the appliance or fittings has effect under subclause (3).
- (3) A prohibition or control under this regulation—
 - (a) must be made by notice in the *Gazette* given by the Secretary; and

- (b) takes effect on and from the date specified for the purpose in the notice, which date must be later than the date of publication of the notice in the *Gazette*; and
 - (c) must adequately describe the gas appliance or fittings being prohibited or controlled; and
 - (d) may, in the case of a control, be subject to any conditions in respect of the installation of the gas appliance or fittings that are specified in the control notice; and
 - (e) must give brief reasons for the belief that the gas appliance or fittings are or may be unsafe.
- (4) Where the Secretary knows the New Zealand address of the manufacturer, importer, seller, or user concerned, the Secretary must give notice of the prohibition or control to that person before the date specified in the notice in the *Gazette* as the date on which the prohibition or control takes effect.
- (5) A notice under this regulation may be varied or revoked in the same manner as it was made.
- (6) A person commits a grade A offence if the person manufactures, imports, sells, installs, or uses any gas appliance or fittings contrary to a prohibition or control under this regulation.
- Compare: SR 1993/76 r 29

Specified fittings

64 Specified fittings

- (1) The Secretary may, by notice in the *Gazette*, specify fittings that must not be offered for sale, or that must not be installed as part of a gas installation, before those specified fittings have been certified under regulation 54 or endorsed by an approved practitioner under regulation 57.
- (2) The notice—
- (a) must specify whether the specified fittings may be endorsed under regulation 57 instead of certified under regulation 54; and
 - (b) may specify a time, as an alternative to the time referred to in regulation 55(1)(c), at which a certification must be valid.
- (3) Decisions by the Secretary under subclause (1)—
- (a) must be made by notice in the *Gazette*; and

- (b) may be amended or revoked, at any time, by notice in the *Gazette*.

Regulation 64(1): amended, on 10 November 2011, by regulation 17(1) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 64(2): substituted, on 10 November 2011, by regulation 17(2) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Supplier declarations

65 Gas appliances and fittings to which supplier declaration requirements apply

- (1) Regulations 66 to 70 apply to the following:
- (a) gas appliances; and
 - (b) specified fittings (*see* regulation 64); and
 - (c) any declared articles that the Secretary has specified under regulation 60 to be gas appliances or fittings that require a supplier declaration.
- (2) However, regulations 66 to 70 do not apply to any gas appliances or specified fittings endorsed under regulation 57.

Compare: SR 1993/76 r 15

Regulation 65: substituted, on 10 November 2011, by regulation 18 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

66 Manufacturer or importer must make supplier declaration

- (1) This regulation applies to—
- (a) all persons who manufacture in New Zealand gas appliances or fittings referred to in regulation 65; and
 - (b) all importers of gas appliances or fittings referred to in that regulation (including gas appliances or fittings that are imported as part of an installation, for example, as part of an imported caravan).
- (2) Every person to whom this regulation applies must, before that person supplies, or offers for sale, in New Zealand a gas appliance or fittings referred to in regulation 65,—
- (a) make a supplier declaration that relates to the appliance or fittings; and
 - (b) publish the declaration on the Internet site.
- (3) Every person commits a grade A offence who, being a manufacturer or importer, supplies a gas appliance or fittings re-

ferred to in regulation 65 without complying with this regulation.

Compare: SR 1993/76 r 15A

67 Contents of supplier declaration

Every supplier declaration must—

- (a) be in a form prescribed for the purpose by the Secretary (if any) by notice in the *Gazette*; and
- (b) specify the full name of the manufacturer or importer and the full name of the person making the declaration; and
- (c) specify the full address of the manufacturer or importer and the full address of the person making the declaration (including an email address, if any); and
- (d) identify the gas appliances or specified fittings covered by the declaration; and
- (e) include a statement that the manufacturer or importer has complied with—
 - (i) regulations 53 and 71 in relation to all gas appliances covered by the declaration; and
 - (ii) regulation 53 in relation to all fittings covered by the declaration; and
- (f) include the details specified by the certification body, including the certificate number, the name of the body, the date of issue, the fuel types that the gas appliance or fittings may safely use, and the date of expiry of the certification; and
- (g) include a copy of the certificate issued by the certification body.

Compare: SR 1993/76 r 15B

Regulation 67(f): amended, on 10 November 2011, by regulation 19(1) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 67(g): amended, on 10 November 2011, by regulation 19(2) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

68 Offence committed by manufacturers and importers relating to supplier declarations

Every person commits a grade B offence who, being a manufacturer or importer, publishes on the Internet site, or gives to the person to whom a gas appliance or fittings are supplied,

a supplier declaration that is false or misleading in a material respect.

69 Management of Internet site

- (1) Every manufacturer or importer who is required to publish a supplier declaration on the Internet site must ensure that the manufacturer or importer has—
 - (a) registered with the Secretary so as to enable the manufacturer or importer to publish supplier declarations on the Internet site; and
 - (b) supplied to the Secretary any information reasonably required by the Secretary to register the manufacturer or importer.
- (2) The Secretary—
 - (a) may remove from the Internet site any supplier declaration that appears to the Secretary to be incorrect, frivolous, non-complying, incomplete, or outdated; and
 - (b) must promptly send notice of the removal to the manufacturer or importer.

Compare: SR 1993/76 r 15C

70 Installers must check that declaration published or supplied

- (1) *[Revoked]*
- (2) Every person who installs a gas appliance or fittings in relation to which a supplier declaration is required to be published on the Internet site must, before installing the appliance or fittings,—
 - (a) ensure that the appliance or fittings are labelled in accordance with regulation 72; and
 - (b) if they are not, ensure that a supplier declaration relating to the appliance or fittings is so published.
- (3) *[Revoked]*
- (4) Every person who installs a declared article in relation to which a supplier declaration is required to be published on the Internet site must, before installing the declared article, ensure that a supplier declaration relating to the declared article is published.

- (5) Every person commits a grade B offence who, being a person to whom this regulation applies, fails to comply with this regulation.

Compare: SR 1993/76 r 15F

Regulation 70 heading: amended, on 10 November 2011, by regulation 20(1) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 70(1): revoked, on 10 November 2011, by regulation 20(2) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 70(3): revoked, on 10 November 2011, by regulation 20(2) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Marking and labelling of gas appliances and fittings

71 Marking of gas appliances

- (1) Every manufacturer or importer of a gas appliance sold or intended for sale must, as a minimum, ensure that the appliance is legibly and clearly marked in the English language in a permanent manner with all of the following:
- (a) the name or registered trade mark or other means of identifying the person responsible, under regulation 66, for making the supplier declaration relating to the appliance; and
 - (b) the type or types of gas that the appliance is certified or endorsed to safely use; and
 - (c) the gas supply pressure range within which the gas appliance will operate safely; and
 - (d) the nominal heat input rating of the gas appliance; and
 - (e) a gas safety compliance label (if the gas appliance is required by regulation 72 to have one); and
 - (f) the make and either the model or the model number of the gas appliance.
- (2) However, liquified petroleum gas appliances connected to disposable canisters and simple burners of less than 1 kilowatt rating (for example, Bunsen burners and ring burners) do not have to be marked with the information specified in subclause (1)(c) and (d).
- (3) Every person commits a grade A offence who sells or offers for sale a gas appliance that is not marked in accordance with this regulation.

- (4) This regulation does not apply to a gas appliance that has the design capacity to consume 60 000 megajoules or more of gas energy per hour.

Compare: SR 1993/76 r 14

Regulation 71(1): amended, on 10 November 2011, by regulation 21(1)(a) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 71(1): amended, on 10 November 2011, by regulation 21(1)(b) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 71(1)(a): substituted, on 10 November 2011, by regulation 21(2) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 71(1)(b): amended, on 10 November 2011, by regulation 21(3) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 71(1)(e): substituted, on 10 November 2011, by regulation 21(4) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 71(1)(f): substituted, on 10 November 2011, by regulation 21(4) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

72 Gas safety compliance labels for gas appliances and specified fittings

- (1) Every person who supplies or installs a new gas appliance or new specified fittings to which regulation 54 applies must ensure that the appliance or fittings are labelled with a gas safety compliance label before that person supplies or installs the gas appliance or specified fittings in New Zealand.
- (2) A gas safety compliance label—
- (a) must be in the form shown in Schedule 6, with the label no smaller than 15 mm in height; and
 - (b) *[Revoked]*
 - (c) must be permanently affixed to the gas appliance in a manner that is clearly visible to the installer; and
 - (d) must be legibly and durably applied on the external surface of the gas appliance as near as is possible to the model identification (if there is a model identification), unless this is not possible owing to the size or nature of the product, in which case the label must be placed on

- the packaging or warranty or instructions for the product; and
- (e) must be reproduced in either red and black, or grey and black, as shown in Schedule 6 (except that variations that replace the grey tone with white outlined with black are acceptable where grey is not practicable); and
 - (f) may also be placed on promotional material associated with the product.
- (3) Every person commits a grade B offence who—
- (a) affixes a label to a gas appliance or fittings that do not meet the requirements of regulations 53 to 70; or
 - (b) installs or supplies a gas appliance or fittings that do not, if required by this regulation to have a label, have a label that complies with this regulation.
- (4) Every person commits a grade A offence who—
- (a) marks or labels a gas appliance or fitting with a false or incorrect marking or label relating to the safety of the appliance or fitting; or
 - (b) sells or offers to sell a fitting or appliance with a false or incorrect marking or label relating to the safety of that appliance or fitting, knowing, or being reckless as to whether, the marking or label is false or incorrect.
- (5) This regulation does not apply to a gas appliance that has the design capacity to consume 60 000 megajoules or more of gas energy per hour.

Regulation 72(1): amended, on 10 November 2011, by regulation 22(1) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 72(2)(a): substituted, on 10 November 2011, by regulation 22(2) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 72(2)(b): revoked, on 10 November 2011, by regulation 22(2) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 72(3)(b): amended, on 10 November 2011, by regulation 22(3) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 72(4)(b): amended, on 10 November 2011, by regulation 22(4) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

*Miscellaneous***73 Supply of documents**

- (1) Every manufacturer or importer of a gas appliance or specified fittings must, within 10 working days of a request being made by the Secretary, supply to the Secretary a document or documents that demonstrate whether the manufacturer or importer has,—
 - (a) in the case of a gas appliance, complied with regulations 53, 71, and 72 in relation to the gas appliance; or
 - (b) in the case of fittings, complied with regulations 53 and 72 in relation to the fittings.
- (2) The manufacturer or importer must supply, with any document that is supplied, an accurate English translation of the whole or any part of that document if the document or that part is in a language other than English.
- (3) Every person commits a grade A offence who, being a manufacturer or importer, fails to supply a document or documents to the Secretary in accordance with this regulation.

Compare: SR 1993/76 r 15D

74 Repairs, modifications, and adjustments to gas appliances and fittings

- (1) Every person who repairs, modifies, or makes adjustments to a gas appliance or fittings must take all practicable steps to ensure that—
 - (a) the appliance or fittings are safe in all reasonably foreseeable circumstances before the appliance or fittings are returned to service; and
 - (b) the appliance complies with the technical requirements of NZS 5266.
- (2) Without limiting subclause (1), a gas appliance or fittings are unsafe if—
 - (a) they have a gas leakage; or
 - (b) they are operated in a manner that is hazardous when they are exposed to any reasonably foreseeable torques, pressures, or chemical or physical conditions.
- (3) Despite subclause (2)(a), minute leakages from some fittings are permissible under relevant testing procedures.

- (4) Every person commits a grade B offence who, having repaired, modified, or made adjustments to a gas appliance or fittings, returns that gas appliance or fittings to service before taking all practicable steps to ensure that the gas appliance or fittings are safe (including complying with subclause (1)(b)) in all reasonably foreseeable circumstances in accordance with this regulation.

Compare: SR 1993/76 r 16

Regulation 74(1)(b): amended, on 10 November 2011, by regulation 23(1) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 74(4): amended, on 10 November 2011, by regulation 23(2) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

75 Responsibility of persons hiring or leasing gas appliances, fittings, and gas installations

- (1) Every person who hires or leases out, or who offers to hire or lease out, any gas appliance, fittings, or gas installation must take all practicable steps to ensure that, before hiring, leasing, or offering to hire or lease them out,—
- (a) the appliance, fittings, or installation are in a safe condition and are complete with any safety accessory (for example, a fireguard); and
 - (b) any instructions to ensure the safe use of the appliance, fittings, or installation are provided and are practical and suitable for the safe use of the appliance, fittings, or installation.
- (2) Every person commits a grade A offence who hires or leases out, or offers to hire or lease out, any gas appliance, fittings, or gas installation knowing that this regulation has not been complied with, or being reckless as to that matter.

Compare: SR 1993/76 r 17

Regulation 75(1): amended, on 10 November 2011, by regulation 24(1) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Regulation 75(2): amended, on 10 November 2011, by regulation 24(2) of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Part 7 CNG

Measurement

76 Measurement of CNG

- (1) CNG sold from any CNG station must meet the requirements of this regulation, unless there is an agreement in writing to the contrary between the seller and the purchaser.
- (2) CNG gas measurement systems of CNG stations must—
 - (a) meter gas by mass;
 - (b) provide a clear indication of quantity in kilograms and price per kilogram, and of total price in dollars;
 - (c) prevent delivery of CNG during the operation of the reset mechanism;
 - (d) be provided with a means of sealing the calibration unit;
 - (e) for all reasonably expected variations in ambient conditions, gas supply temperatures, pressure and composition, and electrical supply, and for all reasonably expected electrical supply interference, not exceed a margin of error of—
 - (i) plus or minus 2% immediately after calibration, and a further plus or minus 1% at subsequent times while in service, for quantities over 5 kilograms; or
 - (ii) plus or minus 0.1 kilograms immediately after calibration, and a further plus or minus 0.05 kilograms at subsequent times while in service, for quantities of 5 kilograms or less.
- (3) Compliance with Division 3.3 of NZS 5425.3 is deemed to be compliance with subclause (2).
- (4) Every person who owns a gas measurement system used to measure the supply of gas to consumers must ensure that adequate records are kept so that the accuracy requirements of subclause (2) are met in relation to that system.
- (5) Compliance with NZS 5259 is deemed to be compliance with subclause (4).
- (6) Every person commits a grade A offence who sells gas otherwise than in accordance with this regulation.

Compare: SR 1993/76 r 9

77 Testing and installation of CNG gas measurement systems

- (1) This regulation applies to any CNG gas measurement system of a CNG station that has been subject to servicing on-site and that may suffer alteration to calibration while subsequently in service.
- (2) The operator of a gas measurement system to which this regulation applies must ensure, before putting the system into service, that the system has been tested by a competent organisation to determine the system's accuracy, and has been sealed by the same competent organisation following confirmation that the system complies with regulation 76(2)(e).
- (3) Any gas measurement system that does not pass the test carried out in accordance with subclause (2) must not be sealed, and any seal that may have been placed on the system must be removed or destroyed.
- (4) If a test has been carried out in accordance with subclause (2) and the gas measurement system or a part of the system has been transported before being put into service, the owner of the gas measurement system must ensure that the calibration of the system is unaffected by that transportation before putting that system into service.
- (5) A record of the results of each test carried out in accordance with subclause (2) must be kept by—
 - (a) the competent organisation that carried out the test; and
 - (b) the operator of the gas measurement system tested.
- (6) The records kept by the operator of a gas measurement system under subclause (5)(b) must be retained by that operator for the period of that operator's right to operate that gas measurement system, and must be kept at the site where the system is located.
- (7) Every person commits a grade A offence who fails to comply with this regulation.

Compare: SR 1993/76 r 10

Requirements for CNG station safety

78 Particular requirements for CNG stations

- (1) This regulation applies to every person who owns or installs a CNG station.

- (2) Every person to whom this regulation applies must take all practicable steps to ensure that the CNG station is designed and installed in a manner that ensures that the station is safe in all reasonably foreseeable circumstances.
- (3) Without limiting subclause (2), a CNG station is not safe if—
 - (a) the CNG compressor of the station allows the ingress of air; or
 - (b) any refuelling hose or assembly is of a kind that does not prevent electrostatic ignition; or
 - (c) any refuelling probe is of a design that does not minimise wear on seals or minimise any other effects that may result in a sudden gas release during refuelling.
- (4) Compliance with NZS 5425.2 is deemed to be compliance with this regulation in relation to a CNG compressor.
- (5) Compliance with NZS 5425.1 is deemed to be compliance with this regulation in relation to a fast-fill CNG station.
- (6) Compliance with NZS 5425.4 is deemed to be compliance with this regulation in relation to a trickle-fill CNG station.
- (7) Subclauses (5) and (6) are subject to subclause (4).
- (8) Every person commits a grade B offence who owns or installs a CNG station without complying with this regulation.

Compare: SR 1993/76 r 18

79 Sealing of pressure-limiting devices and metering units for CNG stations

- (1) Every person who owns or installs a CNG station must ensure that every pressure-limiting device and metering unit of a CNG station is sealed.
- (2) Only competent organisations or the Secretary may make or break the seal or adjust those fittings.
- (3) Every person commits a grade A offence who owns or installs a CNG station without complying with subclause (1).
- (4) Every person, being a person other than the Secretary or a competent organisation, commits a grade B offence who fails to comply with subclause (2).

Compare: SR 1993/76 r 19

80 Maintenance and operation of CNG stations

- (1) Every owner and every operator of a CNG station must take all practicable steps to ensure that the CNG station is—
 - (a) maintained in a safe condition; and
 - (b) operated safely.
- (2) Compliance with GCP 2 is deemed to be compliance with this regulation.
- (3) Every person commits a grade A offence who owns or operates a CNG station without complying with this regulation.

Compare: SR 1993/76 r 19A

81 CNG filling pressures

- (1) The maximum fill pressure of a CNG dispenser of a CNG station is 20 megapascals (gauge).
- (2) However, for trickle-fill CNG gas installations the maximum fill pressure is 16.5 megapascals (gauge).
- (3) Every person commits a grade A offence who owns or operates a CNG dispenser that operates at above a maximum fill pressure specified in this regulation.

Compare: SR 1993/76 r 20

82 CNG safety requirements training

- (1) Every operator of a CNG station must ensure that vehicles are filled at the station by or in the presence of a person who has received training in the safety requirements specified in Schedule 3.
- (2) The Secretary may exempt a particular CNG station from the requirements of this regulation if the Secretary is satisfied that alternative safety procedures or fittings are in place in the CNG station so as to render compliance with those requirements unnecessary in the particular case.
- (3) Every person commits a grade B offence who, being an owner or operator of a CNG station, fails to ensure that personnel filling or being present for the filling of vehicles with CNG have received the training required by this regulation.

Compare: SR 1993/76 r 21

83 Inspection of CNG stations

- (1) Every owner and every operator of a CNG station must ensure that the CNG station is inspected at least once every 2 years by a competent organisation that has approval to certify the safety of the fittings of the station, and the safety of the operation of the station.
- (2) If an inspection required under subclause (1) is carried out, the CNG station must be used only if the competent organisation certifies the safety of the fittings of the station and issues a certificate in the form set out in Schedule 4.
- (3) Compliance with GCP 2 is deemed to be compliance with subclause (1).
- (4) Every person commits a grade B offence who, being an owner or operator of a CNG station, fails to have the installation certified in accordance with this regulation.
- (5) Every competent organisation commits a grade A offence that provides a certificate under this regulation if any fittings of the CNG station are not safe.

Compare: SR 1993/76 r 22

84 Records for CNG stations

- (1) Every operator of a CNG station must maintain—
 - (a) records of any adjustments or repairs to the gas measurement system of the installation, including, if seals are broken or fitted, the person who broke or fitted the seals; and
 - (b) records of the names of staff at the station and any training undertaken and completed by the staff for the purpose of regulation 82(1);
 - (c) logbooks in accordance with section 4 of GCP 2.
- (2) Compliance with clause 7.3.1 of GCP 2 is deemed to be compliance with subclause (1)(b).
- (3) Every competent organisation must keep records for each installation in respect of which work is carried out, and the results of the work, after—
 - (a) making or breaking seals, or adjusting fittings, of pressure-limiting devices or metering units under regulation 79; or

- (b) carrying out inspections or issuing certificates in accordance with regulation 83.
- (4) The records required to be kept under this regulation must,—
 - (a) in the case of operators of CNG stations, be retained for the operational life of the installation;
 - (b) in the case of a competent organisation, be retained for 7 years from the date of the last entry in the particular record, or until the organisation ceases business, whichever occurs first.
- (5) Every person commits a grade B offence who, being an operator of a CNG station, fails to maintain the records required by this regulation.

Compare: SR 1993/76 r 23

Part 8

Miscellaneous provisions

Exemptions

85 Secretary's power to exempt from requirements

- (1) The Secretary may exempt any specific gas installation, gas appliance, fittings, person, or thing from any requirement imposed by or under all or any of regulations 16 to 28 and Parts 4, 6, or 7 if the Secretary is satisfied that safety will be ensured despite the exemption and that the extent of the exemption is not broader than what is reasonably necessary to address the matters that gave rise to the exemption.
- (2) The Secretary may exempt any distribution system, gas installation, fittings, or gas appliances from the provisions of section 46 of the Act if the Secretary is satisfied that safety will be ensured despite the exemption and that the extent of the exemption is not broader than what is reasonably necessary to address the matters that gave rise to the exemption.
- (3) An application for an exemption must—
 - (a) specify the precise exemption sought and the reason; and
 - (b) demonstrate how safety will be ensured if the exemption is granted; and
 - (c) be made on a form prescribed by the Secretary; and
 - (d) be accompanied by the fee prescribed in Schedule 5.

- (4) The Secretary may refer an application for an exemption to an experienced person in the gas industry for advice.
- (5) Every exemption—
 - (a) must be in writing; and
 - (b) must specify the period for which it applies; and
 - (c) may impose conditions on the exemption.
- (6) The Secretary may amend or revoke an exemption—
 - (a) if the holder of the exemption asks; or
 - (b) in order to prevent any danger or potential danger to any person or property, but only after giving the exemption holder at least 20 working days' notice of the proposed amendment or revocation; or
 - (c) if the Secretary is satisfied that the holder is not complying, or has not complied, with any conditions of the exemption, in which case the amendment or revocation has effect on the date of, or any later date specified in, the Secretary's notice.
- (7) The Secretary must give notice of an exemption, and any amendment or revocation of an exemption,—
 - (a) to the applicant; and
 - (b) if the exemption, amendment, or revocation will materially affect a wider range of persons than the applicant, by notice in the *Gazette*.
- (8) *[Revoked]*
Compare: SR 1993/76 r 30
Regulation 85(8): revoked, on 10 November 2011, by regulation 25 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

General provisions

86 Issuing of urgent instructions

- (1) In any case of urgency, the Secretary may issue instructions, orders, or requirements for securing the protection of persons from injuries likely to be caused, directly or indirectly, by the presence, escape, or use of gas.
- (2) Any instruction, order, or requirement issued by the Secretary must be,—

- (a) if the instruction, order, or requirement is specific to a particular person or persons, by notice in writing to that person or those persons; or
 - (b) if the instruction, order, or requirement is of more general application, by notice in the *Gazette*.
- (3) No instruction, order, or requirement issued under this regulation, whether or not subsequently amended, remains in force later than 6 months after its date of issue.
- (4) The Secretary may amend or revoke an instruction, order, or requirement in the same manner as it was made.
- (5) Every person commits a grade A offence who fails to comply with any instruction, order, or requirement issued under this regulation.

Compare: SR 1993/76 r 32

87 Details to be provided in reporting accidents

- (1) Any person who notifies the Secretary of an accident, in accordance with section 17 of the Act, must give a full report to the Secretary in writing that sets out the following matters:
- (a) the name and contact details of the person giving notice (which should include, if possible, telephone and fax numbers, and an email address):
 - (b) the place, date, and time of the accident:
 - (c) a complete description of the accident:
 - (d) a description of any injuries, damage, or losses resulting from the accident:
 - (e) if known, the names and contact information of any witness, investigator at the scene, or other person who could provide cogent information on the accident:
 - (f) possible causative factors (if any are known):
 - (g) if known, the name, age, sex, occupation, and residential address of the victim.
- (2) An accident may initially be notified to the Secretary by telephone, fax, email, or any other electronic means, as long as the full written report is sent to the Secretary within 2 weeks after that initial notification.
- (3) The full written report may be sent to the Secretary by post, fax, email, or any other electronic means.

Compare: SR 1993/76 r 33

88 Competent organisations to supply copies of seals they use

- (1) A competent organisation intending to carry out work under regulation 22 or 79 must, before carrying out the work, supply to the Secretary a copy of the seal that the competent organisation will use in respect of that work.
- (2) Every competent organisation commits a grade B offence that fails to provide a copy of a seal in accordance with this regulation.

Compare: SR 1993/76 r 35

89 Offence for competent organisations to fail to keep records

Every competent organisation commits a grade B offence that fails to keep any of the records required by these regulations to be kept by competent organisations.

Compare: SR 1993/76 r 37

90 Fees

- (1) The fees specified in Schedule 5 are payable in respect of the matters specified in that schedule.
- (2) The fees prescribed by these regulations are inclusive of goods and services tax under the Goods and Services Tax Act 1985.

Compare: SR 1993/76 r 38

91 *Gazette* notices to be published on Internet site

The Secretary must ensure that a copy of every notice that is published in the *Gazette* under these regulations—

- (a) is published at the same time as, or as soon as practicable after, it is published in the *Gazette* on the Internet site; and
- (b) contains a statement that identifies the Internet site on which a copy of the notice may be found.

92 Revocation

The Gas Regulations 1993 (SR 1993/76) are revoked.

Transitional provisions

93 Existing and in-process distribution systems, gas installations, fittings, and gas appliances

- (1) This regulation applies to distribution systems, gas installations, fittings, and gas appliances that, on 4 May 2010, were—
 - (a) installed, for sale, or in use in New Zealand; or
 - (b) under construction or being installed in New Zealand; or
 - (c) in transit to New Zealand; or
 - (d) the subject of an irrevocable purchasing order by a person in New Zealand.
- (2) Despite anything to the contrary in these regulations, the distribution systems, gas installations, fittings, and gas appliances—
 - (a) may continue to be constructed, installed, sold, used, maintained, or operated, provided that—
 - (i) they are not unsafe; and
 - (ii) they complied immediately before 4 May 2010 with the requirements of the Gas Regulations 1993; and
 - (iii) they continue to comply, as a minimum, with the requirements of the Gas Regulations 1993 as in force immediately before their revocation by these regulations; and
 - (b) may, until 31 December 2012, be tested, certified, or inspected in accordance with—
 - (i) the Gas Regulations 1993 as in force immediately before 1 April 2010; or
 - (ii) these regulations.

Regulation 93: substituted, on 10 November 2011, by regulation 26 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

94 Existing distribution systems, gas installations, fittings, and gas appliances.

[Revoked]

Regulation 94: revoked, on 10 November 2011, by regulation 27 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

95 Transitional provisions about gas appliance safety

- (1) This regulation applies until 1 July 2013 to gas appliances that comply with NZS 5262.
- (2) Compliance with regulations 15 to 15F of the Gas Regulations 1993 is deemed to be compliance with regulations 65 to 70 (supplier declaration requirements) of these regulations.
- (3) Compliance with regulation 13 of the Gas Regulations 1993 is deemed to be compliance with regulation 53 (safety of gas appliances and fittings) of these regulations.
- (4) Compliance with regulation 14 of the Gas Regulations 1993 is deemed to be compliance with regulation 71 (marking) of these regulations.

Regulation 95(1): amended, on 10 November 2011, by regulation 28 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

96 Gas appliance and fittings certification requirements before 1 July 2013

- (1) This regulation applies to gas appliances and specified fittings that—
 - (a) are manufactured in or imported into New Zealand before 1 July 2013; and
 - (b) would, if they were manufactured in or imported into New Zealand on or after 1 July 2013, be required to be certified under regulation 54.
- (2) Every manufacturer and every importer of the appliances or fittings must comply with—
 - (a) regulation 54; or
 - (b) NZS 5262 and regulations 13 to 15F of the Gas Regulations 1993 as in force immediately before their revocation by these regulations.
- (3) Every person commits a grade A offence who fails to comply with subclause (2).

Regulation 96: substituted, on 10 November 2011, by regulation 29 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

97 Transitional provision about repair of gas appliances made and installed before 1985

A person may, without contravening these regulations, repair and use a gas appliance that was made and installed before

1 January 1985, provided that the repairs, modifications, and adjustments of the gas appliance meet the technical requirements in NZS 5266.

Regulation 97: amended, on 10 November 2011, by regulation 30 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

98 Transitional provision about CNG station certificates of compliance

The revocation of the Gas Regulations 1993 does not affect the validity of any CNG station certificate of compliance issued under regulation 22 of those regulations.

99 Transitional provision about safety management systems

See regulation 35 for the time of the first audit of a safety management system under these regulations.

99A Meaning of amendment date in regulations 99B and 99C

In regulations 99B and 99C, **amendment date** means 10 November 2011 (which is the date on which the Gas (Safety and Measurement) Amendment Regulations 2011 come into force).

Regulation 99A: inserted, on 10 November 2011, by regulation 31 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

99B Transitional provision relating to matters immediately before amendment date

- (1) This regulation applies to distribution systems, gas installations, fittings, and gas appliances that, immediately before the amendment date, are—
 - (a) installed, for sale, or in use in New Zealand; or
 - (b) under construction or being installed in New Zealand; or
 - (c) in transit to New Zealand; or
 - (d) the subject of an irrevocable purchasing order by a person in New Zealand.
- (2) Despite anything to the contrary in these regulations, the distribution systems, gas installations, fittings, and gas appliances may continue to be constructed, installed, sold, or used, provided that they—

- (a) are not unsafe; and
- (b) complied immediately before the amendment date, and continue to comply, with the requirements of these regulations as in force immediately before the amendment date.

Regulation 99B: inserted, on 10 November 2011, by regulation 31 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

99C Transitional provision relating to matters on and after amendment date

- (1) Until 31 December 2012, a specified installation may, instead of complying with regulation 43 as amended by the Gas (Safety and Measurement) Amendment Regulations 2011, continue to comply with regulation 43 as in force immediately before the amendment date.
- (2) In subclause (1), **specified installation** means a gas installation, a part of a gas installation, or an extension or addition to, or replacement of, a gas installation or part of a gas installation that—
 - (a) is designed, installed, commissioned, or tested on or after the amendment date; and
 - (b) would, but for subclause (1), be required to comply with regulation 43 as in force on and after the amendment date.

Regulation 99C: inserted, on 10 November 2011, by regulation 31 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

100 Secretary's exemptions

An exemption given by the Secretary under regulation 30 of the Gas Regulations 1993, and still in force immediately before 4 May 2010, continues in force after that date as if it had been given under regulation 85 of these regulations on the date on which it was given.

101 Gas Regulations 1993 continue in force for purpose of transitional arrangements in these regulations

- (1) The Gas Regulations 1993 continue in effect as if they had not been revoked by these regulations for the purpose of any transitional provision in these regulations that provides for com-

pliance with any provision of those regulations instead of compliance with these regulations.

- (2) Without limiting subclause (1), any prosecution or other enforcement action may be taken under the Gas Regulations 1993 in respect of a failure to comply with a provision continued under these regulations.

102 Certificates of compliance

The revocation of the Gas Regulations 1993 does not affect the validity of any certificate of compliance issued under those regulations.

Schedule 1

r 3

List of gas codes of practice and official standards**Gas codes of practice****Abbreviations used
in regulations****Full title**

GCP 2	New Zealand Gas Code of Practice for Maintenance and Safety of CNG Refuelling Stations (NZ GCP 2:1993) issued by the Secretary on 2 February 1993, and approved by the Minister of Energy on 18 March 1993
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Official standards**Abbreviations used
in regulations****Full title**

AS/NZS 4645	New Zealand Standard known as AS/NZS 4645:2008 (Gas distribution networks Parts 1, 2, and 3) including Amendments 1, 2, and A
ISO/IEC 67:2004	Guide International Organization for Standardization Standard known as ISO/IEC Guide 67:2004 (Conformity assessment—Fundamentals of product certification)
ISO 17020	International Organization for Standardization Standard known as ISO/IEC 17020:1998 (General criteria for the operation of various types of bodies performing inspection)
ISO 17025	International Organization for Standardization Standard known as ISO/IEC 17025:2005 (General requirements for the competence of testing and calibration laboratories)
NZS 5255	New Zealand Standard known as NZS 5255 (Int):2011 (Safety verification of existing gas installations)
NZS 5258	New Zealand Standard known as NZS 5258:2003 (Gas distribution networks) subject to the variation that references in this standard to AS/NZS 1596:2002 (Storage and handling of LP gas) must be read as references to AS/NZS 1596:2008 (Storage and handling of LP gas)
NZS 5259	New Zealand Standard known as NZS 5259:2004 (Gas measurement)
NZS 5261	New Zealand Standard known as NZS 5261:2003 (Gas installation)
NZS 5262	New Zealand Standard known as NZS 5262:2003 (Gas appliance safety)
NZS 5263	New Zealand Standard known as NZS 5263:2003 (Gas detection and odourisation)

**Abbreviations used
in regulations**

Full title

NZS 5266	New Zealand Standard known as NZS 5266 (Int):2011 (Safety of gas appliances)
NZS 5425.1	New Zealand Standard known as NZS 5425.1:1994 (Code of practice for CNG compressor and refuelling stations—on site storage and location of equipment)
NZS 5425.2	New Zealand Standard known as NZS 5425.2:1996 (Code of practice for CNG compressor and refuelling stations—compressor equipment)
NZS 5425.3	New Zealand Standard known as NZS 5425.3 (Code of practice for CNG compressor and refuelling stations—metering devices)
NZS 5425.4	New Zealand Standard known as NZS 5425.4:1994 (Code of practice for CNG compressor and refuelling stations—CNG trickle-fill stations on commercial and industrial premises)
NZS 5428	New Zealand Standard known as NZS 5428:2006 (LPG installations for non-propulsive purposes in caravans and boats)
NZS 5435	New Zealand Standard known as NZS 5435:1996 (Specification for liquefied petroleum gas (LPG))
NZS 5442	New Zealand Standard known as NZS 5442:2008 (Specification for reticulated natural gas)
NZS 7901	New Zealand Standard known as NZS 7901:2008 (Electricity and gas industries—safety management systems for public safety)
NZS/AS 3645:2010	New Zealand Standard known as NZS/AS 3645:2010 (Essential requirements for gas equipment Part 1 and Part 2)

Schedule 1: amended, on 10 November 2011, by regulation 32 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

Schedule 2

r 8

Infringement notice and reminder notice

Form 1

Infringement notice

Section 57C, Gas Act 1992

Infringement notice number:

This infringement notice is sent under section 57C of the Gas Act 1992—

- to you (*see* your details below):
- in respect of an alleged infringement offence (the **offence**) (*see* details of offence below):
- by a person authorised to issue an infringement notice (the **informant**) (*see* details of informant below).

Your details

Full name:

Full address:

Telephone number(s):

Date of birth:

Gender:

Occupation:

Details of offence

Nature of offence:

Where it occurred:

When it occurred:

Offence against: [*specify provision of Gas Act 1992 or Gas (Safety and Measurement) Regulations 2010*]**Details of informant**

Full name of informant:

Full address:

Payment of infringement feeThe amount of the infringement fee for the offence is [*specify*].

Form 1—*continued*

The fee is payable on or before [*specify*], which is 28 days after the date on which this notice is posted to you or delivered to you personally.

The fee must be paid to the informant at the informant's address (*see above*) by delivering or posting it so that it arrives on or before the due date.

If you are paying by cheque, the cheque must be made out to [*specify*] and be crossed "not transferable". When paying, include the following information with the payment:

- the infringement notice number (given at the top of this notice):
- your full name:
- your address for contact, but only if it is different from the one shown on this notice.

Paying the infringement fee now

If you pay the infringement fee on or before the due date, no further action will be taken against you.

General enquiries

You may contact the informant at any time. Contacting the informant does not stop the infringement fee being payable by the due date, unless you request a hearing.

If you want further information, or if you want to raise any other matter, write to the informant at the informant's address (*see above*). When writing, please give the infringement notice number (given at the top of this notice), your full name, and your address for contact (if different from the address on this notice).

Requesting hearing

You should write to the informant if you want to request a hearing on the grounds that—

- you deny liability for the offence; or

Form 1—*continued*

- you admit liability for the offence, but you want a court to consider written submissions by you about any matter, such as the amount of the penalty.

If you write to request a hearing, the request must be signed by you, and be received by the informant on or before the due date of the infringement fee, or by any later time allowed by the informant. When writing, give the infringement notice number (given at the top of this notice), your full name, and your address for contact (if different from the address on this notice).

If you write to request a hearing and deny liability, and if the informant decides to commence court proceedings against you, you will be served with a notice of hearing. The notice will set out the place, date, and time of the hearing before the court.

If the court finds you guilty of the offence, court costs will be imposed on you in addition to any fine.

If you write to request a hearing but you admit liability, your letter should clearly—

- admit liability; and
- set out the written submissions that you wish the court to consider.

The informant will file the letter containing your submissions in court. There is no provision for you to make oral submissions at the hearing, or for anyone else to do so on your behalf.

The court will impose court costs on you in addition to any fine.

In any proceedings, it is a defence if you prove that the infringement fee was paid in full to the informant, at the informant's address, on or before the due date. Late payment, or payment to an address other than the informant's address, is not a defence, but late payments may be applied towards any fine and costs you become liable to pay.

If you do nothing

If you have not paid the infringement fee by the due date, and have not requested a hearing on or before that date (or within any further time the informant allows), the informant may send you a reminder notice. The reminder notice will set out a final due date, which will

Form 1—*continued*

be the date that is 28 days after the date on which the reminder notice is posted or delivered to you.

If you do not pay the infringement fee on or before that final due date and do not request a hearing on or before that date (or within any further time the informant allows), you will be liable to pay court costs in addition to a fine of the same amount as the infringement fee.

Further information

Further information about infringement offences and fees is contained in sections 21 and 78A of the Summary Proceedings Act 1957. If there is anything in this notice that you do not understand, contact a lawyer.

Form 2
Infringement reminder notice
Section 57D, Gas Act 1992

Infringement notice number:

An infringement notice was sent under section 57C of the Gas Act 1992—

- to you (*see* your details below):
- in respect of an alleged infringement offence (the **offence**) (*see* details of offence below):
- by a person authorised to issue an infringement notice (the **informant**) (*see* details of informant below).

The infringement notice was served on [*date*] by [*method of service*].
This reminder notice is served on [*date*] by [*method of service*] at [*full address at which reminder notice served*].

Your details

Full name:

Full address:

Telephone number(s):

Date of birth:

Gender:

Occupation:

Details of offence

Nature of offence:

Where it occurred:

When it occurred:

Offence against: [*specify provision of Gas Act 1992 or Gas (Safety and Measurement) Regulations 2010*]

Details of informant

Full name of informant:

Full address:

Payment of infringement fee

The amount of the infringement fee for the offence is [*specify*].

Form 2—*continued*

Final due date

The due date for payment of the infringement fee was [*specify*]. By that date, payment had not been received, and you had not requested a hearing.

The final due date is now [*specify*], which is 28 days after the date on which this notice is posted to you or delivered to you.

The fee must be paid to the informant at the informant's address (*see* above) by delivering or posting it so that it arrives on or before the final due date.

If you are paying by cheque, the cheque must be made out to [*specify*] and be crossed "not transferable". When paying, include the following information with the payment:

- the infringement notice number (given at the top of this notice):
- your full name:
- your address for contact, but only if it is different from the one shown on this notice.

Paying the infringement fee now

You can pay the infringement fee to the informant now, at the informant's address. If you pay it on or before the final due date, no further action will be taken against you.

General enquiries

You may contact the informant at any time. Contacting the informant does not stop the infringement fee being payable by the final due date, unless you request a hearing.

If you want further information, or if you want to raise any other matter, write to the informant at the informant's address (*see* above). When writing, please give the infringement notice number (given at the top of this notice), your full name, and your address for contact (if different from the address on this notice).

Form 2—*continued***Requesting hearing**

You should write to the informant if you want to request a hearing on the grounds that—

- you deny liability for the offence; or
- you admit liability for the offence, but you want a court to consider written submissions by you about any matter, such as the amount of the penalty.

If you write to request a hearing, the request must be signed by you, and be received by the informant on or before the final due date, or by any later time allowed by the informant. When writing, give the infringement notice number (given at the top of this notice), your full name, and your address for contact (if different from the address on this notice).

If you write to request a hearing and deny liability, and if the informant decides to commence court proceedings against you, you will be served with a notice of hearing. The notice will set out the place, date, and time of the hearing before the court.

If the court finds you guilty of the offence, court costs will be imposed on you in addition to any fine.

If you write to request a hearing but you admit liability, your letter should clearly—

- admit liability; and
- set out the written submissions that you wish the court to consider.

The informant will file the letter containing your submissions in court. There is no provision for you to make oral submissions at the hearing, or for anyone else to do so on your behalf.

The court will impose court costs on you in addition to any fine.

In any proceedings, it is a defence if you prove that the infringement fee was paid in full to the informant, at the informant's address, on or before the final due date. Late payment, or payment to an address other than the informant's address, is not a defence, but late payments may be applied towards any fine and costs you become liable to pay.

Form 2—*continued*

If you do nothing

If you do not pay the infringement fee on or before the final due date and do not request a hearing on or before that date (or within any further time the informant allows), you will be liable to pay court costs in addition to a fine of the same amount as the infringement fee.

Further information

Further information about infringement offences and fees is contained in sections 21 and 78A of the Summary Proceedings Act 1957. If there is anything in this notice that you do not understand, contact a lawyer.

Schedule 2A

r 55

Certification requirements

Schedule 2A: inserted, on 10 November 2011, by regulation 33 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).

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1 Bodies that may certify gas appliances and specified fittings

The following bodies may certify gas appliances and specified fittings for the purposes of regulation 54(3):

- (a) a body that is working within either of the following certification regimes:
 - (i) EU Directive 2009/142/EC:
 - (ii) until 1 July 2013, EU Directive 90/396/ECC:
- (b) Canadian Standards Association:
- (c) Underwriters Laboratories:
- (d) SAI Global Certification Services Pty Ltd (trading as SAI Global):
- (e) IAPMO R & T Oceana Pty Ltd:
- (f) Australian Gas Association:
- (g) a body accredited by the Joint Accreditation System of Australia and New Zealand (JAS-ANZ) and with a scope that includes NZS/AS 3645:2010 Part 2.

- 2 Standards and conditions applying to certification by bodies working within EU Directive 2009/142/EC or EU Directive 90/396/ECC**
- (1) This clause applies to a gas appliance or specified fittings certified by a body that is working within either of the following certification regimes:
- (a) EU Directive 2009/142/EC:
 - (b) until 1 July 2013, EU Directive 90/396/ECC.
- (2) The appliance or fittings must be certified to the standard specified in subclause (4), subject to the following conditions:
- (a) an appliance incorporating electrical equipment with a low voltage external supply must be tested for gas safety compliance using a supply of 230 volts, 50 Hz (nominal):
 - (b) an LPG appliance, other than an appliance for use with non-refillable cartridges, must be certified to Group I_{3B/P} 30 or I_{3B/P} 28-30:
 - (c) a natural gas appliance must be certified to Group I_{2H}:
 - (d) a cabinet heater must be fitted with a label and notice that complies with Appendices 1 and 2 of NZS/AS 3645.
- (3) In subclause (4),—
- standard A** means BS EN 30-1-1:2008 Domestic cooking appliances burning gas. Safety. General
- standard B** means BS EN 203-1:2005 + A1:2008 Gas heated catering equipment. General safety rules.
- (4) The applicable standards are as follows:
- | Appliance and/or fittings type | Applicable standard |
|---|---|
| Appliances having a glass ceramic hotplate | Standard A in conjunction with BS EN 30-1-3:2003 Domestic cooking appliances burning gas. Safety. Appliances having a glass ceramic hotplate |
| Appliances having forced-convection ovens and/or grills | Standard A in conjunction with BS EN 30-1-2:1999 Domestic cooking appliances burning gas. Safety. Appliances having forced-convection ovens and/or grills |

Appliance and/or fittings type	Applicable standard
Appliances having 1 or more burners with an automatic burner control system	Standard A in conjunction with BS EN 30-1-4:2002 Domestic cooking appliances burning gas. Safety. Appliances having one or more burners with an automatic burner control system
Gas-fired instantaneous water heaters	BS EN 26:1998 Gas fired instantaneous water heaters for the production of domestic hot water, fitted with atmospheric burners
Gas-fired storage water heaters	BS EN 89:2000 Gas-fired storage water heaters for the production of domestic hot water
Boiling pans	Standard B in conjunction with BS EN 203-2-3:2005 Gas heated catering equipment. Specific requirements. Boiling pans
Brat pans and paella cookers	Standard B in conjunction with BS EN 203-2-8:2005 Gas heated catering equipment. Specific requirements. Brat pans and paella cookers
Chargrills	Standard B in conjunction with BS EN 203-2-10:2007 Gas heated catering equipment. Specific requirements. Chargrills
Decorative fuel-effect gas appliances	BS EN 509:2000 Decorative fuel-effect gas appliances
Dedicated liquefied petroleum gas appliances	BS EN 497:1998 Specification for dedicated liquefied petroleum gas appliances. Multi-purpose boiling burners for outdoor use
Domestic combination hot water and central heating boilers	BS EN 625:1995 Gas fired central heating boilers. Specific requirements for the domestic hot water operation of combination boilers of nominal heat input not exceeding 70 kW
Domestic flueless space heaters, including cabinet heaters	BS EN 449:2002 + A1:2007 Specification for dedicated liquefied petroleum gas appliances. Domestic flueless space heaters (including diffusive catalytic combustion heaters)

Appliance and/or fittings type	Applicable standard
Fryers	Standard B in conjunction with BS EN 203-2-4:2005 Gas heated catering equipment. Specific requirements. Fryers
Fuel cell gas heating appliances	BS EN 50465:2008 Gas appliances. Fuel cell gas heating appliance. Fuel cell gas heating appliance of nominal heat input inferior or equal to 70 kW
Gas-fired absorption and adsorption air-conditioning and/or heat pump appliances	BS EN 12309-1:2000 Gas-fired absorption and adsorption air-conditioning and/or heat pump appliances with a net heat input not exceeding 70 kW. Safety
Gas-fired central heating boilers of nominal heat input exceeding 70 kW, but not exceeding 300 kW	BS EN 656:2000 Gas-fired central heating boilers. Type B boilers of nominal heat input exceeding 70 kW, but not exceeding 300 kW
Gas-fired central heating boilers of nominal heat input not exceeding 70 kW	BS EN 483:1999 + A4:2007 Gas-fired central heating boilers. Type C boilers of nominal heat input not exceeding 70 kW.
Gas-fired central heating boilers with a nominal heat input not exceeding 70 kW	BS EN 677:1998 Gas-fired central heating boilers. Specific requirements for condensing boilers with a nominal heat input not exceeding 70 kW
Gas-fired overhead luminous radiant heaters	BS EN 419-1:2009 Non-domestic gas-fired overhead luminous radiant heaters. Safety
Gas-fired type B tumble dryers	BS EN 12752-1:1999 Gas-fired type B tumble dryers of nominal heat input not exceeding 20 kW. Safety
Hot water heaters for beverage	Standard B in conjunction with BS EN 203-2-6:2005 Gas heated catering equipment. Specific requirements. Hot water heaters for beverage
Independent gas-fired convection heaters	BS EN 1266:2002 Independent gas-fired convection heaters incorporating a fan to assist transportation of combustion air and/or flue gases

Appliance and/or fittings type	Applicable standard
Independent gas-fired flueless space heaters	BS EN 14829:2007 Independent gas-fired flueless space heaters for nominal heat input not exceeding 6 kW
Independent hotplates, including those incorporating a grill for outdoor use	BS EN 484:1998 Specification for dedicated liquefied petroleum gas appliances. Independent hotplates, including those incorporating a grill for outdoor use
Mobile and portable non-domestic forced convection direct fired air heaters	BS EN 1596:1998 Specification for dedicated liquefied petroleum gas appliances. Mobile and portable non-domestic forced convection direct fired air heaters
Non-domestic direct gas-fired forced convection air heaters for space heating	BS EN 525:2009 Non-domestic direct gas-fired forced convection air heaters for space heating not exceeding a net heat input of 300 kW
Open burners and wok burners	Standard B in conjunction with BS EN 203-2-1:2005 Gas heated catering equipment. Specific requirements. Open burners and wok burners
Ovens	Standard B in conjunction with BS EN 203-2-2:2006 Gas heated catering equipment. Specific requirements. Ovens
Parasol patio heaters. Flueless radiant heaters for outdoor or amply ventilated area use	BS EN 14543:2005 + A1:2007 Specification for dedicated liquefied petroleum gas appliances. Parasol patio heaters. Flueless radiant heaters for outdoor or amply ventilated area use
Pasta cookers	Standard B in conjunction with BS EN 203-2-11:2006 Gas heated catering equipment. Specific requirements. Pasta cookers
Portable vapour pressure liquefied petroleum gas appliances	BS EN 521:2006 Specifications for dedicated liquefied petroleum gas appliances. Portable vapour pressure liquefied petroleum gas appliances

Appliance and/or fittings type	Applicable standard
Salamanders and rotisseries	Standard B in conjunction with BS EN 203-2-7:2007 Gas heated catering equipment. Specific requirements. Salamanders and rotisseries
Single burner gas-fired overhead radiant tube heaters	BS EN 416-1:2009 Single burner gas-fired overhead radiant tube heaters for non-domestic use. Safety
Solid tops, warming plates, and griddles	Standard B in conjunction with BS EN 203-2-9:2005 Gas heated catering equipment. Specific requirements. Solid tops, warming plates and griddles

3 Standards and conditions applying to certification by Canadian Standards Association or Underwriters Laboratories

- (1) This clause applies to a gas appliance or specified fittings certified by—
 - (a) Canadian Standards Association; or
 - (b) Underwriters Laboratories.
- (2) The appliance or fittings must be certified to the standard specified in subclause (3), subject to the following conditions:
 - (a) a gas appliance incorporating electrical equipment with a low voltage external supply must be tested for gas safety compliance using a supply of 230 volts, 50 Hz (nominal);
 - (b) an LPG appliance, other than an appliance for use with non-refillable cartridges, must be tested as follows:
 - (i) either—
 - (A) the tests specified in the compliance standard must be conducted with Test Gas D (butane); and
 - (B) combustion tests, and tests of burner operating characteristics, pilot operating characteristics, and ignition, must also be conducted with Test Gas E (propane) with no change whatever in burner equipment; or
 - (ii) in the case of an outdoor cooking gas appliance or an outdoor cooking speciality gas appliance,

tests for temperature hazards, heat resistance, flame abnormalities, including sooting, and tests in which CO ratios or concentrations are measured must be conducted with Test Gas D (butane) with no change whatever in burner equipment.

(3) The applicable standards are as follows:

Appliance and/or fittings type	Applicable standard
Gas clothes dryers	ANSI Z21.5.1-2006/CSA 7.1-2006 American National Standard/CSA Standard For Gas Clothes Dryers, Volume I Type 1 Clothes Dryers, in- cluding ANSI Z21.5.1a-2007/CSA 7.1a-2007
Gas-fired low-intensity infrared heaters	ANSI Z83.20-2008/CSA 2.34-2008 American National Standard/CSA Standard For Gas-Fired Low-In- tensity Infrared Heaters, includ- ing ANSI Z83.20a-2010/CSA 2.34a-2010
Gas-fired low pressure steam and hot water boilers	ANSI Z21.13-2010/CSA 4.9-2010 American National Standard/CSA Standard For Gas-fired Low Pres- sure Steam And Hot Water Boilers, including ANSI Z21.13a-2010/CSA 4.9a-2010
Gas-fired outdoor infrared patio heaters	ANSI Z83.26-2007/CSA 2.37-2007 American National Standard/CSA Standard For Gas-Fired Outdoor Infrared Patio Heaters, includ- ing ANSI Z83.26a-2008/CSA 2.37a-2008
Gas storage water heaters with input ratings of 75,000 BTU per hour or less	ANSI Z21.10.1-2009/CSA 4.1- 2009 American National Stand- ard/CSA Standard for Gas Water Heaters, Volume I, Storage Water Heaters With Input Ratings Of 75,000 BTU Per Hour Or Less, in- cluding ANSI Z21.10.1a-2009/CSA 4.1a-2009

Appliance and/or fittings type	Applicable standard
Gas-fired unvented room heaters	ANSI Z21.11.2-2007 American National Standard For Gas-Fired Room Heaters, Volume II, Unvented Room Heaters, including ANSI Z21.11.2a-2008 and ANSI Z21.11.2b-2010
Gas food service equipment	ANSI Z83.11-2006/CSA 1.8-2006 American National Standard/CSA Standard For Gas Food Service Equipment, including ANSI Z83.11a-2007/CSA 1.8a-2007 and ANSI Z83.11b-2009/CSA 1.8b-2009
Household cooking gas appliances	ANSI Z21.1-2010 American National Standard For Household Cooking Gas Appliances, including ANSI Z21.1a-2011
Outdoor cooking gas appliances	ANSI Z21.58-2007/CSA 1.6-2007 American National Standard/CSA Standard For Outdoor Cooking Gas Appliances, including ANSI Z21.58a-2008/CSA 1.6a-2008
Outdoor cooking specialty gas appliances	ANSI Z21.89-2007/CSA 1.18-2007 American National Standard/CSA Standard For Outdoor Cooking Specialty Gas Appliances, including ANSI Z21.89a-2008/CSA 1.18a-2008
Portable type gas camp stoves	ANSI Z21.72-2000/CSA 11.2-2000 American National Standard/CSA Standard For Portable Type Gas Camp Stoves, including ANSI Z21.72a-2001/CSA 11.2a-2001 and ANSI Z21.72b-2002/CSA 11.2b-2002
Portable type gas camp lights	ANSI Z21.73-2000/CSA 11.1-2000 American National Standard/CSA Standard For Portable Type Gas Camp Lights, including ANSI Z21.73a-2001/CSA 11.1a-2001 and ANSI Z21.73b-2002/CSA 11.1b-2002

Appliance and/or fittings type	Applicable standard
Vented gas fireplaces	ANSI Z21.50-2007/CSA 2.22-2007 American National Standard/CSA Standard For Vented Gas Fireplaces, including ANSI Z21.50a-2008/CSA 2.22a-2008 and ANSI Z21.50b- 2009/CSA 2.22b-2009
Vented gas-fired space heating ap- pliances	ANSI Z21.86-2008/CSA 2.32-2008 American National Standard/CSA Standard For Vented Gas-Fired Space Heating Appliances

4 Standards and conditions applying to certification by SAI Global, IAPMO R & T Oceana, or Australian Gas Association

- (1) This clause applies to a gas appliance or specified fittings certified by any one of the following bodies:
 - (a) SAI Global Certification Services Pty Ltd (trading as SAI Global);
 - (b) IAPMO R & T Oceana Pty Ltd;
 - (c) Australian Gas Association.
- (2) The appliance or fittings must be certified to the standard specified in subclause (3), subject to the condition that an LPG appliance, other than an appliance for use with a non-refillable cartridge, must be certified as a universal LPG appliance.
- (3) The applicable standards are as follows:

Appliance and/or fittings type	Applicable standard
Atmospheric steamers	AS 4563-2004 Commercial catering gas equipment
Balanced flue convection heaters	AS 4553-2008 Gas space heating appliances
Barbecues, charbroilers and rotis- series	AS 4563-2004 Commercial catering gas equipment
Boilers (central heating and/or water heating)	AS 4552-2005 Gas-fired water heaters for hot water supply and/or central heating
Boiling tables (open and closed top)	AS 4563-2004 Commercial catering gas equipment
Boiling water units	AS 4563-2004 Commercial catering gas equipment

Built-in cookers and ovens	AS 4551-2008 Domestic gas cooking appliances
Camping lanterns	AS 2658-2008 LP Gas—Portable and mobile appliances
Caravan and marine cookers	AS 4551-2008 Domestic gas cooking appliances
Chinese cooking tables	AS 4563-2004 Commercial catering gas equipment
Cookers and barbecues	AS 2658-2008 LP Gas—Portable and mobile appliances
Counter top cookers	AS 4551-2008 Domestic gas cooking appliances
Domestic gas refrigerators	AS 4555-2002 (AG-105-2002) Domestic gas refrigerators
Domestic outdoor gas barbecues	AS 4557-2004 Domestic outdoor gas barbecues
Ducted heaters	AS 4556-2000/AG 106-2000 Indirect gas-fired ducted air-heaters
Duct and unit heaters	AS 4556-2000/AG 106-2000 Indirect gas-fired ducted air-heaters
Elevated cookers	AS 4551-2008 Domestic gas cooking appliances
Equipment for use with refillable cylinders	AS 2658-2008 LP Gas—Portable and mobile appliances
Exterior gas lights	AS 4558-2000/AG 108-2000 Decorative gas log and other fuel effect appliances
Flueless convection heaters	AS 4553-2008 Gas space heating appliances
Flued radiant/convection heaters	AS 4553-2008 Gas space heating appliances
Flueless radiant/convection heaters	AS 4553-2008 Gas space heating appliances
Food warmers including bains marie	AS 4563-2004 Commercial catering gas equipment
Freestanding cookers	AS 4551-2008 Domestic gas cooking appliances
Fryers	AS 4563-2004 Commercial catering gas equipment
Gas boosted solar water heaters	AS 4552-2005 Gas-fired water heaters for hot water supply and/or central heating

Gas laundry dryers	AS 4554-2005 Gas laundry dryers
Gas log fires	AS 4558-2000/AG 108-2000 Decorative gas log and other fuel effect appliances
Gas pool heaters	AS 4560-2004 Gas pool heaters
Hotplates	AS 4551-2008 Domestic gas cooking appliances
Indoor gas lights	AS 4558-2000/AG 108-2000 Decorative gas log and other fuel effect appliances
Industrial and commercial gas-fired appliances	AS 3814-2002/AG 501-2002 Industrial and commercial gas-fired appliances
Instantaneous water heaters	AS 4552-2005 Gas-fired water heaters for hot water supply and/or central heating
LPG mobile industrial direct-fired air heaters	AG 404-1998 Approval requirements for LPG mobile industrial direct fired air heaters
Miscellaneous heaters	AS 4553-2008 Gas space heating appliances
Ovens	AS 4563-2004 Commercial catering gas equipment
Overhead radiant tube gas heaters	AS 4643-2007 Overhead radiant tube gas heaters
Pasta cookers and rethermalizers	AS 4563-2004 Commercial catering gas equipment
Radiant gas heaters for outdoor and non-residential indoor use	AS 4565-2004 Radiant gas heaters for outdoor and non-residential indoor use
Ranges	AS 4563-2004 Commercial catering gas equipment
Salamanders, grillers, and toasters	AS 4563-2004 Commercial catering gas equipment
Solid grill plates and griddles	AS 4563-2004 Commercial catering gas equipment
Space heaters	AS 2658-2008 LP Gas—Portable and mobile appliances
Stockpots and brat pans	AS 4563-2004 Commercial catering gas equipment

Storage water heaters	AS 4552-2005 Gas-fired water heaters for hot water supply and/or central heating
Wall furnaces	AS 4553-2008 Gas space heating appliances
Wall ovens	AS 4551-2008 Domestic gas cooking appliances

5 Standards applying to certification by bodies accredited by JAS-ANZ (New Zealand regime)

- (1) This clause applies to a gas appliance or specified fittings certified by a certification body that is accredited by the Joint Accreditation System of Australia and New Zealand (JAS-ANZ) to certify appliances and fittings to the standards specified in NZS/AS 3645:2010 Part 2.
- (2) The appliance or fittings must be certified to the standards specified in NZS/AS 3645:2010 Part 2.

Schedule 3
Requirements for CNG safety training

r 82

- 1 Equipment knowledge—
 - (a) compressors—
 - (i) location and operation of CNG equipment (gas and electrical):
 - (ii) start-up and shutdown procedures:
 - (iii) emergency shutdown procedures:
 - (b) storage—
 - (i) location and operation of storage:
 - (ii) location and operation of shut-off valves:
 - (c) forecourt—
 - (i) location and operation of shut-off valves:
 - (ii) location and operation of compressor stop buttons:
 - (d) dispensers—location and operation of dispensing equipment.
- 2 Cylinder-filling procedures—
 - (a) safety checks before commencing filling:

- (b) filling procedures:
 - (c) safety checks following the completion of filling.
- 3 Emergency procedures—
- (a) gas leak from vehicle:
 - (b) gas leak during refuelling:
 - (c) other gas leaks:
 - (d) fire.

Schedule 4 Form

r 83(2)

CNG station certificate of compliance

This certificate is issued to [*name of CNG station*] for a period of 24 months from [*date that compliance is established*] to [*date 2 years from date compliance is established*].

The CNG installation at [*name of CNG station*] has been inspected by me and the fittings and operation of the installation are safe.

Name of certifier (being a competent organisation):

Name of employee of certifier so certifying:

Signature of employee:

Date:

Schedule 5 Prescribed fees

rr 61(1), 85(3), 90(1)

For gasfitting certificates of compliance provided by the Board pursuant to regulation 49, for each certificate:	\$25
For an application for an exemption:	\$400
For declared article approvals—	
(a) initial application:	\$640
(b) application for modification to approval:	\$400

Schedule 6

r 72(2)(a), (e)

Gas safety compliance labels

Schedule 6: substituted, on 10 November 2011, by regulation 34 of the Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371).



Rebecca Kitteridge,
Clerk of the Executive Council.

**Gas (Safety and Measurement)
Regulations 2010**

Reprinted as at
10 November 2011

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 1 April 2010.

Contents

- 1 General
 - 2 Status of reprints
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Notes

1 *General*

This is a reprint of the Gas (Safety and Measurement) Regulations 2010. The reprint incorporates all the amendments to the regulations as at 10 November 2011, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5 *List of amendments incorporated in this reprint
(most recent first)***

Gas (Safety and Measurement) Amendment Regulations 2011 (SR 2011/371)
