

Australian Capital Territory

Gas Safety (Appliance Worker Accreditation Code) Approval 2007

Disallowable instrument DI2007-33

made under the

Gas Safety Regulation 2001, s 17A (Accreditation to do appliance work).

EXPLANATORY STATEMENT

This statement is in respect of the *Gas Safety (Appliance Worker Accreditation Code) Approval 2006* (“AWAC 2006”).

Division 2.2 of the *Gas Safety Act 2000* regulates the requirements for people performing gas appliance work, with regard to the accreditation of those people and the standard of work performed by those people.

Section 17A of the *Gas Safety Regulation 2001* requires the Planning and Land Authority to approve a code in relation to the accreditation of people to do gas appliance work. AWAC 2006 is that code.

Under the *Legislation Act 2001*, Dictionary—

chief planning executive means the Chief Planning Executive under the *Planning and Land Act 2002*; and

planning and land authority means the Planning and Land Authority established under the *Planning and Land Act 2002*.

Under the *Planning and Land Act 2002*, s 7 (Establishment of Authority) the chief planning executive is that Planning and Land Authority.

Therefore where a law entitles that planning and land authority to exercise a function that chief planning executive may exercise that function. That chief planning executive may therefore approve AWAC 2006.

The *Gas Safety Act 2000*, Section 13 provides that a person must not undertake gas appliance work as defined by the Act, unless accredited to do that work.

Under AWAC 2006, the categories of gas appliance worker are:

Type A accreditation

Type A accreditation allows the accredited person to do appliance work on type A appliances in accordance with the gas safety legislation.

Type B accreditation

Type B accreditation allows the accredited person to do appliance work on type B appliances in accordance with the gas safety legislation.

Restricted type B accreditation

Restricted type B accreditation allows the accredited person to do appliance work on type B appliances in accordance with the gas safety legislation and the restrictions specified under the accreditation.

The *Gas Safety Regulation 2001*, dictionary provides—

type A appliance—see Australian Gas Association Standard AG 601 (Australian Standard 5601); and

type B appliance—see Australian Gas Association Standard AG 601 (Australian Standard 5601).

Those standards have technical definitions of those appliances, but put simplistically, **type A** appliances are generally relatively small-scale mass-produced gas appliances such as domestic gas space heaters, water heaters, stoves and ovens. Whereas **type B** appliances are generally larger, often purpose made rather than mass-produced, but they could be mass-produced, and most often used for larger-scale operations than domestic appliances. A large gas fired boiler system used in heating a large office building is a typical example of a type B appliance.

AWAC 2006 contains eligibility requirements for applications for accreditation in each accreditation category, and outlines the documentation that must be included in the application.

AWAC 2006 enables the Chief Planning Executive to place conditions on an Appliance Worker accreditation and to suspend or cancel an accreditation under certain circumstances. The Chief Planning Executive may also require accredited persons to undertake further training within a specified period.

AWAC 2006 differs from its predecessor, the *Gas Safety (Appliance Worker Accreditation Code) 2002* approved in 2002, in the following ways:

- References to the types of accreditation have been amended to include a provision for trainees to enter the industry and to be accredited for that purpose.
- Eligibility requirements have been amended to combine the requirement for an approved training course with the requirement for proving 2 years of industry experience. The original requirement of 2 or more years industry experience only, was constructed as a transitional provision to allow those people already

working in the industry an opportunity to formalise their experience. Sufficient time has now elapsed since the introduction of accreditation for people to have applied for accreditation under the 2 years experience provision.

- The duration period for accreditation has been extended from 2 years to 3 years, to align the licensing period with the periods for gas related licensing provided for in the *Construction Occupations (Licensing) Act 2004*.

Under AWAC 2006 the descriptions of trainees are—

Type A Trainee accreditation

Type A accreditation allows a person who does not have 2 or more years of proven work experience in gas Type A gas appliance work to disconnect, reconnect and service Type A gas appliances under the supervision of a person who holds Type A Appliance Worker accreditation.

Restricted Type B Trainee accreditation

Restricted Type B Trainee accreditation allows a person who does not have 2 or more years of proven work experience in gas Type B gas appliance work to disconnect, reconnect and service Restricted Type B gas appliances under the supervision of a person who holds Type B Appliance Worker accreditation.

It is intended that those references to ‘years’ be taken as time periods that in aggregate equate to the usual number of hours that a person working fulltime in the gasfitting industry would normally work in a calendar year.

It is intended that those references to ‘proven’ be taken as meaning proven to the reasonable satisfaction of the Planning and Land Authority.