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GAS STANDARDS ACT 1972

**GAS STANDARDS
(GAS SUPPLY AND SYSTEM
SAFETY) REGULATIONS 2000**

Western Australia

Gas Standards (Gas Supply and System Safety) Regulations 2000

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Defined Terms

Gas Standards Act 1972

Gas Standards (Gas Supply and System Safety) Regulations 2000

Made by the Administrator in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Gas Standards (Gas Supply and System Safety) Regulations 2000*.

2. Commencement

These regulations come into operation on the 28th day after the day on which they are published in the *Gazette*.

Gas Standards (Gas Supply and System Safety) Regulations 2000

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3. Definitions

(1) In these regulations, unless the contrary intention appears —
“accepted safety case”, in relation to —

- (a) a distribution system, means a safety case that —
- (i) has been accepted, or is to be regarded as having been accepted, by the Director under Part 4 Division 3; and
 - (ii) has been implemented by the network operator under that Division,

and includes an accepted safety case amended under regulation 39 or 40; and

- (b) a gas plant, means a safety case that —
- (i) has been accepted, or is to be regarded as having been accepted, by the Director under Part 5; or
 - (ii) has been determined for the gas plant under that Part,

and includes an accepted safety case amended under regulation 62 or 63;

“AG” followed by a designation consisting of a number and a reference to a year, refers to the text, as from time to time amended and for the time being in force, of the document so designated, published by the Australian Gas Association;

“AS” followed by a designation consisting of a number and a reference to a year, refers to the text, as from time to time amended and for the time being in force, of the document so designated, published by Standards Australia;

“AS/NZS” followed by a designation consisting of a number and a reference to a year, refers to the text, as from time to time amended and for the time being in force, of the

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document so designated, jointly published by Standards Australia and Standards New Zealand;

“badged capacity” means the capacity of a meter as shown on the manufacturer’s meter badge affixed to the meter;

“cubic metre” or **“m³”** means a cubic metre at a pressure of 101.325 kPa (absolute) and a temperature of 15 °C;

“distribution system” has the same meaning as it has in section 3 of the *Energy Coordination Act 1994*;

“employee”, in relation to a network operator or plant operator, means —

- (a) a person employed or engaged by the operator;
- (b) a contractor or subcontractor to the operator; or
- (c) a person employed or engaged by a person referred to in paragraph (b);

“gas plant” means —

- (a) any system of pipes, equipment or apparatus utilised for the purpose of —
 - (i) manufacturing, treating or storing gas with a view to supplying it to consumers through a distribution system; or
 - (ii) converting gas from one form to another with a view to supplying it to consumers through a distribution system;

and

- (b) any equipment or apparatus utilised in conjunction with anything referred to in paragraph (a),

but does not include anything referred to in paragraph (a) or (b) that is connected to a pipeline within the meaning of the *Petroleum Pipelines Act 1969*;

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- “higher heating value”** means the number of megajoules liberated when one cubic metre of gas is completely burnt in air and all the water formed by the combustion reaction is condensed to the liquid state, under the test conditions set down in ISO 6974 — 1984(E) for the analysis of the natural gas, using ISO 6976 — 1995(E) for the calculations from that analysis;
- “implementation day”**, in relation to a safety case, means the day notified to the Director under regulation 35(2) in respect of the safety case;
- “ISO”**, followed by a designation consisting of a number and a reference to a year, refers to the text, as from time to time amended and for the time being in force, of the document so designated, published by the International Organization for Standardization;
- “lower heating value”** means the number of megajoules liberated when one cubic metre of gas is completely burnt in air and all water formed by the combustion reaction remains in the vapour state, under the test conditions set down in ISO 6974 — 1984(E) for the analysis of the natural gas, using ISO 6976 — 1995(E) for the calculations from that analysis;
- “LPG”** means a mixture of hydrocarbons in liquid or vapour form, consisting mainly of butane, butene, propane, or propene, or any mixture of those substances;
- “master meter”** means a meter used to measure the amount of gas supplied to the point at which delivery of the gas is made to the consumer and includes any associated regulators, pipes, fittings, components, equipment or instruments;
- “meter”** means a device used to measure the amount of gas passing through the device;

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“natural gas” means a hydrocarbon gas, in liquefied or vapour form, consisting mainly of methane;

“network operator” means an undertaker who operates a distribution system;

“nominated auditor”, in relation to —

- (a) the safety case or accepted safety case of a network operator, means the person whose nomination by the network operator has been accepted under regulation 30; or
- (b) the safety case or accepted safety case of a plant operator, means the person whose nomination by the plant operator has been accepted under regulation 52;

“plant operator” means an undertaker who operates or is to operate a gas plant;

“prescribed activity” means anything related 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, maintenance, repair or operation of any part of a distribution system;

“quarter” means the period of 3 months beginning on 1 January, 1 April, 1 July or 1 October in any year;

“safety case” means a document that sets out the safety management and technical practices and procedures to be followed by —

- (a) a network operator in the operation of a distribution system; or
- (b) a plant operator in the operation of a gas plant, as the case requires;

“utilised”, in relation to a purpose, includes capable of being, or intended to be, utilised for that purpose.

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Part 1 Preliminary

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- (2) In these regulations, unless the contrary intention appears, the numerical values prescribed are subject to tolerances according to normal industry practice.

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Standards for gas supplied Part 2

General standard for gas pressure Division 1

r. 4

Part 2 — Standards for gas supplied**Division 1 — General standard for gas pressure****4. Gas pressure**

(1) In this regulation —

“prescribed pressure”, in relation to —

- (a) a gas installation that uses or is to use tempered LPG, means 0.75 kPa (gauge);
- (b) a gas installation that uses or is to use natural gas or simulated natural gas, means 1.25 kPa (gauge); and
- (c) a gas installation that uses or is to use LPG, means 2.75 kPa (gauge);

“simulated natural gas” means a mixture of LPG and air having a higher heating value of more than 40 MJ/m³ but not more than 51 MJ/m³;**“tempered LPG”** means a mixture of LPG and air having a higher heating value of more than 23.5 MJ/m³ but not more than 27.3 MJ/m³.

(2) An undertaker must ensure that the operating pressure of gas supplied to a consumer’s gas installation, measured immediately after the consumer’s master meter —

- (a) is not less than the prescribed pressure and not more than 3 kPa (gauge), except to the extent that the consumer and the undertaker have otherwise expressly agreed in writing; and
- (b) is within the pressure operating range specified by the manufacturer of the master meter.

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Part 2 Standards for gas supplied

Division 2 Standards for natural gas

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- (3) An undertaker must, when requested to do so, advise a consumer as to the greatest pressure of gas to which a consumer's gas installation could be subject in the event of a supply fault causing a breach of subregulation (2).

Division 2 — Standards for natural gas**5. Quality standards**

- (1) In this regulation —
“**Wobbe index**” means the result obtained using the following formula —

$$\frac{\text{Higher heating value}}{\sqrt{\text{Relative density}}}$$

- (2) An undertaker must ensure that natural gas supplied to a consumer through a distribution system or used for domestic purposes in an industrial facility —
- has a Wobbe index that is not less than 46.5 MJ/m³ and not more than 51.0 MJ/m³;
 - is free by normal commercial standards from dust and other solid or liquid matters, waxes, gums and gum forming constituents, aromatic hydrocarbons and radioactive components that might cause injury to or interfere with the proper operation of all equipment through which it flows;
 - does not have a total sulphur content exceeding 50 mg/m³;
 - has a higher heating value produced by combustion of the gas of not less than 37.0 MJ/m³ and not more than 42.3 MJ/m³; and

Gas Standards (Gas Supply and System Safety) Regulations 2000

Standards for gas supplied Part 2

Standards for LPG Division 3

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- (e) is odorised in accordance with regulation 6 and is subject to periodic sampling to determine the effectiveness of the odorising.
- (3) Despite subregulation (2)(e) the Director may, in a particular case or class of case, permit an undertaker to supply natural gas that is not odorised if —
- (a) the gas is to be delivered for further processing or use; and
- (b) the odorant would serve no useful purpose as a warning agent.
- (4) The requirement in subregulation (2)(e) does not apply in relation to natural gas that is the subject of a permission under subregulation (3).
- (5) The undertaker must ensure that records are kept of sampling conducted under subregulation (2)(e) for a period of 3 years from the date of sampling.

6. Odourising natural gas

Natural gas must be odorised by the addition to the gas of an odorant that —

- (a) is distinctive, unpleasant and non-persistent; and
- (b) when the gas is discharged, throughout that discharge indicates to a person with a normal sense of smell the presence of gas down to $\frac{1}{5}$ the lower explosive limit in air.

Division 3 — Standards for LPG**7. Quality standards**

- (1) An undertaker must ensure that LPG supplied to a consumer in liquid form —
- (a) is free of mechanically entrained water;

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Part 2 Standards for gas supplied

Division 3 Standards for LPG

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- (b) does not contain any hydrogen sulphide or methane or any substance that, if the gas is used for lighting or heating purposes, is toxic or harmful to human health or safety;
 - (c) does not have a total sulphur content exceeding 0.02% by weight;
 - (d) does not contain more than 45 mg/m³ of mercaptan sulphur;
 - (e) does not contain more than —
 - (i) 2 mol % of C2 hydrocarbons; or
 - (ii) 2 mol % of C5 or higher hydrocarbons expressed as C5 hydrocarbons;
 - (f) does not contain impurities other than those permitted under paragraphs (c), (d) and (e);
 - (g) has a lower heating value produced by combustion of the gas of not less than 44.0 and not more than 47.7 MJ per kilogram of the gas;
 - (h) meets the requirement for evaporation in regulation 8; and
 - (i) is odorised in accordance with regulation 9 and is subject to periodic sampling to determine the effectiveness of the odorising.
- (2) Despite subregulation (1)(i) the Director may, in a particular case or class of case, permit an undertaker to supply LPG that is not odorised if the gas is to be used as a propellant in aerosol type containers.
- (3) The requirement in subregulation (1)(i) does not apply in relation to LPG that is the subject of a permission under subregulation (2).

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Standards for gas supplied

Part 2

Standards for LPG

Division 3

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- (4) The undertaker must ensure that records are kept of sampling conducted under subregulation (1)(i) for a period of 3 years from the date of sampling.

8. Evaporation

If the LPG is evaporated at a temperature of 1.11°C corrected to a barometric pressure of 98.67 kPa (absolute), the quantity of gas so evaporated must be not less than 95% by volume.

9. Odourising LPG

The LPG must be odourised by the addition to the gas of an odourant that —

- (a) is distinctive, unpleasant and non-persistent; and
- (b) when the gas is discharged, throughout that discharge indicates to a person with a normal sense of smell the presence of gas down to $\frac{1}{5}$ the lower explosive limit in air.

10. Propane

An undertaker must ensure that where LPG is supplied to a consumer as propane —

- (a) it contains not less than 90% by volume of —
 - (i) propane or propene; or
 - (ii) propane and propene;

and

- (b) its vapour pressure does not exceed 1 530 kPa (gauge) at 40°C.

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Part 2 Standards for gas supplied

Division 3 Standards for LPG

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11. Butane

An undertaker must ensure that where LPG is supplied to a consumer as butane —

- (a) it consists predominantly of —
 - (i) butanes or butenes; or
 - (ii) butanes and butenes;
- (b) its vapour pressure does not exceed 520 kPa (gauge) at 40°C; and
- (c) the container in which it is supplied is marked with the designation “Butane”.

12. Mixed LPG

An undertaker must ensure that where LPG is supplied to a consumer as mixed LPG —

- (a) it is a mixture of —
 - (i) propane or propene, or propane and propene; and
 - (ii) butanes or butenes, or butanes and butenes;
- (b) its vapour pressure does not exceed 1 530 kPa (gauge) at 40°C; and
- (c) the container in which it is supplied is marked with —
 - (i) the designation “Mixed LPG”; and
 - (ii) the maximum and minimum points of the vapour pressure range in kPa (gauge) at 40°C.

13. LPG supplied through a distribution system

- (1) An undertaker must ensure that where LPG is supplied to consumers through a distribution system —
 - (a) it is supplied as propane;
 - (b) it is supplied in vapour form;

Gas Standards (Gas Supply and System Safety) Regulations 2000

Standards for gas supplied Part 2

Standards for LPG Division 3

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-
- (c) the pressure at which it is supplied does not exceed 200 kPa (gauge); and
 - (d) it is odourised in accordance with regulation 9 and is subject to periodic sampling to determine the effectiveness of the odourising.
- (2) The undertaker must ensure that records are kept of sampling conducted under subregulation (1)(d) for a period of 3 years from the date of sampling.

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Part 3 Metering

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Part 3 — Metering**14. Definition**

In this Part —

“commencement” means the day on which these regulations come into operation.

15. Operating requirements for master meters

- (1) A network operator must ensure that every master meter installed after commencement with a badged capacity of not more than 6 cubic metres per hour complies with the requirements of AG 702.
- (2) A network operator must ensure that every master meter not referred to in subregulation (1) installed after commencement measures, at the time of installation, the consumption of gas within a margin of error not exceeding plus or minus 1.5% of the actual volume of gas supplied.
- (3) Subject to the requirement in subregulation (2), a network operator must ensure that every master meter, whether installed before, on or after commencement, measures the consumption of gas within a margin of error of —
 - (a) plus or minus 2% of the actual volume of gas supplied, if the master meter has a badged capacity of more than 6 cubic metres per hour; or
 - (b) plus or minus 3% of the actual volume of gas supplied, if the master meter has a badged capacity of not more than 6 cubic metres per hour.

Gas Standards (Gas Supply and System Safety) Regulations 2000

Metering

Part 3

r. 16**16. Replacement of master meters**

A network operator must ensure that every master meter installed after commencement is replaced at intervals not exceeding —

- (a) 5 years, in the case of turbine meters;
- (b) 10 years, in the case of rotary meters;
- (c) 10 years, in the case of diaphragm meters with a badged capacity of more than 12 cubic metres per hour;
- (d) 14 years, in the case of diaphragm meters with a badged capacity of more than 6 cubic metres per hour but not more than 12 cubic metres per hour; and
- (e) 18 years, in the case of diaphragm meters with a badged capacity of not more than 6 cubic metres per hour,

and in each case the first interval is to be calculated from the date of installation.

17. Alternative requirements

- (1) The Director may give approval in writing for a network operator, when supplying gas in a place or from a part of a distribution system described in the approval, to comply with an alternative requirement instead of a requirement under regulation 15 or 16.
- (2) A requirement under regulation 15 or 16 does not apply to the extent that a network operator complies with an alternative to that requirement in accordance with an approval under subregulation (1).

Gas Standards (Gas Supply and System Safety) Regulations 2000

Part 4 Distribution system safety

Division 1 Obligations related to the carrying out of prescribed activities

r. 18

Part 4 — Distribution system safety**Division 1 — Obligations related to the carrying out of prescribed activities****18. Management of prescribed activities**

- (1) A network operator must ensure that each prescribed activity is, so far as is reasonable and practicable, carried out in such a way as to —
 - (a) provide for the safety of persons; and
 - (b) avoid or minimise any damage to property, inconvenience, or other detriment as a result of the activity.
- (2) Without limiting subregulation (1), a network operator must ensure that —
 - (a) adequate work procedures and practices are developed and implemented;
 - (b) proper plans are developed and implemented for the inspection, maintenance and (if necessary) replacement of the distribution system;
 - (c) adequate records of the location of the distribution system are maintained and made available on request to —
 - (i) the Director; or
 - (ii) a person who, for reasons of safety, requires access to the records;
 - (d) adequate supervision is provided taking into account the nature of the activity and the competency of the personnel carrying out the activity; and

Gas Standards (Gas Supply and System Safety) Regulations 2000

Distribution system safety

Part 4

Obligations related to the carrying out of prescribed activities

Division 1

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- (e) the design, engineering and operation of the distribution system are regularly reviewed for safety and effectiveness.

19. Evidence of compliance: standards and codes

- (1) Compliance by a network operator to whom Division 2 applies with a relevant provision of —
 - (a) a standard or code published under a law of any jurisdiction in Australia;
 - (b) a standard or code published by Standards Australia or the Australian Gas Association;
 - (c) a standard or code published by any other body and approved by the Director; or
 - (d) a standard or code specified in Schedule 1,

is evidence of compliance by that network operator with regulation 18 if the provision is not inconsistent with a provision referred to in regulation 24(4).

- (2) A network operator may submit a standard or code to the Director for approval under subregulation (1)(c).

20. Evidence of compliance: accepted safety case

Compliance by a network operator to whom Division 2 does not apply with a practice, procedure or provision described in regulation 37 is evidence of compliance by that network operator with regulation 18.

21. Persons carrying out prescribed activities

- (1) A person must avoid, so far as is reasonable and practicable, doing anything, or permitting anything to be done, in the course of carrying out a prescribed activity, that results, or is likely to result, in —
 - (a) a person sustaining any personal injury; or

Gas Standards (Gas Supply and System Safety) Regulations 2000

Part 4 Distribution system safety

Division 1 Obligations related to the carrying out of prescribed activities

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(b) damage to any property or significant inconvenience or other detriment to any person.

(2) In subregulation (1) —

(a) the reference to doing anything includes a reference to omitting to do anything; and

(b) the reference to permitting anything to be done includes a reference to permitting an omission to do anything.

22. Network operator to notify Director of proposed major activities

(1) In this regulation —

“major activity” means any of the following kinds of prescribed activity —

(a) construction of high pressure pipelines having a diameter of 100 mm or more and a length of 100 metres or more;

(b) construction of medium and low pressure gas mains having a diameter of 150 mm or more and a length of 300 metres or more;

(c) construction of high pressure gate stations;

(d) construction of district regulator sets fed from high pressure pipelines.

(2) A network operator must —

(a) give to the Director written notice of each major activity not less than 7 days before it is carried out; or

(b) submit to the Director, not less than 7 days before the beginning of each quarter, a written outline of the major activities that the network operator proposes to carry out in that quarter.

Gas Standards (Gas Supply and System Safety) Regulations 2000

Distribution system safety

Part 4

Provisions applicable in absence of accepted safety case

Division 2

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-
- (3) If, in a particular quarter, a network operator proposes to carry out a major activity that was not mentioned in an outline submitted in respect of that quarter under subregulation (2)(b), the network operator must give to the Director written notice of that major activity not less than 7 days before it is carried out.
 - (4) A notice or outline under this regulation —
 - (a) is to be in a form acceptable to the Director; and
 - (b) may be submitted by facsimile transmission or other electronic means.
 - (5) The network operator must provide the Director with information on any major activity referred to in a notice or outline under this regulation if the Director so requests.

Division 2 — Provisions applicable in absence of accepted safety case**23. Application of Division**

This Division applies to a network operator unless an accepted safety case has effect in relation to the distribution system of the network operator.

24. Obligatory standards and codes

- (1) A network operator must ensure that a prescribed activity is carried out in such a way as to comply with any provision of a standard or code specified in Schedule 2 that is expressed in mandatory terms.
- (2) If the Director is satisfied that the purpose of any provision described in subregulation (1) would be achieved at least as effectively if an alternative provision were complied with, the Director may give approval in writing to compliance with the alternative provision.

Gas Standards (Gas Supply and System Safety) Regulations 2000

Part 4 Distribution system safety

Division 2 Provisions applicable in absence of accepted safety case

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- (3) Subregulation (1) does not apply, when there is a failure to comply with a provision described in that subregulation, to the extent that an alternative provision is complied with in accordance with an approval under subregulation (2).
- (4) Compliance with a provision described in subregulation (1) or with an alternative provision in accordance with an approval under subregulation (2) is evidence of compliance with regulation 18 in so far as the scope of the prescribed activity is covered by the standard or code or the alternative provision, as the case may be.

25. Information and training

- (1) A network operator must ensure, so far as is reasonable and practicable, that any employee engaged in carrying out a prescribed activity —
 - (a) is provided with documents setting out appropriate work standards, procedures and practices; and
 - (b) is given instruction and training, and tested for competency, in how to safely apply and use those standards, procedures and practices.
- (2) Work standards, procedures and practices are not appropriate for the purposes of subregulation (1) unless they are consistent with these regulations.

26. Action when danger reported

- (1) If a network operator becomes aware that —
 - (a) anything at a place where a prescribed activity is being carried out; or
 - (b) the condition of any part of a distribution system or former distribution system at any place,

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Distribution system safety

Part 4

Safety case provisions

Division 3

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is a threat to the safety of any person or property, the network operator must investigate the matter as soon as is practicable.

- (2) If the investigation reveals that there is a threat to the safety of any person or property, the network operator must take such remedial action as is required to remove the threat as soon as is practicable.
- (3) In subregulation (1) —
“former distribution system” means anything owned by the network operator that would be a distribution system if it were still utilised for a purpose for which it previously was, but no longer is, utilised.

Division 3 — Safety case provisions**27. Submission of safety case**

- (1) A network operator may submit a safety case to the Director for the distribution system of the network operator.
- (2) A safety case submitted under subregulation (1) is to comply with —
 - (a) AG 606 — 1997; and
 - (b) AS 2885.1 — 1997 if that standard applies to the distribution system concerned.

28. Exemption

- (1) The Director may, by instrument —
 - (a) exempt a network operator from compliance with a provision of a code or standard referred to in regulation 27(2) if the Director is satisfied that compliance with the provision would be inappropriate having regard to the size or complexity of the distribution system of the network operator; or

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Part 4 Distribution system safety

Division 3 Safety case provisions

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- (b) at any time revoke an exemption.
- (2) The Director may —
 - (a) make the exemption subject to any condition; and
 - (b) impose any further condition or vary or revoke a condition at any time.

29. Guidelines

The Director may from time to time issue guidelines to assist in the preparation of a safety case.

30. Nomination of person to perform auditing role

- (1) Before submitting a safety case under regulation 27 a network operator must nominate to the Director a person who, in the opinion of the network operator, is —
 - (a) independent of the network operator; and
 - (b) competent to perform the functions of a nominated auditor under this Division,and provide the Director with enough information to enable the Director to decide whether or not to accept the nomination.
- (2) The Director may issue guidelines as to —
 - (a) the qualifications for nomination under subregulation (1); and
 - (b) the information to be provided under that subregulation.
- (3) The Director may accept a nomination under subregulation (1) or reject it.
- (4) A nomination is to be regarded as having been accepted unless, within 10 working days after receiving the nomination, the

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Distribution system safety

Part 4

Safety case provisions

Division 3

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Director notifies the network operator that the Director has decided to reject the nomination.

- (5) If the Director decides to reject a nomination, the network operator may make an alternative nomination to the Director in accordance with subregulation (1).
- (6) Notification under subregulation (4) is to be in writing and is to give reasons for the Director's decision.

31. Preliminary certification of safety case

- (1) A safety case submitted under regulation 27 is to be accompanied by a certificate signed by the nominated auditor certifying that —
 - (a) the safety case complies with the requirements of this Division;
 - (b) the safety case is appropriate having regard to the size and complexity of the distribution system and the possible risks;
 - (c) the safety case adequately identifies the measures necessary —
 - (i) to prevent hazardous events identified in the safety case from occurring; and
 - (ii) to protect consumers, the public, employees, plant, equipment and the environment, should such events occur;
 - (d) the safety case adequately identifies the training and equipment requirements necessary for personnel to be able to implement the various procedures set out in it; and

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- (e) the network operator has in place a plan (the **“implementation plan”**) for —
 - (i) implementing the measures referred to in paragraph (c); and
 - (ii) meeting the requirements referred to in paragraph (d).
- (2) The certificate is to —
 - (a) include a summary of the procedures, standards, tests, inspections and maintenance measures contained in the safety case; and
 - (b) specify the estimated time for completion of the matters covered by the implementation plan.

32. Approval of safety case for purposes of final certification

- (1) The Director must assess any safety case submitted in accordance with this Division.
- (2) Following an assessment under subregulation (1), the Director may approve the safety case for the purposes of certification under regulation 33(1) or refuse approval, and is to notify the network operator in writing of the decision.
- (3) If the Director has not given notification under subregulation (2) within 20 working days after receiving the safety case (and the accompanying certificate), the safety case is to be regarded as having been approved for the purposes of certification under regulation 33(1).
- (4) Notification under subregulation (2) of a refusal to approve the safety case is to give —
 - (a) reasons for the refusal; and

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- (b) guidance as to the changes needed to make the safety case acceptable.
- (5) If the Director refuses to approve the safety case, the network operator may review and amend the safety case and submit it to the Director again in accordance with this Division.

33. Final certification of safety case

- (1) If a safety case is approved, or regarded as having been approved, under regulation 32, the network operator may, within such period as the Director allows having regard to the time specified under regulation 31(2)(b), submit to the Director a certificate signed by the nominated auditor certifying that —
 - (a) the measures referred to in regulation 31(1)(c) have been implemented; and
 - (b) the requirements referred to in regulation 31(1)(d) have been met.
- (2) The certificate is to specify the day on which the network operator proposes to implement the safety case if it is accepted under regulation 34(1).

34. Acceptance or rejection of safety case

- (1) On receipt of a certificate under regulation 33(1), the Director may accept the safety case or reject it, and is to notify the network operator in writing of the decision.
- (2) The Director may only reject the safety case if the Director is satisfied that —
 - (a) the measures referred to in regulation 31(1)(c) have not been implemented; or
 - (b) the requirements referred to in regulation 31(1)(d) have not been met.

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- (3) If the Director has not given notification under subregulation (1) within 14 working days after receiving the certificate, the safety case is to be regarded as having been accepted.
- (4) Notification under subregulation (1) of the rejection of the safety case is to give reasons for the rejection and specify the measures to be taken or requirements to be met to make the safety case acceptable.
- (5) If the Director rejects a safety case, the network operator may submit to the Director a certificate signed by the nominated auditor certifying that —
 - (a) measures specified in the notification under subregulation (1) have been taken; or
 - (b) requirements specified in that notification have been met,

and this regulation applies, with all necessary changes, as if the certificate were a certificate under regulation 33(1).

35. Implementation of safety case

- (1) The acceptance of a safety case ceases to have effect for the purposes of these regulations if the network operator has not implemented it within 6 months after —
 - (a) notification of its acceptance is received under regulation 34(1); or
 - (b) it is regarded as having been accepted under regulation 34(3),as the case may be.
- (2) The network operator must notify the Director of the day on which the safety case is to be implemented not less than 7 days before that day.

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- (3) Notification under subregulation (2) is to be in writing.

36. Period of operation of accepted safety case

Subject to regulation 40(5), an accepted safety case has effect in relation to a distribution system for the period of 5 years beginning on implementation day.

37. Compliance with accepted safety case

If an accepted safety case has effect in relation to a distribution system, the network operator must ensure that a prescribed activity is carried out in such a way as to comply with —

- (a) any practice or procedure set out in the accepted safety case; and
- (b) any provision of a code, standard or specification compliance with which is required under the accepted safety case.

38. Periodical audit

- (1) A network operator must, within one month after the end of each auditing period, lodge with the Director in respect of an accepted safety case a report by a person appointed by the network operator —
- (a) certifying that —
 - (i) the measures referred to in regulation 31(1)(c) are still in place; and
 - (ii) there continue to be properly trained and equipped personnel available to implement the various procedures set out in the accepted safety case;
 - (b) reviewing the accepted safety case for its adequacy and appropriateness having regard to any changes in the

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distribution system since a report was last lodged under this subregulation; and

- (c) making recommendations as to the amendments (if any) required to the accepted safety case.
- (2) The person appointed for the purposes of subregulation (1) is to be a person who, in the opinion of the network operator, is suitably qualified to provide an independent and objective report, but nothing in this subregulation prevents the appointment of an employee of the network operator.
- (3) In subregulation (1) —
- “auditing period”** means —
- (a) if a report is being lodged under subregulation (1) for the first time in respect of the accepted safety case, a period of 12 months commencing on implementation day; or
 - (b) otherwise, a period of 12 months, or such further period as the Director allows, commencing on the day on which a report was last lodged under subregulation (1) in respect of the accepted safety case.

39. Amendment of accepted safety case

- (1) A network operator may submit amendments to an accepted safety case to the Director for approval.
- (2) If a report under regulation 38 recommends amendments to an accepted safety case, the network operator must submit amendments consistent with those recommendations to the Director for approval.

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- (3) The Director may approve or refuse to approve amendments submitted under subregulation (1) or (2), and is to notify the network operator in writing of the decision.
 - (4) Notification under subregulation (3) of a refusal to approve amendments is to give reasons for the refusal and guidance as to any changes needed to make the amendments acceptable.

40. Director may require amendment of accepted safety case

- (1) If the Director is satisfied that an accepted safety case will no longer produce a safe outcome, the Director may, by notice in writing, require the network operator to make specified amendments to the accepted safety case within a specified period.
- (2) A network operator must comply with a requirement under subregulation (1) within the specified period.
- (3) If a network operator contravenes subregulation (2), the Director may, by notice in writing, suspend the operation of the accepted safety case with effect from the specified day until the relevant requirement is complied with.
- (4) Before giving notice under subregulation (3), the Director is to give the network operator a reasonable opportunity to make submissions in relation to the day to be specified in the notice for the purposes of that subregulation.
- (5) An accepted safety case does not have effect for the period of any suspension under subregulation (3).
- (6) In subregulations (1), (2) and (3) —
“specified” means specified in the notice concerned.

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41. Records

- (1) A network operator must establish and maintain a system for keeping records required to be kept under subregulation (2) in relation to an accepted safety case.
- (2) The records required to be kept are copies of —
 - (a) the accepted safety case;
 - (b) any amendment of the accepted safety case;
 - (c) the certificates under regulations 31(1) and 33(1) and under regulation 34(5) (if any);
 - (d) each report in respect of the accepted safety case under regulation 38; and
 - (e) each notification and each report given by the network operator to the Director as required by Division 4.
- (3) The network operator must ensure that the records are kept —
 - (a) at the address nominated by the network operator in the accepted safety case;
 - (b) in a manner that makes their retrieval reasonably practicable; and
 - (c) in a secure manner.
- (4) The network operator must ensure that each of the records is kept for a period of 5 years after its creation.

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Part 4

Notification, investigation and reporting of incidents

Division 4

r. 42**Division 4 — Notification, investigation and reporting of incidents****42. Definitions**

In this Division —

“gas incident” means an incident or event in, on or associated with a distribution system, other than a notifiable incident, that —

- (a) materially affects or is likely to materially affect the supply of gas; or
- (b) is caused by gas;

“major discharge” means —

- (a) the unplanned and uncontrolled release inside a building of 10 cubic metres or more of gas; or
- (b) the unplanned and uncontrolled release in the open air of 3 000 cubic metres or more of gas;

“notifiable incident” means an incident, event or other thing of which the Director requires notification under regulation 43;

“private property” means property that does not belong to —

- (a) a network operator; or
- (b) a contractor or subcontractor to a network operator;

“serious damage” means —

- (a) damage to private property if the value of the damage is likely to exceed \$1 000 in total; or
- (b) damage to a distribution system, or to property belonging to the network operator or a contractor or subcontractor to the network operator, if the value of the damage is likely to exceed \$10 000 in total;

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“serious injury” means an injury that is fatal or requires the victim to be admitted to hospital whether for assessment, monitoring or treatment.

43. Notifiable incidents

- (1) A network operator must notify the Director of —
 - (a) any fire, explosion, or major discharge of flammable gas, in, on or from the distribution system;
 - (b) any incident or event that is caused, or significantly contributed to, by gas and that results in —
 - (i) serious injury; or
 - (ii) serious damage;or
 - (c) any unplanned interruption to the supply of gas from the distribution system to —
 - (i) any consumer whose annual gas consumption usually exceeds, or can reasonably be expected to exceed, 50 terajoules; or
 - (ii) at least 100 other consumers.
- (2) Notification under subregulation (1)(b)(i) is to be given by telephone immediately after the network operator becomes aware that serious injury has occurred.
- (3) In any other case notification is to be given in a form acceptable to the Director within 24 hours after the network operator becomes aware of the occurrence of the notifiable incident.

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Notification, investigation and reporting of incidents

Division 4

r. 44**44. Network operator to investigate and report on notifiable incidents**

- (1) If a notifiable incident occurs, then, subject to subregulation (2), the network operator must —
 - (a) investigate the incident; and
 - (b) prepare a written report on the outcome of the investigation in a form acceptable to the Director.
- (2) Subregulation (1) does not apply in relation to —
 - (a) a major discharge of flammable gas coming within paragraph (b) of the definition of “major discharge” in regulation 42 unless the quantity of gas released is 3 000 cubic metres or more; or
 - (b) an incident or event that results in serious damage unless —
 - (i) in the case of damage coming within paragraph (a) of the definition of “serious damage” in regulation 42, the value of the damage is likely to exceed \$5 000 in total; or
 - (ii) in the case of damage coming within paragraph (b) of that definition, the value of the damage is likely to exceed \$25 000 in total.
- (3) The network operator must give the report to the Director within 30 days after the day on which the notifiable incident occurred.

45. Investigation of notifiable incidents by Director

- (1) If the Director intends to investigate a notifiable incident, the Director must notify the network operator of that intention.
- (2) Notification under subregulation (1) is to —
 - (a) include notification of any proposed examination of the site of the notifiable incident; and

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Division 4 Notification, investigation and reporting of incidents

r. 46

- (b) be given by telephone and confirmed in writing by facsimile transmission.
- (3) The Director must carry out the investigation as soon as is practicable after giving notification under subregulation (1).

46. Examination of site of notifiable incident

- (1) If a network operator is given notification as described in regulation 45(2)(a), the network operator must ensure that, so far as is practicable, the site of the notifiable incident is not disturbed in such a way as to prejudice the examination of the site except —
 - (a) as authorised by or on behalf of the Director; or
 - (b) as is necessary to restore the supply of gas or to guard against the risk of personal injury, damage, or interruption to the supply of gas.
- (2) The Director must notify the network operator when the examination of the site has been completed.
- (3) Notification under subregulation (2) is to be given by telephone and is to be confirmed in writing by facsimile transmission.

47. Reporting requirements for gas incidents

- (1) As soon as is practicable after each quarter, or such other period as the Director allows, a network operator must give to the Director a report of gas incidents that have occurred in that quarter or period.
- (2) The report is to be in a summary form acceptable to the Director.

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Gas plant safety

Part 5

r. 48**Part 5 — Gas plant safety****48. Application**

This Part applies in relation to any gas plant constructed after the commencement of these regulations.

49. Plant operator to submit safety case

- (1) A plant operator must submit a safety case to the Director for the gas plant of the plant operator.
- (2) A safety case submitted under subregulation (1) is to comply with Schedule 3.

50. Exemption

- (1) The Director may, by instrument —
 - (a) exempt a plant operator from compliance with regulation 49(1) if the Director is satisfied that compliance with that subregulation would be inappropriate having regard to the size or complexity of the gas plant of the plant operator; and
 - (b) at any time revoke an exemption.
- (2) The Director may —
 - (a) make the exemption subject to any condition; and
 - (b) impose any further condition or vary or revoke a condition at any time.

51. Guidelines

The Director may from time to time issue guidelines to assist in the preparation of a safety case.

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52. Nomination of person to perform auditing role

- (1) Before submitting a safety case under regulation 49 a plant operator must nominate to the Director a person who, in the opinion of the plant operator, is —
 - (a) independent of the plant operator; and
 - (b) competent to perform the functions of a nominated auditor under this Part,and provide the Director with enough information to enable the Director to decide whether or not to accept the nomination.
- (2) The Director may issue guidelines as to —
 - (a) the qualifications for nomination under subregulation (1); and
 - (b) the information to be provided under that subregulation.
- (3) The Director may accept a nomination under subregulation (1) or reject it.
- (4) A nomination is to be regarded as having been accepted unless, within 10 working days after receiving the nomination, the Director notifies the plant operator that the Director has decided to reject the nomination.
- (5) If the Director decides to reject a nomination, the plant operator may make an alternative nomination to the Director in accordance with subregulation (1).
- (6) Notification under subregulation (4) is to be in writing and is to give reasons for the Director's decision.

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Part 5

r. 53**53. Certification of safety case**

- (1) A safety case submitted under regulation 49 is to be accompanied by a certificate signed by the nominated auditor certifying that —
 - (a) the safety case complies with Schedule 3;
 - (b) the safety case is appropriate having regard to the size and complexity of the gas plant and the possible risks;
 - (c) all measures intended —
 - (i) to prevent hazardous events identified in the safety case from occurring; and
 - (ii) to protect consumers, the public, employees, plant, equipment and the environment, should such events occur,
are in place; and
 - (d) there are properly trained and equipped personnel available to implement the various procedures set out in the safety case.
- (2) The certificate is to include a summary of the procedures, standards, tests, inspections and maintenance measures contained in the safety case.

54. Acceptance or rejection of safety case

- (1) The Director must assess a safety case submitted under regulation 49.
- (2) Following an assessment under subregulation (1), the Director may accept the safety case or reject it, and is to notify the plant operator in writing of the decision.

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- (3) If the Director has not given notification under subregulation (2) within 20 working days after receiving the safety case (and the accompanying certificate), the safety case is to be regarded as having been accepted.
- (4) Notification under subregulation (2) of the rejection of the safety case is to give —
 - (a) reasons for the rejection; and
 - (b) guidance as to the changes needed to make it acceptable.

55. Submission of modified safety case

If the Director rejects a safety case, the plant operator must, within 28 days after receiving notification of its rejection under regulation 54(2) —

- (a) review and modify the safety case; and
- (b) submit the safety case again to the Director.

56. Acceptance or rejection of modified safety case

- (1) The Director must assess a safety case submitted under regulation 55.
- (2) Following an assessment under subregulation (1), the Director may accept the safety case or reject it, and is to notify the plant operator in writing of the decision.
- (3) If the Director has not given notification under subregulation (2) within 20 working days after receiving the safety case, the safety case is to be regarded as having been accepted.
- (4) Notification under subregulation (2) of the rejection of the safety case is to give reasons for the rejection.

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Gas plant safety

Part 5

r. 57**57. Director may determine safety case for gas plant**

- (1) The Director may determine the safety case (the “**determined safety case**”) that is to apply in respect of a gas plant if —
 - (a) the plant operator fails to submit a safety case under regulation 49 or 55; or
 - (b) the Director rejects a safety case submitted for the gas plant under regulation 55.
- (2) If the Director makes a determination under subregulation (1), the Director is to notify the plant operator in writing of the determination.
- (3) Notification under subregulation (2) is to set out the terms of the determined safety case.
- (4) On notification being given to the plant operator under subregulation (2), the determined safety case is to be regarded for the purposes of this Part as the accepted safety case for the gas plant.
- (5) Nothing in subregulation (4) prevents a plant operator submitting a safety case to the Director under this Part.

58. When accepted safety case has effect

Subject to regulation 63(5), an accepted safety case has effect in relation to a gas plant on and from —

- (a) the day on which notification of the acceptance of the safety case is given under regulation 54(2) or 56(2);
- (b) the day on which the safety case is to be regarded as having been accepted under regulation 54(3) or 56(3); or
- (c) the day on which notification is given under regulation 57(2),

as the case may be.

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59. Accepted safety case required for operation of gas plant

- (1) A plant operator must not commission or operate a gas plant unless an accepted safety case has effect in relation to the gas plant.
- (2) Subregulation (1) does not apply if the plant operator holds an exemption under regulation 50 and complies with the conditions of the exemption (if any).

60. Compliance with accepted safety case

- (1) In this regulation —
“prescribed activity” means anything related to the conveyance, control, supply or use of gas done by, for, or with the authority of, a plant operator in the course of the construction, maintenance, repair or operation of any part of a gas plant.
- (2) If an accepted safety case has effect in relation to a gas plant, the plant operator must ensure that a prescribed activity is carried out in such a way as to comply with —
 - (a) any practice or procedure set out in the accepted safety case; and
 - (b) any provision of a code, standard or specification compliance with which is required under the accepted safety case.

61. Periodical audit

- (1) A plant operator must, within one month after the end of each auditing period, lodge with the Director in respect of an accepted safety case a report by a person appointed by the plant operator —
 - (a) certifying that —
 - (i) the measures referred to in regulation 53(1)(c) are still in place; and

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- (ii) there continue to be properly trained and equipped personnel available to implement the various procedures set out in the accepted safety case;
 - (b) reviewing the accepted safety case for its adequacy and appropriateness having regard to any changes in the gas plant since a report was last lodged under this subregulation; and
 - (c) making recommendations as to the amendments (if any) required to the accepted safety case.
- (2) The person appointed for the purposes of subregulation (1) is to be a person who, in the opinion of the plant operator, is suitably qualified to provide an independent and objective report, but nothing in this subregulation prevents the appointment of an employee of the plant operator.
- (3) In this regulation —
“auditing period” means —
 - (a) if a report is being lodged under subregulation (1) for the first time in respect of the accepted safety case, a period of 12 months commencing on the day on and from which the accepted safety case has effect under regulation 58; or
 - (b) otherwise, a period of 12 months, or such further period as the Director allows, commencing on the day on which a report was last lodged under subregulation (1) in respect of the accepted safety case.

62. Amendment of accepted safety case

- (1) A plant operator may submit amendments to an accepted safety case to the Director for approval.

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r. 63

- (2) If a report under regulation 61 recommends amendments to an accepted safety case, the plant operator must submit amendments consistent with those recommendations to the Director for approval.
- (3) The Director may approve or refuse to approve amendments submitted under subregulation (1) or (2), and is to notify the plant operator in writing of the decision.
- (4) Notification under subregulation (3) of a refusal to approve amendments is to give reasons for the refusal and guidance as to any changes needed to make the amendments acceptable.

63. Director may require amendment of accepted safety case

- (1) If the Director is satisfied that an accepted safety case will no longer produce a safe outcome, the Director may, by notice in writing, require the plant operator to make specified amendments to the accepted safety case within a specified period.
- (2) A plant operator must comply with a requirement under subregulation (1) within the specified period.
- (3) If a plant operator contravenes subregulation (2), the Director may, by notice in writing, suspend the operation of the accepted safety case with effect from the specified day until the requirement is complied with.
- (4) Before giving notice under subregulation (3), the Director is to give the plant operator a reasonable opportunity to make submissions in relation to the day to be specified in the notice for the purposes of that subregulation.
- (5) An accepted safety case does not have effect for the period of any suspension under subregulation (3).

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- (6) In subregulations (1), (2) and (3) —
“**specified**” means specified in the notice concerned.

64. Records

- (1) A plant operator must establish and maintain a system for keeping records required to be kept under subregulation (2) in relation to an accepted safety case.
- (2) The records required to be kept are copies of —
- (a) the accepted safety case;
 - (b) any amendment of the accepted safety case;
 - (c) the certificate under regulation 53(1); and
 - (d) each report in respect of the accepted safety case under regulation 61.
- (3) The plant operator must ensure that the records are kept —
- (a) at the address nominated by the plant operator in the accepted safety case;
 - (b) in a manner that makes their retrieval reasonably practicable; and
 - (c) in a secure manner.
- (4) The plant operator must ensure that each of the records is kept for a period of 5 years after its creation.

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Part 6 Review of decisions

r. 65

Part 6 — Review of decisions**65. Definitions**

In this Part —

“application for review” means an application made under regulation 67(1);**“review panel”** means a panel mentioned in regulation 68.**66. Decisions to which this Part applies**

This Part applies to a decision of the Director —

- (a) to refuse approval under regulation 17(1);
- (b) to refuse approval of a standard or code submitted under regulation 19(2);
- (c) to refuse to grant an exemption under regulation 28(1) or 50(1);
- (d) to revoke an exemption under regulation 28(1) or 50(1);
- (e) to impose, vary or revoke a condition under regulation 28(2) or 50(2);
- (f) to reject a nomination under regulation 30(3) or 52(3);
- (g) to refuse approval of a safety case under regulation 32(2);
- (h) to reject a safety case under regulation 34(1) or 56(2);
- (i) to refuse approval of an amendment submitted under regulation 39(1) or (2) or 62(1) or (2); or
- (j) to impose a requirement under regulation 40(1) or 63(1).

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Review of decisions

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r. 67

67. Application for review

- (1) A person who is aggrieved by a decision to which this Part applies may apply in writing to the Director for a review of the decision.
- (2) An application for review is to be made within 14 days after the applicant receives notice of the decision or within such further period as the Director in a particular case allows.

68. Review panel

The Director may convene a panel of 3 independent professional engineers to advise the Director in relation to an application for review.

69. Procedure on review

- (1) The Director must give the applicant a reasonable opportunity to make submissions in relation to the application for review.
- (2) The operation of a decision is not affected by an application for review unless, on application made by the applicant, the Director determines otherwise.
- (3) The Director, after considering submissions (if any) made under subregulation (1) and, if a review panel is convened, the recommendations (if any) made by the panel, may determine the application by —
 - (a) confirming the decision;
 - (b) varying the decision; or
 - (c) reversing the decision,and the determination of the Director is final.
- (4) The Director must give written notice of his or her determination to the applicant.

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Part 6 Review of decisions

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- (5) If a review panel is convened, the notice under subregulation (4) is to set out the recommendations (if any) made by the panel.
- (6) The Director may publicise his or her determination in such manner as the Director thinks fit.

70. Costs

- (1) If the Director confirms the decision under regulation 69(3)(a), the applicant is liable to pay the reasonable costs of the review.
- (2) Any costs payable by the applicant under subregulation (1) are recoverable by the Director in a court of competent jurisdiction as a debt due to the State.

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Repeal

Part 7

r. 71**Part 7 — Repeal****71. Repeal**

The *Gas Standards (Natural Gas) Regulations 1999* are repealed.

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Schedule 1 Standards and codes containing provisions compliance with
which may be evidence

**Schedule 1 — Standards and codes containing provisions
compliance with which may be evidence**

[r. 19(1)]

Public Utilities Information Manual for Western Australia (1 May 1988)

*Manual of Practice for Provision of Subdivision Services in the Perth
Metropolitan Region* published by the Urban Development Institute of Australia

*Railways of Australia Code for the Installation of Other Parties' Services &
Pipelines within Railway Boundaries*

*Planning of gas distribution systems operating at pressures not exceeding 7 bar
(IGE/GLI)* published by the Institution of Gas Engineers

*Recommendations on transmission and distribution practice, Distribution mains
(IGE/TD/3)* published by the Institution of Gas Engineers

Venting of natural gas (IGE/SR/23) published by the Institution of Gas
Engineers

AS/NZS 1020 *The control of undesirable static electricity*

AS 2832.1 — 1989 *Guide to the cathodic protection of metals*

AG 503 — 1976 *Code of Recommended Practice for Corrosion Control in
Buried and Submerged Steel Piping Systems*

Gas Standards (Gas Supply and System Safety) Regulations 2000Standards and codes containing obligatory provisions for
network operators

Schedule 2

**Schedule 2 — Standards and codes containing obligatory
provisions for network operators**

[r. 24(1)]

AS 1596 — 1997	<i>LP Gas — Storage and handling</i>
AS 1697 — 1981	<i>SAA Gas Pipeline Code</i>
AS 2430.1 — 1991	<i>Classification of hazardous areas, Part 1 Explosive Gas Atmospheres</i>
AS 2430.3 — 1991	<i>Classification of hazardous areas, Part 3</i>
AS 2885.1 — 1997	<i>Pipelines — Gas and liquid petroleum, Part 1: Design and Construction</i>
AS 2885.2 — 1995	<i>Pipelines — Gas and liquid petroleum, Part 2: Welding</i>
AS 2885.3 — 1997	<i>Pipelines — Gas and liquid petroleum, Part 3: Operations and Maintenance</i>
AS 3723 — 1989	<i>Installation and maintenance of plastic pipe systems for gas</i>
AG 603 — 1978	<i>Gas Distribution Code</i>

Gas Standards (Gas Supply and System Safety) Regulations 2000**Schedule 3 Requirements for gas plant safety case**

Schedule 3 — Requirements for gas plant safety case

[r. 49(2)]

Part 1 — Preliminary**1. Definition**

In this Schedule —

“**gas incident**” means any incident or event relating to the conveyance, control, supply or use of gas that causes or has the potential to cause —

- (a) the death of or injury to a person;
- (b) significant damage to property; or
- (c) an explosion.

2. Performance standards

If this Schedule requires a safety case to specify a performance standard in relation to an activity, that standard must be one that specifies —

- (a) who is responsible for carrying out the activity;
- (b) what has to be done in the performance of the activity;
- (c) when the activity has to be performed; and
- (d) the expected outcome of the activity.

Part 2 — Content of safety case**3. Person responsible for operation of gas plant**

A safety case must specify the title of the position, and the business address, of —

- (a) a person who has management or control of the gas plant; and
- (b) a person who has general responsibility for the safe operation of the gas plant.

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4. Person responsible for safety case

A safety case —

- (a) must specify the title of the position of a person who is responsible for preparation and submission of the safety case; and
- (b) may specify the titles of the positions of any other persons who are responsible for or contributed to the preparation and submission of any part of the safety case.

5. Plant description

- (1) A safety case must contain a plant description.
- (2) The plant description must provide a description of the structure, assets, function and operation of the gas plant to which the safety case relates.
- (3) The plant description must provide sufficient information (including plans and diagrams showing the layout and nature of the gas plant) to enable —
 - (a) the extent and scope of the assets and operations of the plant operator in relation to the gas plant; and
 - (b) the risks associated with those assets and operations,to be assessed.

6. Formal safety assessment

- (1) A safety case must contain a formal safety assessment for the gas plant.
- (2) The formal safety assessment must be consistent with the plant description and must provide —
 - (a) a description of the methodology used and investigations undertaken for the formal safety assessment;
 - (b) an identification of all hazards having the potential to cause a gas incident;

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- (c) a detailed and systematic assessment of risk, including the likelihood and consequences of a gas incident; and
 - (d) a description of technical and other measures undertaken, or to be undertaken, to reduce that risk as far as is practicable.
- (3) The formal safety assessment must include copies of any reports arising from the studies and investigations undertaken for the purposes of the formal safety assessment.

7. Safety management system

A safety case must specify, in accordance with Part 3, the safety management system followed or to be followed in relation to the gas plant.

8. Reporting of gas incidents

A safety case must specify the procedures to be followed by the plant operator for the reporting of gas incidents in relation to the gas plant.

9. Address where records kept

A safety case must specify the address at which all records relating to the safety case are to be kept.

Part 3 — Content of safety management system**10. Safety policy**

A safety management system must specify —

- (a) the plant operator's safety policy;
- (b) the title of the position of the person responsible for determining the safety policy; and
- (c) the means by which the safety policy is or is to be communicated to all persons required to implement the policy.

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11. Organisational structure and responsibilities

A safety management system must specify the titles of the positions and the duties of the persons responsible for the implementation of the safety policy.

12. Published codes, standards and specifications

A safety management system must specify all published technical codes, standards or specifications applied to or used or to be used in the design, construction, installation and operation of the gas plant.

13. Means of ensuring adequacy of design, construction, etc.

A safety management system must specify the means used or to be used by the plant operator to ensure that the design, construction, installation, operation and maintenance of the gas plant and any modification of the gas plant —

- (a) are adequate for the safety and safe operation of the gas plant;
- (b) provide adequate means of achieving isolation of the gas plant or any part of the gas plant in the event of an emergency;
- (c) provide adequate means of gaining access for servicing and maintenance of the gas plant and machinery and other equipment;
- (d) provide adequate means of maintaining the structure and operation of the gas plant; and
- (e) take into account the results of the formal safety assessment for the gas plant.

14. Control systems

- (1) A safety management system must specify the control systems to be used for the gas plant including —
 - (a) alarm systems;
 - (b) fire and gas detection and protection systems;
 - (c) temperature and pressure control systems; and

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(d) emergency shut-down systems.

- (2) The control systems specified must be adequate for the normal operation of the gas plant and for any reasonably foreseeable emergency.

15. Machinery and equipment

A safety management system must, where relevant specify —

- (a) the critical equipment (including process equipment, machinery and electrical and instrumentation systems) that relates to, or may affect, the safety of the gas plant; and
- (b) the systems in place to ensure that the equipment is fit for the purpose —
 - (i) for which it is used in normal operating conditions; and
 - (ii) to the extent that it is intended to function, or be used, in an emergency.

16. Emergency preparedness

- (1) A safety management system must specify a response plan designed to address all reasonably foreseeable gas related emergencies that have been identified through the formal safety assessment.
- (2) The response plan must —
 - (a) ensure the safety of the public; and
 - (b) specify the performance standards to be used to ensure the continued safe operation and structural safety of the gas plant.

17. Emergency communications systems

- (1) A safety management system must specify communications systems that, in the event of an emergency, are adequate for communication —
 - (a) within the gas plant; and
 - (b) with the relevant fire authorities and emergency service authorities.

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- (2) In particular, a safety management system must provide for the communications systems to be —
 - (a) adequate to handle —
 - (i) a likely emergency in, or relating to, the gas plant;
and
 - (ii) the normal operational requirements of the gas plant;
and
 - (b) protected so as to be capable of operation in an emergency to the extent specified by the formal safety assessment for the gas plant.

18. Internal monitoring, auditing and reviewing

- (1) A safety management system must specify the work practices or processes to be used by the plant operator for monitoring, auditing and reviewing the implementation of the safety policies, objectives, procedures and performance standards specified in the safety management system.
- (2) A safety management system must specify the procedures to be used to ensure the ongoing effectiveness of the work practices or processes specified under subclause (1) being procedures that enable —
 - (a) regular and systematic identification of deficiencies in those work practices or processes; and
 - (b) regular and systematic improvement of those work practices or processes.

19. Gas incident recording, reporting and investigation

A safety management system must specify —

- (a) the performance standards to be used for recording and investigating gas incidents; and
- (b) the management systems to be used for reviewing and taking action on the information so recorded or arising from those investigations.

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20. Training

- (1) A safety management system must specify the work and staffing systems to be used in relation to the gas plant to ensure, as far as is practicable, that —
- (a) each area of safety critical work in relation to the gas plant is assessed to identify the minimum skills, knowledge and experience requirements for a person assigned to carry out that work;
 - (b) only persons with the skills, knowledge and experience appropriate to an area of safety critical work are assigned to carry out that work; and
 - (c) any training necessary for persons assigned to carry out safety critical work is provided.
- (2) In subclause (1) —
- “safety critical work”** means anything related to the conveyance, control, supply or use of gas that —
- (a) is done by, for, or with the authority of, a plant operator in the course of the construction, maintenance, repair or operation of any part of a gas plant; and
 - (b) may affect the safety of the gas plant.

By Command of the Administrator,

ROD SPENCER, Clerk of the Executive Council.

Gas Standards (Gas Supply and System Safety) Regulations 2000**Defined Terms****Defined Terms**

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

Defined Term	Provision(s)
accepted safety case.....	3(1)
AG.....	3(1)
application for review.....	65
AS.....	3(1)
AS/NZS.....	3(1)
auditing period.....	38(3), 61(3)
badged capacity.....	3(1)
commencement.....	14
cubic metre.....	3(1)
determined safety case.....	57(1)
distribution system.....	3(1)
employee.....	3(1)
former distribution system.....	26(3)
gas incident.....	42, Schedule 3
gas plant.....	3(1)
higher heating value.....	3(1)
implementation day.....	3(1)
implementation plan.....	31(1)(e)
ISO.....	3(1)
lower heating value.....	3(1)
LPG.....	3(1)
m ³	3(1)
major activity.....	22(1)
major discharge.....	42
master meter.....	3(1)
meter.....	3(1)
natural gas.....	3(1)
network operator.....	3(1)
nominated auditor.....	3(1)
notifiable incident.....	42
plant operator.....	3(1)
prescribed activity.....	3(1), 60(1)
prescribed pressure.....	4(1)
private property.....	42
quarter.....	3(1)

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Defined Term	Provision(s)
review panel	65
safety case	3(1)
safety critical work	Schedule 3
serious damage	42
serious injury	42
simulated natural gas	4(1)
specified	40(6), 63(6)
tempered LPG	4(1)
utilised	3(1)
Wobbe index	5(1)



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