
ENERGY

EN401

Gas Standards Act 1972

**Gas Standards (Gas Supply and System Safety)
Amendment Regulations 2023**

SL 2023/7

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Gas Standards (Gas Supply and System Safety) Amendment Regulations 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Gas Standards (Gas Supply and System Safety) Regulations 2000*.

4. Regulation 3 amended

- (1) In regulation 3(1) delete the definition of ***prescribed activity***.
- (2) In regulation 3(1) insert in alphabetical order:

business day means a day that is not a Saturday, Sunday or public holiday;

decommissioned distribution system component has the meaning given in regulation 25(1);

inoperative distribution system has the meaning given in regulation 25(1);

prescribed activity means —

- (a) anything relating to the conveyance, control, supply or use of gas done by, for or with the authority of the network operator in the course of the construction, commissioning, maintenance, repair, operation or decommissioning of any part of a distribution system; and
 - (b) anything done by, for or with the authority of the network operator for the purposes of keeping a decommissioned distribution system component safe;
- (3) After regulation 3(2) insert:
- (3) In these regulations, a reference to a network operator in relation to an inoperative distribution system or a decommissioned distribution system component is a reference to the network operator of the system immediately before it became an inoperative distribution system.

5. Regulation 22 amended

In regulation 22(1) in the definition of ***major activity***:

- (a) in paragraphs (c) and (d) after “construction” insert:

or decommissioning
- (b) in paragraph (d) delete “pipelines.” and insert:

pipelines;
- (c) after paragraph (d) insert:
- (e) decommissioning of a part of a distribution system if —
 - (i) the decommissioning is part of replacing, upgrading or relocating that part of the system; and
 - (ii) the part of the system includes at least 500 m of pipe.

6. Regulation 24 amended

- (1) Delete regulation 24(1).

- (2) In regulation 24(2)(b) delete “former distribution system” and insert:

decommissioned distribution system component

7. Part 4 Division 2 inserted

After Part 4 Division 1 insert:

Division 2 — Decommissioning

25. Terms used

- (1) In this Division —

decommissioned distribution system component means a thing that would be a part of a distribution system if it were not decommissioned;

inoperative distribution system means a distribution system or a part of a distribution system that the network operator has ceased to operate.

- (2) In this Division, a reference to ceasing to operate a distribution system or a part of a distribution system does not include a reference to ceasing to operate the system or part for, or because of, 1 or more of the following reasons —

- (a) undertaking construction, maintenance or repair of the system or part, or any similar reason;
- (b) an emergency, a notifiable incident or other unplanned interruption to the supply of gas from the system or part.

26. Notice of proposal to cease operating

- (1) A network operator that proposes to cease operating a distribution system or a part of a distribution system must notify the Director of the day on which the network operator proposes to cease operating the system or part, at least 30 business days prior to that day.
- (2) Subregulation (1) does not apply in relation to the following —
- (a) ceasing to operate a part of a distribution system as a result of disconnecting a consumer’s gas installation unless the disconnection is part of decommissioning the distribution system or a part of it more generally;

- (b) ceasing to operate a part of a distribution system if ceasing to operate it is part of replacing, upgrading or relocating that part of the system.
- (3) Notice to the Director under subregulation (1) must be accompanied by —
 - (a) details identifying the system or part; and
 - (b) a decommissioning plan that includes —
 - (i) details of all decommissioning activities; and
 - (ii) a program setting out dates for the commencement and completion of each of the decommissioning activities.
- (4) The Director may require the network operator to give the Director further details about the decommissioning.
- (5) The network operator must comply with a requirement under subregulation (4) within 10 business days after the day on which the requirement is made.

26A. Requirement to decommission inoperative distribution system

- (1) A network operator that ceases to operate a distribution system or a part of a distribution system must immediately commence decommissioning the inoperative distribution system in accordance with regulation 26B and any exemption under regulation 26C.
- (2) If the network operator transfers the inoperative distribution system or a part of it to another person (the *transferee*) —
 - (a) subregulation (1) —
 - (i) applies to the transferee on and from the day of transfer; and
 - (ii) continues to apply to the network operator;
 - and
 - (b) references in these regulations to a network operator in relation to an inoperative distribution system or a decommissioned distribution system component include a reference to the transferee.
- (3) The network operator must complete decommissioning the inoperative distribution system within the period of 60 business days after the day on which the network operator ceased to operate it or within that period as extended under subregulation (4).

- (4) The Director may, on 1 or more occasions, extend the period in subregulation (3) for an inoperative distribution system, including after it has expired, and may impose conditions on the extension.

26B. Decommissioning inoperative distribution system

- (1) Decommissioning a distribution system or a part of a distribution system includes —
 - (a) disconnecting the system or part from each supply of gas; and
 - (b) disconnecting consumers' gas installations from the system or part; and
 - (c) purging the system or part of flammable contents in accordance with IGE/SR/22 Purging Operations for Fuel Gases in Transmission, Distribution and Storage, issued by the Institution of Gas Engineers and Managers; and
 - (d) removing the following components of the system or part —
 - (i) meters;
 - (ii) the electricity supply (including transformers, rectifiers and other similar equipment) for cathodic protection systems;
 - (iii) all above-ground components;and
 - (e) filling the following, if not removed, with a substance suitable to protect against long-term structural failure —
 - (i) underground pipes and support structures running under a railway line;
 - (ii) underground pipes with an internal diameter of 250 mm or more;
 - (iii) service pits;and
 - (f) plugging and capping all open pipe ends; and
 - (g) reinstating and restoring sites where components of the system or part are removed; and
 - (h) recording the location of any components of the system or part that are not removed.
- (2) Disconnecting a consumer's gas installation from the system or part includes disconnecting the installation —
 - (a) at the meter outlet; and

- (b) if the main that supplied gas to the installation is not, or is not going to be, decommissioned — at the boundary of the property on which the installation is located.
- (3) The network operator must, in relation to a record under subregulation (1)(h) —
 - (a) keep the record up to date; and
 - (b) make it publicly available on a website approved by the Director; and
 - (c) give a copy of it to the Director.
- (4) The Director may make copies of the record publicly available in any way the Director decides.

26C. Exemptions

- (1) The Director may exempt a network operator from carrying out 1 or more of the activities listed in regulation 26B(1) in relation to decommissioning a particular distribution system or part of a distribution system, or in relation to a type of decommissioning.
- (2) An exemption may be subject to conditions and may be amended or revoked.
- (3) An amendment or revocation cannot have effect before the Director has given written notice of it to the network operator.

26D. Report on decommissioning

- (1) If a network operator is required under regulation 26A(1) to decommission an inoperative distribution system, the Director may require the network operator to give the Director a report on the decommissioning of the inoperative distribution system.
- (2) The report must cover the network operator's progress, in completing the decommissioning, by reference to the decommissioning plan referred to in regulation 26(3)(b) and the network operator's obligations under regulation 26A(1).
- (3) The network operator must comply with a requirement under subregulation (1) within the time specified by the Director (which cannot be less than 10 business days after the day on which the requirement is made).

8. Regulation 37 amended

In regulation 37 delete “distribution system,” and insert:

distribution system or a decommissioned distribution system component,

9. Other provisions amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
r. 171(7)	5 days	5 business days
r. 22(2) and (3)	7 days (each occurrence)	5 business days
r. 30(4)	10 working days	10 business days
r. 32(3)	20 working days	20 business days
r. 34(3)	14 working days	15 business days
r. 35(2)	7 days	5 business days
r. 44(1)(b)	14 days	10 business days
r. 44(1)(c)	30 days	20 business days
r. 52(4)	10 working days	10 business days
r. 54(3)	20 working days	20 business days
r. 55	28 days	20 business days
r. 56(3)	20 working days	20 business days
r. 67(2)	14 days	10 business days

V. MOLAN, Clerk of the Executive Council.