



# Victoria Government Gazette

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**SPECIAL**

## Subordinate Legislation Act 1994

### REGULATORY IMPACT STATEMENT

#### Gas Safety (Installation) Regulations 1998

Notice is given under section 11 of the **Subordinate Legislation Act 1994**, that a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Gas Safety (Installation) Regulations 1998.

The **Gas Safety Act 1997** established the Office of Gas Safety ("OGS") to assume the safety regulatory functions previously performed by the Gas and Fuel Corporation. The OGS is responsible for the administration of gas safety standards, oversight of the safety of the gas industry, public education with respect to gas safety issues, the investigation of incidents with implications for gas safety, and the protection of consumers through appliance approval processes.

The main hazards associated with gas installations result from inadequate equipment standards, defective design, poor workmanship, defective materials, inadequate verification, improper operation and inadequate maintenance. The consequences are:

- fire or explosion from ignition of leaking gas;
- unsafe atmospheres in working or living spaces, either due to lack of oxygen or the presence of toxic combustion products; and
- fires and other damage caused by unacceptably high levels of heat transfer from an appliance to adjacent structures or objects.

The objective of the proposed Regulations is to preserve and enhance community safety through and beyond, the period of restructuring of the Victorian gas industry. The objective is to be achieved by:

- prescribing general and specific standards for gas appliances;
- prescribing general and specific standards for work performed on gas installations; and
- providing for verification that gasfitting work, gas appliances and gas installations, comply with prescribed standards.

The prescribed standards will apply to all gaseous fuels. Where available, the proposed Regulations invoke appropriate Australian standards (for example, AG601, *Gas Installation Code* and AG501, *Code for Industrial and Commercial Gas Fired Appliances*) so as to maintain consistency with the regulatory regimes of other jurisdictions, and to minimise compliance burdens for industry as far as possible. By prescribing objective safety standards, based on nationally developed guidelines, the proposed Regulations offer the most effective and efficient mechanism for the maintenance of community safety.

As an alternative to the proposed Regulations, the Act grants the OGS the discretion to introduce a requirement for applicants (for appliance or installation approval), to demonstrate how they are to achieve safe outcomes, in the absence of prescriptive regulations. Each application would be assessed on a case by case basis against safety criteria or administrative guidelines, developed by the OGS. However, at this stage of the industry's development, this alternative is not considered feasible for the oversight of installation safety as it would involve significant compliance and enforcement costs.

An RIS has been prepared to examine the proposed Regulations and consider and evaluate alternatives. It concludes that the objectives could best be achieved by making the Regulations and that the benefits of the proposals exceed the costs.

Copies of the RIS may be obtained by contacting Mr Lou Citroen from the Office of Gas Safety on 9341 3800 between 9.00 a.m. and 5.00 p.m. on weekdays, or collected from Level 1, Wool House, 369 Royal Parade, Parkville.

Public comments or submissions are invited on the proposed Regulations and RIS. All comments and submissions must be in writing and must be received at the above address by no later than 5.00 p.m. on 3 December 1998.

All submissions will be treated as public documents.

ALAN R. STOCKDALE  
Treasurer

**Subordinate Legislation Act 1994  
Electricity Safety Act 1998**

**ELECTRICITY SAFETY (ELECTRICAL  
APPEALS BOARD) REGULATIONS 1998  
Notice of Regulatory Impact Statement**

In accordance with the **Subordinate Legislation Act 1994** notice is given that a Regulatory Impact Statement has been prepared in relation to the proposed Electricity Safety (Electrical Appeals Board) Regulations 1998.

The proposed regulations will be made under section 70 and 157 of the **Electricity Safety Act 1998**.

The primary objective of the proposed regulations is to provide industry with a mechanism to appeal certain decisions made by the Office of the Chief Electrical Inspector. The regulations prescribe procedures and fees for appeals to the Electrical Appeals Board and particulars regarding the reporting of the exercise of powers of entry by the Office of the Chief Electrical Inspector for purposes of safety compliance.

The Regulatory Impact Statement observes that the costs associated with the administration of the Electrical Appeals Board must be recovered. It recognises that the objective of the appeals process would not be upheld if the fees to initiate an appeal were set at a level to recover the total cost of an appeal, as this would be financially prohibitive to many parties contemplating an appeal. It also recognises that a level of fee must be set to discourage frivolous appeals. The Regulatory Impact Statement concludes that the partial recovery of the costs associated with the appeals process is both equitable, and consistent with the proper administration of such a review process.

A copy of the Regulatory Impact Statement and of the proposed Regulations can be obtained from the Office of the Chief Electrical Inspector, Level 3, 4 Riverside Quay, Southbank or by telephoning (03) 9203 9772.

Public comments and written submissions are invited and will be received up to 28 days from the date of publication of this notice.

Submissions should be addressed to Mrs Kathy Godfrey, Manager, Legal, Office of the Chief Electrical Inspector, P.O. Box 262, Collins Street West, Victoria 8007.

IAN GRAHAM  
Chief Electrical Inspector

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