



# Gas Amendment Regulations 2002

Silvia Cartwright, Governor-General

## Order in Council

At Wellington this 16th day of September 2002

Present:

Her Excellency the Governor-General in Council

Pursuant to sections 54 and 55 of the Gas Act 1992, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister of Energy after consultation in accordance with section 54(6) of that Act, makes the following regulations.

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## Regulations

### 1 Title

- (1) These regulations are the Gas Amendment Regulations 2002.
- (2) In these regulations, the Gas Regulations 1993<sup>2</sup> are called “the principal regulations”.

<sup>2</sup> SR 1993/76

### 2 Commencement

- (1) These regulations (except regulations 13 and 24(3)) come into force on the 28th day after the date of their notification in the *Gazette*.
- (2) Regulations 13 and 24(3) come into force on 18 November 2002.

### 3 Interpretation

- (1) Regulation 2(1) of the principal regulations is amended by inserting, in their appropriate alphabetical order, the following definitions:

“**Act** means the Gas Act 1992

“**all practicable steps**, in relation to achieving any result in any circumstances, means all steps to achieve the result that it is reasonably practicable to take in the circumstances, having regard to—

- “(a) the nature and severity of the harm or damage to property that may be suffered if the result is not achieved; and

- “(b) the current state of knowledge about the likelihood that harm or damage to property of that nature and severity will be suffered if the result is not achieved; and
- “(c) the current state of knowledge about harm or damage to property of that nature; and
- “(d) the current state of knowledge about the means available to achieve the result, and about the likely efficacy of each; and
- “(e) the availability and cost of each of those means

“**harm** means illness, injury, or both

“**hazard** means an activity, arrangement, circumstance, event, occurrence, phenomenon, process, situation, or substance that is an actual or potential cause or source of—

“(a) harm; or

“(b) damage to property

“**NZS 5262** means the New Zealand Standard known as NZS 5262:1997 (Gas Appliance Safety)

“**safe**,—

“(a) in relation to a person, means not exposed to any hazards; and

“(b) in every other case, means free from hazards

“**supply** includes supply (or resupply) by way of gift, sale, exchange, lease, hire, or hire purchase

“**website** means the Internet website maintained by, or on behalf of, the Secretary for the purpose of publishing supplier declarations (whether or not the website is also maintained for other purposes).”

- (2) Regulation 2(1) of the principal regulations is amended by revoking the definition of **CNG**, and substituting the following definition:

“**CNG** means compressed gas consisting of more than 50% methane by volume”.

- (3) Regulation 2(1) of the principal regulations is amended by revoking the definition of **CNG station**, and substituting the following definition:

“**CNG station** means a CNG gas installation supplying CNG for use in vehicle cylinders, transportable cylinders, or both types of cylinder”.

- (4) Regulation 2(1) of the principal regulations is amended by omitting from paragraph (a) of the definition of **competent organisation** the words “ISO/IEC Guide 25”, and substituting the words “ISO 17025”.
- (5) Regulation 2(1) of the principal regulations is amended by omitting from paragraph (c) of the definition of **competent organisation** the expression “15, 18”, and substituting the expression “19”.
- (6) Regulation 2(1) of the principal regulations is amended by revoking the definition of **ISO/IEC Guide 25**, and substituting the following definition:  
“**ISO 17025** means ISO 17025: ISO/IEC 17025:1999, General requirements for the competence of testing and calibration laboratories, published by the International Organisation for Standardisation”.

#### 4 Suitability of gas

- (1) Regulation 3(1) of the principal regulations is amended by omitting the words “5442, New Zealand Specification for Natural Gas”, and substituting the words “5442:1999, Specification for Reticulated Natural Gas”.
- (2) Regulation 3(2) of the principal regulations is amended by omitting the expression “5435”, and substituting the expression “5435:1996”.

#### 5 Gas pressure

The principal regulations are amended by revoking regulation 4(2)(b), and substituting the following paragraph:

“(b) the creation of hazardous levels of carbon monoxide—”.

#### 6 Safety of distribution systems

Regulation 7(a) of the principal regulations is amended by omitting the words “immunity from danger”, and substituting the word “safety”.

#### 7 Measurement of gas

- (1) Regulation 9(4) of the principal regulations is amended by omitting the expression “5425:”, and substituting the expression “5425:1984:”.

- (2) Regulation 9(7) of the principal regulations is amended by omitting the expression “5259:1991”, and substituting the expression “5259:1997”.

### **8 Testing and installation of gas measurement systems**

Regulation 10(7) of the principal regulations is amended by omitting the expression “5259:1991”, and substituting the expression “5259:1997”.

### **9 Requests for tests to be carried out on gas measurement systems**

Regulation 11 of the principal regulations is amended by inserting, after subclause (2), the following subclause:

- “(2A) The Secretary must conduct, or arrange for, a test of the accuracy of the gas measurement system as soon as practicable after receiving the request (unless the request is withdrawn).”

### **10 Safety of gas installations**

Regulation 12(1) of the principal regulations is amended by omitting the words “gas appliances and fittings to which regulation 18 applies”, and substituting the words “fittings used in connection with a CNG station”.

### **11 New regulation 13 substituted**

The principal regulations are amended by revoking regulation 13, and substituting the following regulation:

#### **“13 Safety of gas appliances and fittings**

- “(1) This regulation applies to every person who manufactures, imports, sells or offers for sale, hires out, leases out, or installs a gas appliance or fitting.
- “(2) Every person to whom this regulation applies must take all practicable steps to ensure that the gas appliance or fitting is safe in all reasonably foreseeable circumstances.
- “(3) Without limiting subclause (2), a gas appliance is not safe if it does not comply with NZS 5262.
- “(4) Without limiting subclause (2), a fitting is not safe if—
- “(a) it has a gas leakage; or

“(b) it is operated in a manner that is hazardous when exposed to any reasonably foreseeable torques, pressures, or chemical or physical conditions.

“(5) Despite subclause (4)(a), minute leakages from some fittings are permissible under relevant testing procedures.”

## **12 New regulation 14 substituted**

The principal regulations are amended by revoking regulation 14, and substituting the following regulation:

### **“14 Marking of appliances**

“(1) Every gas appliance sold or intended for sale must be permanently and clearly marked in English with the following information:

“(a) the name or registered tradename or mark of the manufacturer or New Zealand supplier:

“(b) the appliance type:

“(c) the model number of the appliance:

“(d) the type of gas the appliance may safely use:

“(e) the gas pressure at which the appliance is designed to operate:

“(f) the input rating (gas consumption) of the appliance:

“(g) the standard (if any) to which the appliance was constructed or tested.

“(2) Liquefied petroleum gas appliances supplied from refillable cylinders that operate at cylinder pressure do not have to be marked with the information specified in subclause (1)(d), (e), or (g).

“(3) Liquefied petroleum gas appliances connected to disposable canisters do not have to be marked with the information specified in subclause (1)(c), (d), (e), or (g).”

## **13 New regulations 15 to 15F substituted**

The principal regulations are amended by revoking regulation 15, and substituting the following regulations:

### **“15 Appliances and fittings to which regulations 15A to 15F apply**

Regulations 15A to 15F apply to the following:

“(a) all gas appliances; and

- “(b) any fitting that the Secretary has specified, by notice in the *Gazette*, to be of a type to which regulations 15A to 15F apply (a **specified fitting**).

**“15A Manufacturer or importer must make supplier declaration**

- “(1) This regulation applies to—
  - “(a) all persons who manufacture gas appliances or specified fittings in New Zealand; and
  - “(b) all importers of gas appliances or specified fittings.
- “(2) Every person to whom this regulation applies must, before that person supplies a gas appliance or specified fitting in New Zealand, make a supplier declaration that relates to the appliance or fitting and either—
  - “(a) publish the declaration on the website; or
  - “(b) if the declaration relates to fewer than 11 appliances or fittings of the same type,—
    - “(i) notify the Secretary that the person elects to comply with this paragraph instead of publishing the declaration on the website; and
    - “(ii) give a copy of the declaration to the person to whom the person supplies the appliance or fitting.
- “(3) The manufacturer or importer of a gas appliance or a specified fitting must, if he or she elects to comply with subclause (2)(b),—
  - “(a) maintain a record of the name and address of the person to whom the manufacturer or importer supplied the appliance or fitting in New Zealand; and
  - “(b) keep the record for at least 7 years after the date that the manufacturer or importer supplied the appliance or fitting in New Zealand; and
  - “(c) make the supplier declaration and the record available to the Secretary within 10 working days of a request being made by the Secretary (unless the request relates to a record that is no longer required to be kept under paragraph (b)).
- “(4) Notification under subclause (2)(b)(i) must be in the form prescribed by the Secretary for the purpose by notice in the *Gazette*, if the Secretary has prescribed a form.

**“15B Contents of supplier declaration**

“(1) Every supplier declaration must—

- “(a) be in the form prescribed for the purpose by the Secretary by notice in the *Gazette*, if the Secretary has prescribed a form; and
- “(b) specify the full name of the manufacturer or importer and the full name of the person making the declaration; and
- “(c) specify the full address of the manufacturer or importer and the full address of the person making the declaration (including an email address, if any); and
- “(d) identify the gas appliances or specified fittings covered by the declaration; and
- “(e) identify, in relation to the gas appliances or specified fittings covered by the declaration,—
  - “(i) any standards that have been complied with; and
  - “(ii) any testing or certification that has been undertaken; and
- “(f) include a statement that the manufacturer or importer has complied with—
  - “(i) regulations 13 and 14 in relation to all gas appliances covered by the declaration; and
  - “(ii) regulation 13 in relation to all specified fittings covered by the declaration.

“(2) For the purposes of subclause (1)(a), the Secretary may prescribe—

- “(a) a form that may only be used for declarations that are to be published on the website; and
- “(b) a form that may only be used for declarations made under regulation 15A(2)(b).

**“15C Management of website**

“(1) Every manufacturer or importer who is required to publish a supplier declaration on the website must ensure that he or she has—

- “(a) registered with the Secretary so as to enable the manufacturer or importer to publish supplier declarations on the website; and
- “(b) supplied to the Secretary any information reasonably required by the Secretary to register the manufacturer or importer.

“(2) The Secretary—

“(a) may remove from the website any supplier declaration that appears to the Secretary to be incorrect, frivolous, non-complying, or outdated; and

“(b) must promptly send notice of the removal to the manufacturer or importer.

#### “15D Supply of documents

“(1) Every manufacturer or importer of a gas appliance or a specified fitting must, within 10 working days of a request being made by the Secretary, supply to the Secretary a document or documents that demonstrate that the manufacturer or importer has,—

“(a) in the case of a gas appliance, complied with regulations 13 and 14 in relation to the gas appliance; or

“(b) in the case of a specified fitting, complied with regulation 13 in relation to the specified fitting.

“(2) The manufacturer or importer must supply with any document that is supplied an accurate English translation of the whole or any part of that document if the document or that part is in a language other than English.

#### “15E Duty to provide copy of supplier declaration

“(1) Every person who is supplied with a gas appliance or a specified fitting to which a declaration under regulation 15A(2)(b) relates must provide a copy of the declaration to—

“(a) any other person to whom the person supplies the appliance or fitting; and

“(b) any other person who installs the appliance or fitting.

“(2) The copy of the declaration must be provided,—

“(a) in the case of subclause (1)(a), before or when the appliance or fitting is supplied; and

“(b) in the case of subclause (1)(b), before or when the appliance or fitting is installed.

#### “15F Other suppliers and installers must check that declaration published or supplied

“(1) Every person who supplies a gas appliance or a specified fitting in relation to which a supplier declaration is required to be made under regulation 15A, other than the manufacturer or importer, must,—

- “(a) before supplying the appliance or fitting,—
  - “(i) ensure that a supplier declaration relating to the appliance or fitting is published on the website; or
  - “(ii) in the case of an appliance or fitting to which a declaration under regulation 15A(2)(b) relates, ensure that he or she obtains a copy of the supplier declaration relating to the appliance or fitting; and
- “(b) in the case of an appliance or fitting to which a declaration under regulation 15A(2)(b) relates,—
  - “(i) maintain a record of the name and address of the person to whom the person has supplied the appliance or fitting; and
  - “(ii) keep the record for at least 7 years after the date that the appliance or fitting is supplied by the person; and
  - “(iii) make the record available to the Secretary within 10 working days of a request being made by the Secretary (unless the request relates to a record that is no longer required to be kept under subparagraph (ii)).
- “(2) Every person who installs a gas appliance or a specified fitting in relation to which a supplier declaration is required to be made under regulation 15A must, before installing the appliance or fitting,—
  - “(a) ensure that a supplier declaration relating to the appliance or fitting is published on the website; or
  - “(b) in the case of an appliance or fitting to which a declaration under regulation 15A(2)(b) relates, ensure that he or she obtains a copy of the supplier declaration relating to the appliance or fitting.”

#### **14 New regulation 16 substituted**

The principal regulations are amended by revoking regulation 16, and substituting the following regulation:

#### **“16 Repairs, modifications, and adjustments to appliances and fittings**

- “(1) Every person who repairs, modifies, or makes adjustments to a gas appliance or fitting must take all practicable steps to ensure that the appliance or fitting is safe in all reasonably

foreseeable circumstances before the appliance or fitting is returned to service.

- “(2) Without limiting subclause (1), a gas appliance is not safe if it does not comply with NZS 5262.
- “(3) Without limiting subclause (1), a fitting is not safe if—
- “(a) it has a gas leakage; or
  - “(b) it is operated in a manner that is hazardous when exposed to any reasonably foreseeable torques, pressures, or chemical or physical conditions.
- “(4) Despite subclause (3)(a), minute leakages from some fittings are permissible under relevant testing procedures.”

## **15 Responsibility for safe operation and use of gas appliances and fittings**

Regulation 17 of the principal regulations is amended by revoking subclause (1), and substituting the following subclause:

- “(1) Every person who owns, operates, or uses any fittings, gas appliance, or gas installation must take all reasonable steps to ensure that the fittings, appliance, or installation is in a safe condition, is operated in a safe manner, and is maintained in a safe condition.”

## **16 New regulations 18 to 19A substituted**

The principal regulations are amended by revoking regulations 18 and 19, and substituting the following regulations:

### **“18 Particular requirements for CNG stations**

- “(1) This regulation applies to every person who owns or installs a CNG station.
- “(2) Every person to whom this regulation applies must take all practicable steps to ensure that the CNG station is designed and installed in a manner that ensures that the station is safe in all reasonably foreseeable circumstances.
- “(3) Without limiting subclause (2), a CNG station is not safe if—
- “(a) the CNG compressor of the station allows the ingress of air; or
  - “(b) any refuelling hose or assembly is of a kind that does not prevent electrostatic ignition; or

- “(c) any refuelling probe is of a design that does not minimise wear on seals or minimise any other effects that may result in a sudden gas release during refuelling.
- “(4) If a CNG compressor complies with Part 2 of NZS 5425:1996 (Code of Practice for CNG Compressor and Refuelling Stations), it is deemed to be safe in all reasonably foreseeable circumstances.
- “(5) Every person who owns or installs a fast fill CNG station is deemed to have complied with this regulation, in relation to that station, if he or she has complied with Part 1 of NZS 5425:1994 (Code of Practice for CNG Compressor and Refuelling Stations).
- “(6) Every person who owns or installs a slow (trickle) fill CNG station is deemed to have complied with this regulation, in relation to that station, if he or she has complied with Part 4 of NZS 5425:1994 (Code of Practice for CNG Compressor and Refuelling Stations).
- “(7) Subclauses (5) and (6) are subject to subclause (4).

**“19 Sealing of pressure limiting devices and metering units**

- “(1) Every person who owns or installs a CNG station must ensure that every pressure limiting device and metering unit of a CNG station is sealed.
- “(2) Only competent organisations or the Secretary may make or break the seal or adjust those fittings.

**“19A Maintenance and operation of CNG stations**

- “(1) Every owner and every operator of a CNG station must take all practicable steps to ensure that the CNG station is—
- “(a) maintained in a safe condition; and
- “(b) operated safely.
- “(2) Compliance with GCP 2 is deemed to be compliance with this regulation.”

**17 Inspection of CNG stations**

Regulation 22 of the principal regulations is amended by omitting the words “and appliances” in both places where they appear.

## **18 Records**

- (1) Regulation 23(1)(c) of the principal regulations is amended by omitting the expression “section 5”, and substituting the expression “section 4”.
- (2) Regulation 23(2) of the principal regulations is amended by omitting the expression “clause 8.3.1”, and substituting the expression “clause 7.3.1”.
- (3) Regulation 23(3)(a) of the principal regulations is amended by omitting the expression “regulation 18(6)”, and substituting the expression “regulation 19”.

## **19 New regulations 24 to 24B substituted**

The principal regulations are amended by revoking regulation 24, and substituting the following regulations:

### **“24 Certification of gasfitting**

- “(1) For the purposes of section 47(1) of the Act, this regulation and regulations 24A and 24B apply to the following kinds of gasfitting:
  - “(a) newly constructed gas installations:
  - “(b) extensions, additions, and replacements to existing gas installations:
  - “(c) alterations to gas installations that result in repositioning of pipework or changes to the operation of the installation:
  - “(d) repairs to gas installations, gas appliances, or fittings following accidents that are notifiable under section 17 of the Act.
- “(2) Every person who is responsible for carrying out any gasfitting to which this regulation applies, or, if that person is acting under supervision, the person who is responsible for that supervision, must ensure that the gasfitting is certified,—
  - “(a) in the case of gasfitting carried out by a gas inspector, by that inspector; or
  - “(b) in the case of gasfitting carried out under section 57(1) or (3) of the Plumbers, Gasfitters, and Drainlayers Act 1976, or under an employer licence granted under section 39A of that Act, by the person carrying out the work, or, if that person is acting under supervision, by the person who is responsible for that supervision; or
  - “(c) in the case of gasfitting carried out under section 57(5) of that Act, by a craftsman gasfitter, a person authorised

under section 57(1)(d) of that Act, or a registered gas-fitter acting under the authority of a craftsman gasfitter;  
or

“(d) in any other case, by a craftsman gasfitter.

**“24A Certification requirements**

“(1) Certification of gasfitting must be completed within 10 working days of the completion of the work.

“(2) The certificate must contain—

“(a) an accurate description of the relevant gasfitting; and

“(b) a statement that the appliances and fittings worked on are safe; and

“(c) a statement that the gasfitting was carried out in accordance with all applicable requirements of the Act and these regulations; and

“(d) a statement that the gasfitting that the certification applies to does not make other parts of the installation unsafe or otherwise non-compliant with the Act or these regulations; and

“(e) in the case of an appliance or fitting that has been imported or manufactured by a person for their own use, a statement that the appliance or fitting has been imported or manufactured by a person for their own use.

“(3) The certificate must be in the form approved by—

“(a) the Secretary (by notice in the *Gazette*), in the case of gasfitting carried out under an employer licence granted under section 39A of the Plumbers, Gasfitters, and Drainlayers Act 1976, or under section 57(3) of that Act; or

“(b) the Board under regulation 25, in any other case.

“(4) However, a person must not certify gasfitting unless he or she is satisfied, on reasonable grounds, that the statements that must be provided under subclause (2) are accurate.

“(5) If gasfitting is carried out by a person exempted under section 57(5) of the Plumbers, Gasfitters, and Drainlayers Act 1976, inspection, testing, and certification in accordance with GCP 1 is deemed to be compliance with subclause (4).

**“24B Supply and retention of certificates**

- “(1) The person who is responsible for ensuring that the gasfitting is certified must ensure that—
- “(a) the original of the completed certificate is supplied to the Board within 5 working days of the certification of the gasfitting if the gasfitting is carried out by a craftsman gasfitter, by a gas inspector, or under section 57(1) of the Plumbers, Gasfitters, and Drainlayers Act 1976; and
  - “(b) a copy of the completed certificate is supplied, within 5 working days of the certification of the gasfitting, to—
    - “(i) the person for whom the gasfitting was carried out; and
    - “(ii) the person supplying or proposing to supply gas to the installation.
- “(2) The person certifying the gasfitting or the holder of the employer licence (as the case may be) must retain a copy of the certificate for 7 years or until that person ceases (as the case may be)—
- “(a) to be involved in gasfitting; or
  - “(b) to be in business; or
  - “(c) to hold an employer licence.”

**20 Forms of gasfitting certification certificates**

Regulation 25 of the principal regulations is amended by omitting the expression “regulation 24(2)” in both places where it appears, and substituting in each case the expression “regulation 24A(3)(b)”.

**21 Supply of gas to gas installations**

- (1) Regulation 26(1) of the principal regulations is amended by inserting, after the words “with that regulation”, the words “and regulation 24A”.
- (2) Regulation 26(3) of the principal regulations is amended by omitting the words “to persons and property”.

**22 Competent organisations to supply copies of seals they use**

Regulation 35 of the principal regulations is amended by omitting the expression “18”, and substituting the expression “19”.

## **23 Protection of fittings of a distribution system or a gas measurement system**

Regulation 36(2) of the principal regulations is amended by omitting the words “possible danger to life or property”, and substituting the words “a hazard”.

## **24 Offences and penalties**

- (1) Regulation 37(1) of the principal regulations is amended by revoking paragraph (g), and substituting the following paragraph:

“(g) manufactures, imports, sells or offers for sale, hires out, leases out, or installs a gas appliance or fitting without complying with regulation 13; or”.

- (2) Regulation 37(1) of the principal regulations is amended by revoking paragraph (i), and substituting the following paragraph:

“(i) having repaired, modified, or made adjustments to a gas appliance or fitting, returns that gas appliance or fitting to service before taking all practicable steps to ensure that the gas appliance or fitting is safe in all reasonably foreseeable circumstances in accordance with regulation 16; or”.

- (3) Regulation 37(1) of the principal regulations is amended by revoking paragraph (j), and substituting the following paragraphs:

“(j) being a manufacturer or importer, supplies a gas appliance or specified fitting without complying with regulation 15A; or

“(ja) being a manufacturer or importer, publishes on the website, or gives to the person to whom a gas appliance or a specified fitting is supplied, a supplier declaration that is false or misleading in a material respect; or

“(jb) being a manufacturer or importer, fails to supply a document or documents to the Secretary in accordance with regulation 15D; or

“(jc) being a person to whom regulation 15E applies, fails to provide a copy of a supplier declaration in accordance with that regulation; or

“(jd) being a person to whom regulation 15F applies, fails to comply with that regulation; or”.

- (4) Regulation 37(1) of the principal regulations is amended by revoking paragraphs (l) and (m), and substituting the following paragraphs:
- “(l) hires out or leases out any fittings, gas appliance, or gas installation without complying with regulation 17(2); or
  - “(m) owns or installs a CNG station without complying with regulation 18 or regulation 19; or
  - “(ma) being a person other than the Secretary or a competent organisation, fails to comply with regulation 19(2); or
  - “(mb) owns or operates a CNG station without complying with regulation 19A; or”.
- (5) Regulation 37(1) of the principal regulations is amended by revoking paragraph (q), and substituting the following paragraphs:
- “(q) being a person who is responsible for ensuring that gasfitting is certified under regulation 24, fails to ensure that the gasfitting is certified in accordance with that regulation and regulation 24A; or
  - “(qa) certifies gasfitting otherwise than in accordance with regulations 24 to 24B; or”.
- (6) Regulation 37(1)(r) of the principal regulations is amended by inserting, after the expression “regulation 24”, the words “and regulation 24A”.
- (7) Regulation 37(1) of the principal regulations is amended by inserting, after paragraph (s), the following paragraph:
- “(sa) being a person who is carrying out gasfitting and who believes on reasonable grounds that a gas installation or gas appliance presents an immediate danger to life or property, fails to comply with regulation 27; or”.
- (8) Regulation 37(1)(x)(v) of the principal regulations is amended by omitting the expression “regulation 33”, and substituting the expression “regulation 35”.

## 25 First Schedule amended

The First Schedule of the principal regulations is amended by revoking clause 2, and substituting the following clause:

“2 Cylinder filling procedures:

- “(a) safety checks prior to commencing filling:
- “(b) filling procedures:
- “(c) safety checks following the completion of filling.”

Marie Shroff,  
Clerk of the Executive Council.

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### Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations amend the Gas Regulations 1993. The regulations (except regulations 13 and 24(3)) come into force on the 28th day after the date that they are notified in the *Gazette*. Regulations 13 and 24(3) come into force on 18 November 2002.

The amendments—

- insert a number of definitions into the principal regulations. Some of the definitions (including the definitions of **all practicable steps**, **harm**, **hazard**, and **safe**) are similar to equivalent definitions in the Health and Safety in Employment Act 1992. Consequential changes have been made to a number of provisions, including regulations 4 (which relates to gas pressure), 7 (which relates to the safety of distribution systems), 26 (which relates to the supply of gas to gas installations), and 36 (which relates to the protection of fittings of a distribution system or a gas measurement system):
- amend certain references to New Zealand Standards:
- amend regulation 11 (which relates to requests for tests to be carried out on gas measurement systems) to clarify that the Secretary must conduct, or arrange for, a test as soon as practicable:
- substitute a new *regulation 13* (which relates to the safety of gas appliances and fittings). The new *regulation 13* requires all practicable steps to be taken to ensure that gas appliances and fittings are safe in all reasonably foreseeable circumstances. Consequential changes have been made to a number of provisions, including regulations 16 (which relates to repairs, modifications, and adjustments to appliances and fittings) and 17 (which relates to responsibilities for the safe operation and use of gas appliances and fittings):

- substitute a new *regulation 14* (which relates to the marking of appliances) to ensure that the regulation is consistent with NZS 5262:
- insert new *regulations 15 to 15F*. *Regulations 15 to 15F* relate to new declaration rules that come into force on 18 November 2002. *Regulation 15A* imposes a duty on manufacturers or importers to make a supplier declaration relating to a gas appliance or specified fitting before they supply the appliance or fitting in New Zealand. The declarations must either be published on a website or provided to persons to whom the manufacturer or importer supplies the appliance or fitting. *Regulation 15B* specifies the contents of declarations. *Regulation 15C* concerns the management of the website. *Regulation 15D* requires manufacturers and importers to supply to the Secretary documents that demonstrate that they have complied with *regulation 13*. *Regulation 15E* concerns persons who obtain copies of supplier declarations that are not published on the website. These persons must supply a copy of the declaration to any person to whom they supply the appliances or fittings or to any person who is required to install the appliances or fittings. *Regulation 15F* concerns other suppliers and persons that install appliances or fittings and requires those persons to ensure that a declaration has been published or provided:
- substitute new *regulations 18 to 19A* (which contain particular requirements for CNG stations to ensure that they are safe in all reasonably foreseeable circumstances). A consequential change is made to regulation 12:
- make technical changes to regulations 22 and 23:
- substitute new *regulations 24 to 24B* (which concern the certification of gasfittings):
- amend regulation 37 (which relates to offences and penalties):
- amend the First Schedule.

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