



August 2004

The Gas Amendment Regulations 2004

Introduction

An amendment to the Gas Regulations 1993 is effective from 2 September 2004.

Changes

The amendment:

- ⊙ revises the cited Standards for gas distribution networks, gas installations and gas appliance safety, by citing the following Standards in a new regulation 2A:
 - NZS 5258: 2003 Gas Distribution Networks
 - NZS 5261: 2003 Gas Installations
 - NZS 5262: 2003 Gas Appliance Safety
- ⊙ also consolidates the definitions of all other Standards in regulation 2A, for easy reference
- ⊙ inserts a new regulation 6 stating that a distribution system operator is deemed to have complied with the obligation to keep records and plans if the operator has complied with relevant sections of Part 3 of NZS 5258
- ⊙ inserts a new regulation 7, which requires every owner and operator of a distribution system or part of a distribution system to take all practicable steps to ensure that the system or part is designed, constructed, maintained, and operated in a manner that, as far as practicable, achieves continuity of supply, safety, and satisfactory operation. Compliance with Parts 2 and 3 of NZS 5258 is deemed to be compliance with this obligation
- ⊙ inserts a new regulation 12 that requires certain gas installations to be installed in accordance with Part 1 of NZS 5261. Part 2 and Part 3 of NZS 5261 provide means of compliance with this obligation, for certain types or parts of installations
- ⊙ inserts a new regulation 14 which requires gas appliances that are sold or intended for sale to be marked in accordance with section 5 of NZS 5262. A transitional provision has been included to allow gas appliances sold for the first time in New Zealand before 1 August 2005 to comply with the regulations in force immediately before these regulations come into force
- ⊙ updates the offence provisions in regulation 37.

Gas Distribution Networks

The latest version of NZS 5258 expresses requirements in a performance based style and brings the Standard into line with the Australian Standard for gas networks. It also introduces in Part 1 the concept of safety management systems, which is broadly similar to the concept of safety cases used in Australia.

Note that Part 1 of NZS 5258 is not cited in the Regulations. The intention is that it will be cited once safety management systems are required through an amendment to the Gas Act 1992. However, in the interim the development and use of systems as set out in Part 1 of NZS 5258 would be a sound way of helping to fulfil the obligation of regulation 7(1).

Gas Installations

The latest version of NZS 5261 addresses concerns of the gasfitting industry regarding adequacy of information and specificity in Parts 2 and 3.

Note that safety obligations for gas installations are set out in Part 1 of NZS 5261.

If the installation contains no appliances with a rated input of more than 250 MJ/h, Part 2 of NZS 5261 may be used as a means of compliance with Part 1. Part 2 may also be relevant to larger installations (e.g. domestic installations that contain one or more appliances with a rated input of more than 250 MJ/h). However, the installer will need to be mindful that the presence of larger appliances may place the installation outside the scope of Part 2, in which case Part 3 should be used.

Part 3 of NZS 5261 is intended particularly for large specialised installations.

Gas Appliance Safety

The latest version of NZS 5262 updates the requirements for new gas appliances. This Standard is drawn substantially from the European approach of setting out safety obligations for gas appliances. It also identifies a number of specific appliance standards that may be used for demonstrating compliance with those obligations. Note however, that there are some caveats on the use of those 'means of compliance' Standards, e.g. the need to ensure compatibility with New Zealand gases.

For more information

These Business Notes outline the significant changes to the Gas Regulations 1993. They are merely a guide and are not intended to be complete or authoritative explanations of the changes.

Details of all new provisions are contained in the Gas Amendment Regulations 2004 which are available on the Energy Safety Service (ESS) website - www.ess.govt.nz - or available from bookshops selling government legislation.

The amendment has been incorporated into the 'Consolidated Gas Regulations 1993' which is also available from the ESS website. The amendment is highlighted for easy reference. The Standards cited in the regulations may be purchased from Standards New Zealand, 155 The Terrace, Private Bag 2439 Wellington, www.standards.co.nz, ph 0800 STANDARDS (0800 782 632).