

EN302*

Gas Standards Act 1972

**Gas Standards (Gasfitting and Consumer Gas
Installations) Amendment Regulations
(No. 2) 2007**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Gas Standards (Gasfitting and Consumer Gas Installations) Amendment Regulations (No. 2) 2007*.

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 on which the *Gas and Electricity Safety Legislation Amendment Act 2007* section 21 comes into operation.

3. The regulations amended

The amendments in these regulations are to the *Gas Standards (Gasfitting and Consumer Gas Installations) Regulations 1999*.

4. Regulation 3 amended

Regulation 3(1) is amended as follows:

- (a) by deleting the definition of “Type A appliance”;
- (b) the definition of “Type B appliance” is amended by deleting “Type A appliance” and inserting instead —
“ Type A gas appliance ”.

5. Part 4A inserted

After regulation 31 the following Part is inserted —

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Part 4A — Appeals under section 13N(1)(b) of the Act

31A. Terms used in this Part

In this Part —

“**appeal**” means an appeal under section 13N(1)(b) of the Act;

“**appellant**” means a person aggrieved who commences an appeal;

“**technical review panel**” means a panel mentioned in section 13N(1)(b) of the Act.

31B. Technical review panel

- (1) If an appeal is made under section 13N(1)(b) of the Act, the chief executive officer must convene a technical review panel.
- (2) The technical review panel is to consist of 3 professional engineers who are competent to deal with the matter the subject of the appeal appointed by the chief executive officer from individuals nominated by the President of the Western Australian Division of The Institution of Engineers Australia.

- (3) The chief executive officer must appoint one of the members of the technical review panel to be the chairperson.
- (4) The chief executive officer may —
 - (a) direct that the members of the technical review panel are to be paid remuneration; and
 - (b) determine the amount of any such payments on the recommendation of the Minister for Public Sector Management.
- (5) The chief executive officer must provide the technical review panel with such support services as it may reasonably require.

31C. Procedure

- (1) An appeal must be commenced by the appellant giving the chief executive officer a notice of appeal.
- (2) The notice of appeal must —
 - (a) be in writing; and
 - (b) set out the grounds of appeal; and
 - (c) set out any representations that the appellant wishes to make in support of the appeal.
- (3) The notice of appeal must be given to the chief executive officer within 30 days after the day on which the appellant received written notice of the Director's determination under section 13M(4) of the Act.
- (4) The chief executive officer must give the technical review panel the notice of appeal as soon as practicable after the technical review panel is convened.
- (5) Subject to subregulation (6), the technical review panel may determine its own procedure.
- (6) The technical review panel must give the Director —
 - (a) a copy of the notice of appeal; and
 - (b) a reasonable opportunity to make submissions in relation to the appeal.
- (7) The technical review panel must complete the review by making a decision under section 13N(3) of the Act within the period specified by the chief executive officer in writing.
- (8) The technical review panel must give the appellant and the Director written notice of its decision made under section 13N(3) of the Act.

6. Regulation 35 amended

Regulation 35(1) is amended by deleting “Type A appliance” and inserting instead —

“ Type A gas appliance ”.

7. Regulation 42B inserted

After regulation 42A the following regulation is inserted in Part 6 —

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42B. Type A gas appliance

For the purposes of the definition of “Type A gas appliance” in section 4 of the Act, gas appliances of the class or type specified in the Table to this regulation are prescribed.

Type A gas appliance

1.	Domestic cooking appliances
2.	Domestic space heating appliances having a maximum hourly input rate of 150 megajoules
3.	Domestic refrigerators
4.	Domestic outdoor barbecue grillers
5.	Water heaters
6.	Swimming pool heaters
7.	Commercial catering equipment — boiling tables, open and closed top
8.	Catalytic spaceheaters having a maximum hourly input rate of 20 megajoules
9.	Domestic decorative gas log fires having a maximum hourly input rate of 72 megajoules
10.	Incinerating toilets
11.	Cooking, lighting or heating appliances that use LPG and are designed for outdoor use
12.	Commercial catering equipment — salamanders and grillers
13.	Commercial catering equipment — solid griller plates, griddles
14.	Commercial catering equipment — barbecue grillers
15.	Commercial catering equipment — ovens
16.	Commercial catering equipment — boiling water units
17.	Commercial catering equipment — stock pots
18.	Commercial catering equipment — atmospheric steamers
19.	Commercial catering equipment — fryers
20.	Commercial catering equipment — food warmers, Bain-Marie
21.	Commercial catering equipment — convection ovens
22.	Laundry dryers

23.	Overhead heaters
24.	Industrial mobile air heaters
25.	Indirect fired air heaters
26.	Air conditioning units

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8. Schedule 1 repealed

Schedule 1 is repealed.

9. Schedule 6 amended

Schedule 6 clause 501(1) is amended by deleting “A Type A appliance” and inserting instead —

“ A Type A gas appliance ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.