

**GAS SUPPLY ACT 1993**

**GAS SUPPLY REGULATIONS 1997**

*Act 501*

IN exercise of the powers conferred by section 39 of the Gas Supply Act 1993, the Deputy Prime Minister, having been directed under section 51 of the Interpretation Acts 1948 and 1967 to exercise the powers of the Prime Minister, makes the following regulations:

*Act 388*

PART I

PRELIMINARY

**1. Citation and commencement.**

(1) These regulations may be cited as the **Gas Supply Regulations 1997** and come into force on 17 July 1997.

(2) Despite subregulation (1), the following regulations shall come into force on 17 July 1998.

- (a) regulation 5;
- (b) regulation 7;
- (c) regulation 15(2);
- (d) regulation 16;
- (e) regulation 17;
- (f) regulation 18;
- (g) regulation 21;
- (h) regulation 33;
- (i) regulation 81;
- (j) regulation 89;
- (k) regulation 103;
- (l) regulation 105;
- (m) regulation 106;
- (n) regulation 107;
- (o) regulation 108;
- (p) regulation 116;
- (q) regulation 117;
- (r) regulation 119; and
- (s) regulation 130;

## **2. Interpretation.**

In these Regulations, unless the context otherwise requires ----

“additional gas installation” means an addition of gas pipeline to an existing gas installation which is not indicated in the drawings of the existing gas installation which have been approved;

“domestic gas installation” means a single gas installation in a private dwelling which is not used as a hotel or boarding house or for the purpose of carrying out any business, trade or profession or for the providing any service;

“gas appliance” means an appliance designed for use or to be used by a consumer of gas for heating, burning, motive power or other purposes for which gas can be used and includes a gas appliance regulator;

“Gas Contractor” means a person who holds a Certificate of Registration as a Gas Contractor issued under regulation 103;

“Gas Engineer” means a person who holds a Certificate of Competency as a Gas Engineer issued under regulation 97;

“Gas Engineering Supervisor” means a person who holds a Certificate of Competency as a Gas Engineering Supervisor issued under regulation 98;

“gas equipment” means a functioning item such as a valve or pressure regulator used in a gas system;

“gas fitting” means an item in a piping or tubing system that is used as a connector such as an elbow, ea return bend, tee, an union, a bushing, coupling, cross or nipple but dose not include a functioning, item such as a valve or pressure regulator;

“Gas Fitter” means a person who holds a Certificate of Competency as a Gas Fitter, with or without restrictions, issued under regulation 100;

“gas main pipe” means a pipe installed in a community to convey gas to an individual service pipeline or other main pipe;

“gas service pipe” means a pipe between the gas main pipe and a meter installed on the premises of a consumer and includes any pipe downstream of a service isolation valve;

“Gas Utility Licensee” means a person supplying gas through a gas pipeline to a person other than the Private Licensee;

“meter” means a device installed to measure, ascertain or regulate the amount of gas taken or used from the main supply;

“operating pressure” means the pressure of gas at which a gas system is operated;

“person” includes a firm, a company, an association, a partnership (whether or not having a separate legal personality), or a body of persons (whether incorporated or not);

“Private Gas Licensee” means a person supplying gas and using gas through a gas pipeline on his own property or premises or the property or premises of the owner or occupier but does not include a person obtaining the supply of gas from a Gas Utility Licensee;

“purge” means the removal of all air and gas other than the gas supplied from a gas service pipe, meter, gas equipment or gas appliance;

“regulator” means a device used for regulating gas pressure;

“responsible person” in relation to any premises, means the licensee or consumer, or an occupier of the premises, or where there is no consumer or occupier, the owner of the premises or any person authorized by the consumer or occupier to be in charge of the gas pipeline or gas installation in the premises;

“service isolation valve” means a valve installed at or near the boundary line of a property or at the apron of a building for the purpose of controlling or shutting off gas flow;

“valve” means a device used for the purpose of controlling or shutting off gas flow and includes a service isolation valve;

“work” in relation to a gas pipeline or gas installation, means the following work:

- (a) installing a gas pipeline or gas installation;
- (b) constructing, testing, fixing, operating, maintaining, servicing, adjusting, repairing, altering or renewing a gas pipeline or gas installation or the purging of air or gas pipeline;
- (c) changing the position of a gas pipeline or gas installation; or
- (d) removing a gas pipeline or gas installation.

### **3. Scope of application.**

(1) These regulations shall apply in relation to-

- (a) a gas pipeline or gas installation which is supplied or is to be supplied with gas;
- (b) a gas fitting which forms part of the gas pipeline or gas installation; and
- (c) a gas appliance or any part of it used in the gas pipeline or gas installation.

(2) For the purpose of these regulations, a reference to the installation of a gas pipeline includes a reference to the conversion of a pipe, fitting, meter,

equipment, apparatus or appliances in order to use the gas supplied through the pipeline.

PART II  
LICENCE

**4. Categories of licence.**

The licence granted under section 11 of the Act shall be categorized as follows:

- (a) a gas utility licence; or
- (b) a private gas licence.

**5. Application for gas utility licence.**

(1) A person applying for a gas utility licence shall submit the application to Director General together with details mentioned in subsection 11(3) of the Act.

(2) The application under subregulation (1) shall be in the manner as may be determined by the Director General.

**6. Fee for gas utility licence.**

The person issued with a gas utility licence shall pay an initial fee at the rate as may be determined by the Director General and shall subsequently pay the fee at the rate as prescribed in Part I of the Third Schedule.

**7. Application for private gas licence.**

(1) A person applying for a private gas licence shall submit the application to the Director General together with details mentioned in subsection 11(3) of the Act.

(2) The person applying for a licence under subregulation (1) shall attach to the application the following documents:

- (a) the approval to install referred to the regulation 15; and
- (b) the approval to operate referred to the regulation 16.

(3) The licensee referred to in subregulation (1) shall be in Form A as prescribed in the First Schedule and shall be valid for twelve months from the date of issue.

**8. Person eligible to apply for private gas licence.**

The person who eligible to apply for a private gas licence is----

- (a) the owner of the premises or his representative; or
- (b) the occupier of the premises or his representative.

**9. Fee for private gas licence.**

The fee payable for the issue or renewal of a private gas licence shall be at the rate as prescribed in Part I of the Third Schedule.

## **10. Renewal of licence.**

(1) An application for renewal of a licence shall be made-

(a) in the case of a gas utility licence, at the time as specified in the licence; and

(b) in the case of a private gas licence, in not less than two months before the date of expiry of the licence.

(2) The application for renewal of a licence may be approved by the Director General after an inspection and test of the gas installation has been carried out but the Director General may, in its discretion, renew the licence without any inspection or test.

## **11. Suspension or revocation of licence.**

(1) A licence issued under these Regulations may be suspended or revoked by the Director General if-

(a) the gas installation is no longer required to be used;

(b) the gas installation is found to be unsafe for use; or

(c) the holder of the licence has failed to comply with these Regulations.

(2) Upon the revocation of a licence under subregulation (1), the holder of the licence shall, within 14 days from the date he is notified in writing of the revocation, surrender the licence to the Director General.

(3) Upon the suspension of a licence under subsection 12(2) of the Act, the holder of the licence shall, within 14 days from the date he is notified in writing of the suspension, surrender the licence to the Director General.

## **12. Duty of Gas Utility to keep and maintain record.**

(1) The Gas Utility Licensee shall keep and maintain a proper record of all gas installations for the inspection and approval of the Director General.

(2) The record shall contain the following details:

(a) location of the gas installation;

(b) name and address of the owner of the premises;

(c) name and address of the occupier of the premises;

(d) Certificate of Completion;

(e) Test Certificate; or

(f) any other information as the Director General deems necessary.

(3) In addition to the records kept and maintain under subregulations (1) and (2), a Gas Utility Licensee shall keep and maintain the following records and produce them within the specified time when required to do so by the Director General:

- (a) the quantity of gas sold per month;
- (b) the number of breakdown of gas installations and accidents involving the gas pipeline;
- (c) a list of all consumers; and
- (d) any other information as the Director General deems necessary.

## PART III

### GAS INSTALLATION

#### **13. Classification of gas installation.**

All gas installations shall be classified in accordance with the classes as specified in Table 1 of the Second Schedule.

#### **14. Installation to be carried out in accordance with Regulations.**

Every work on a gas installation shall be carried out in accordance with these Regulations and any condition as may be determined by the Director General.

#### **15. Approval to install.**

(1) Before commencing work on a new installation or gas extension, a person shall apply to the Director General for an approval to install and shall attach the drawings of the system properly engineered to a suitable scale or in isometric projection showing all the details of the gas installation.

(2) The drawings referred to in subregulation (1) shall be endorsed by a Gas Engineer, Gas Engineering Supervisor, Class I Gas Fitter or Class II Gas Fitter, as the case may be.

(3) The Director General may approve the application if he is satisfied that the application has met the requirements of these Regulations.

#### **16. Approval to operate.**

Upon completion of a new gas installation work, the applicant shall apply for an approval to operate it from the Director General by submitting a written application together with a Certificate of Completion issued under regulation 17 and a Test Certificate issued under regulation 18.

#### **17. Certificate of Completion.**

The Certificate of Completion referred to in regulation 16 shall be in Form B as prescribed in the First Schedule and shall be issued and signed by the appropriate competent person who supervises the installation work as specified in Table 2 of the Second Schedule.

#### **18. Test Certificate.**

(1) Before gas is supplied to a new gas installation or an additional gas installation, the new gas installation or the additional gas installation shall be tested and certified to be safe from leakage by the appropriate competent person as specified in Table 2 of the Second Schedule.

(2) Upon carrying out the test under subregulation (1), the competent person shall issue a Test Certificate which shall be in Form C as prescribed in the First Schedule.

#### **19. Notification of an existing gas installation.**



(1) No person shall commence any work on an existing gas installation without first notifying the Director General or the Gas Utility Licensee, as the case may be.

(2) The notification under subregulation (1) shall be in Form D as set out in the First Schedule.

**20. Director General may order work to be suspended or stopped.**

Where a person fails to comply with regulation 19, the Director General may order the work on the gas installation to be suspended or stopped.

**21. Supervision of work on gas installation by competent person.**

Every work on a gas installation shall be supervised by a competent person employed by the Gas Contractor who is carrying out the installation work.

**22. Director General or Gas Utility Licensee to determine point of termination.**

The point of termination of the gas main pipe, gas service pipe and riser in premises supplied with gas shall be determined by the Director General or the Gas Utility Licensee, as the case may be.

*Information, Excavation and Safety of  
Gas Installation*

**25. Location of gas installation.**

(1) The location of a gas installation shall be indicated in accordance with one or more of the following methods:

- (a) provision of a plan on or listing of facility locations by measurement from a surface datums point;
- (b) surface staking; or
- (c) surface making.

(2) For the purpose of subregulation (1) the concrete marker, warning sign post and pipeline marker for a traffic area shall be as prescribed in Figure 1, 2 or 3 respectively, of the Fourth Schedule.

**26. Area around indicated location.**

A prelocated or marked gas installation shall be considered to lie within a zone equal to the diameter of the gas installation plus 0.5 meters on either side of the indicated location.

**27. Installation in vicinity of underground structure.**

(1) Except where permitted in writing by the Director General, no person shall install or allow to be install a gas installation where it passes through or interferes with an under ground structure that is not used solely for a gas installation.

(2) Except where permitted in writing by the Director General, no person shall install or construct an underground structure that interfere with a gas installation by passing over, under or enclosing the gas installation until an agreement has been entered into with the licensee for the removal or alteration of the gas installation.

**28. Notice to licensee.**

A person who intends to construct an underground structure within one meter of a gas installation shall notify the licensee operating in the area or his agent in writing in not less than three working days before commencing excavation for the structure.

**29. Request for information from licensee or agent on location of gas installation.**

A person who intends to excavate shall, in not less than four working days prior to the day of the proposed excavation, request in writing from the licensee or his agent who is operating in the area for an information on the location of the underground gas installation in the vicinity of the proposed excavation.

**30. Information from licensee or agent on location of gas installation.**

(1) Upon a request made under regulation 29, the licensee or his agent shall indicate the location of the gas installation owned, operated or registered by the licensee or his agent in the area where the excavation is intended to be made.

(2) The licensee or his agent shall provide the information requested under subregulation (1) twenty-four hours prior to the day of the proposed excavation.

**31. Not to commence work until information is received.**

- (1) No person shall commence an excavation work until he ascertain that-
- (a) the request for information under regulation 29 has been made; and
  - (b) the information on the location of gas installation under regulation 30 has been given.

**32. Duty to notify licensee on intention to excavate.**

Where a person who intends to carry out excavation work is aware that a gas installation is in the vicinity of the proposed place of excavation, he shall notify the licensee or his agent in the area in not less than three working days before commencing excavation.

**33. Supervision on excavation work.**

Excavation work in the vicinity of a gas installation shall be carried out under the supervision of the relevant competent person in accordance with the class of the gas installation.

**34. Hand digging to confirm location.**

The indicated location of a gas installation shall be confirmed by the excavator by means of hand digging and he shall expose the gas installation at a sufficient number of locations to determine its exact position and depth before using mechanised excavation equipment for any purpose other than breaking the surface cover.

**35. Probing with pointed tools prohibited.**

No person shall probe into the earth by using pointed tools in order to locate a gas installation.

**36. Gas installation not within the zone prescribed.**

(1) Where an excavator finds that the gas installation is not within the zone prescribed under regulation 26, he shall so notify the licensee or his agent of that fact.

(2) The licensee or his agent shall, upon being notified under subregulation (1), assist the excavator to locate and expose the gas installation and shall prohibit

mechanized excavation to be carried out in the vicinity until the gas installation has been located and exposed.

**37. Non-metallic gas installation without tracer wire.**

In case where the existing gas installation of non-metallic material is not provided with tracer wires, the licensee or his agent shall, upon request, indicate or cause to be indicated the location of the gas installation including all changes in the direction by using stakes or paint or both at intervals of not exceeding 100 meters and regulation 34 shall apply.

**38. Excavator shall maintain markings.**

(1) It shall not be the responsibility of the excavator, as the work progresses, to maintain and keep visible the markings placed by the licensee or his agent to identify the location of the gas installation.

(2) Where the maintenance under subregulation (1) is not feasible, the excavator shall make other arrangements to ensure that the location of the gas installation is otherwise noticeable by a person.

**39. Prohibition on excavation work which is damaging to gas installation.**

No person shall carry out an excavation work or cause an excavation work to be carried out in a manner which is damaging or dangerous to a gas installation.

**40. Blasting**

(1) A person who intends to blast in the vicinity of a gas installation shall comply with provisions of regulation 28 to 38 and shall, in addition, notify the relevant licensee or his agent in writing of his intention to blast in not less than three working days prior to the blasting.

(2) Where a person, whilst in the process of construction, discovers that blasting is required, he shall submit a notice in writing to the Director General in not less one working day before carrying out the blasting.

**41. Verification of information.**

Where an excavation work is not commenced within ten days from the date the information under regulation 30 is given by the licensee, the excavator shall verify the information with the licensee or his agent before commencing excavation.

**42. Emergency excavations.**

Regulation 27 to 40 shall not apply to an emergency excavation where there may be imminent danger to life, health or property provided that verbal notice of the excavation is given to the relevant licensee or its agent as soon as is practicable, and the notice shall subsequently be reduced into writing.

**43. Power of authorized officer to stop excavation.**

(1) An authorised officer may at any time order a person to stop excavation near a gas installation if he considers that the excavation may damage the gas installation or cause the leakage of gas.

(2) The authorized officer may require a licensee, installer or the owner of a gas installation to cut out or repair a gas pipeline, whether metallic or non-metallic, which is considered to be faulty.

#### **44. Notification of damage.**

Any person who causes damage to a gas installation shall, whether or not gas is leaking from the installation, immediately notify the Director General or the licensee, as case may be, of the damage.

#### **45. Steps to be taken when gas leaks.**

(1) Any person who causes damage to a gas installation which result in the leakage of gas shall immediately take reasonable steps to----

- (a) notify the persons in the premises or near the premises that may be affected by the leakage;
- (b) notify the Director General or the licensee, as the case may be;
- (c) warn all persons in the building which is near to the place where the leakage occurs and where gas odour is present to evacuate the building;
- (d) notify the nearest police station;
- (e) extinguish all flame and sources of ignition in the vicinity of the gas installation;
- (f) notify the Fire Services Department; and
- (g) warn the traffic, vehicles or pedestrian in the vicinity not to enter the area which has been rendered hazardous by the leakage.

#### **46. Exposure of installation.**

A person who exposes a gas installation for more than three metres whilst carrying out an excavation work shall immediately notify the Director General or the licensee, as case may be, and shall after that support the gas installation securely on its original line and grade at the intervals of not more than three metres to the satisfaction of the Director General or the licensee.

#### **47. Exposure of fittings.**

A person who exposes a bell-and-spigot joint, mechanical coupling, valve or line insulator whilst carrying out an excavation work shall-

- (a) immediately notify the Director General or the licensee, as the case may be, of the exposed fitting; and
- (b) support the exposed fitting adequately to the satisfaction of the Director General or the licensee to ensure that no strain is caused to the gas installation.

**48. Cathodic protection devices.**

(1) A person working in the vicinity of a gas installation shall take all necessary precautions to ensure that no damage is done to insulators, test wires, sacrificial anodes, anodes beds, rectifier wires and other cathodic protection devices.

(2) Where damage is done to a cathodic protection device the person causing the damage shall report the damage to the Director General or the licensee, as soon as possible.

**49. Damage to protective wrapping.**

A person who damages the protective wrapping on a gas installation shall-

- (a) report the damage to the Director General or the licensee; and
- (b) rectify the damage by rewrapping the gas installation in accordance with the manner as may determined by the Director General but the rewrapped gas installation shall not be backfilled until authorized by the Director General.

**50. Backfilling.**

A person who is backfilling an excavation which exposed a gas installation shall-

- (a) take precaution so as not to damage the gas installation, its protective wrapping or a cathodic protection device;
- (b) thoroughly tamp the backfill under the gas installation;
- (c) support the gas installation adequately to the satisfaction of the Director General or the licensee to ensure that it will remain in its original line and grade during the backfilling; and
- (d) ensure that the backfilling will not diminish the lateral support of an unexposed gas installation.

**51. Gas pipeline to be above ground level when entering building.**

Except where circumstances render it impracticable, service gas pipeline shall be installed above the ground level before the pipeline enters a building or structure.

**52. No work on gas installation until gas is turned off.**

No person shall install or alter a gas installation where there is a possibility of leakage of gas unless the gas is turned off to eliminate hazards caused by a leakage of gas.

**53. Turning on and turning off supply.**

(1) Except for emergency purposes, no person shall turn off the gas supply unless all affected consumers are notified.

(2) Where the supply has been turned off, no person shall turn it on again until he notifies all the affected consumers of his intention and carefully checks all the outlet and pilots to ascertain whether the supply is turned on or turned off.

**54. Rented premises.**

The owner of rented premises shall----

(a) display a notice on the safe operation of a gas appliance on the premise in a place which is noticeable to a tenant, an occupier or other person using the gas appliance; and

(b) ensure that the gas appliances is maintained in a safe condition.

**55. Odorization.**

(1) A gas which does not naturally possess a distinctive odour shall have an odourant added to it so that its presence in the atmosphere is readily detectable at a gas concentration of 1/5 of the lower explosive limit or above.

(2) Subregulation (1) does not apply to any gas delivered for further processing or where the odourant would not act as a warning agent.

**56. Installation of gas pipeline, etc.**

(1) Every installation of a gas pipeline shall be made in accordance with these Regulations and in a manner as may be determined by the Director General.

(2) No person shall install a gas pipeline, gas fitting or gas equipment in a place where it likely to be exposed to a substance which may corrode the gas pipeline, gas fitting or gas equipment unless the gas pipeline, gas fitting or gas equipment is constructed from materials resistant to being corroded or it is suitable protected against being so corroded.

**57. Protection against damage to gas pipeline, etc.**

A person installing a gas pipeline, gas fitting or gas equipment shall ensure that every part of the gas pipeline, gas fitting or gas equipment is supported and protected from damage.

**58. Alteration or work on premises not to affect existing pipeline.**

(1) No alteration shall be made on premises which have a gas installation unless it is made in accordance with these Regulations and in the manner as may be determined by the Director General.

(2) No person shall carry out work which would affect a gas pipeline or vent where the use of the gas pipeline may cause danger to a person or property.

**59. Not to sue gas pipeline for earth connection, etc.**

No person shall use a gas pipeline or any part of a gas installation for earth connection or as an electrical earth-continuity conductor.

**60. Installation of new gas installation.**

(1) A person who is installing a new gas installation shall ensure that the gas installation is tested for gas tightness.

(2) Upon compliance with subsection (1), the person shall carry out purging by using an inert gas throughout the entire gas installation in order to remove all air or other gas mixture.

(3) If the gas installation is not be used at once it shall be sealed off at every outlet with the appropriate fitting.

(4) A loose connection in a gas installation used in the purging procedure and seal after the purging procedure shall be retightened and shall be retested for gas tightness.

(5) Upon the commissioning of the gas installation, the gas to be supplied through the installation shall be conveyed into the entire gas installation to remove all the inert gas present in the gas pipeline.

**61. Work on existing gas installation.**

(1) Before any work is carried out on an existing gas installation, the person intended to carry out the work shall-

(a) submit the work procedure approved by the competent person to the Director General or the licensee, as the case may be, for final approval;

(b) obtain a written consent to carry out work from the owner of the gas installation;

(c) cordon the affected area and cause a reasonable number of notices displaying the words "**GAS WORK IN PROGRESS**" and "**NO SMOKING**" to be placed in conspicuous positions in the cordoned area;

(d) have a reasonable number of suitable fire extinguishers ready to be used in the work area;

(e) isolate the affected part of the gas installation from the unaffected parts; and



(f) purge gas from the affected part of the gas installation and ensure that no gas remains in the installation and the surrounding area.

(2) After complying with subsection (1) a person who is carrying out work in relation to an existing gas installation shall ensure that-

(a) the work is carried out only on the gas installation within the cordoned area;

(b) only authorized personnel is allowed to be within the cordoned area;

(c) the work is carried out in accordance with the work procedure that has been approved; and

(d) the workers are provided with the necessary personal protective equipment.

(3) After the work has been carried out, the person installing the gas installation shall-

(a) ensure that the gas installation is tested for gas tightness;

(b) purge the affected gas installation by using inert gas; and

(c) ensure the subregulations 60(3), (4) and (5) are complied with.

## **62. Marking of gas pipeline for identification.**

(1) A person installing gas pipeline shall mark the gas pipeline in the manner as prescribed in Figure 4 of the Fourth Schedule so that upon inspection the gas pipeline identifiable as a gas pipeline for conveying gas.

(2) The responsible person or his representative knows or has the gas pipeline continues to be identifiable as long as it is used for conveying gas.

## **63. Duties of responsible person or his representative where there is an escape of gas.**

(1) If the responsible person or his representative knows or has reason to suspect that gas is escaping into the premises, he shall immediately take all responsible steps to cause the supply of gas to be shut off at the necessary place to prevent further escape of gas.

(2) If gas continue to escape into the premises after the supply of gas has been shut off or when a smell of gas persists, the responsible person or his representative who discovers the escape or smell shall immediately inform or cause to be informed the Director General or the licensee of the escape of smell.

## **64. Shutting off gas supply for safety reasons.**

(1) Where the supply of gas is shut off in any premise for safety reasons, it shall not be restored until all necessary steps are taken by the responsible person or

his representative to ensure that gas can be resupplied without causing danger to a person or property.

(2) Rectification work on the supply of gas shall be carried out by a competent person or any other person with the supervision of a competent person.

## PART IV

### OPERATION

#### *Connection for the Supply of Gas to Consumer*

#### **65. Requirements to be complied with before connection.**

No gas shall be taken from the gas main pipeline until---

- (a) an agreement or a special agreement for the supply of gas has been entered into between the parties;
- (b) the gas installation connected to the gas main pipe has been inspected, tested and found to be safe by a competent person registered with the Director General; and
- (c) all expenses payable under the Act or these Regulations in respect of the supply of gas installation have been paid.

#### **66. Security.**

(1) The Gas Utility Licensee may require a consumer to deposit a reasonable amount of security within seven days from the date of notice of demand issued by the Gas Utility Licensee, which sum shall be sufficient to cover the estimated charges for not more than two months' supply of gas and two months' rental of gas pipeline of gas installation, if any, and the amount of security may be altered with the approval of the Director General.

(2) The security shall not constitute a payment in advance and shall not relieve the consumer from any liability under regulation 69.

(3) Where the supply of gas to the consumer's gas installation has been disconnected due to the consumer's failure to make payment of the amount due as stated in the gas bill, the Gas Utility Licensee may deduct from the security the amount of the bill together with the charges for gas supplied and rental of gas pipeline or gas installation, if any, from the date of such bill to the date of disconnection of the consumer's gas installation.

#### **67. Refund of security.**

(1) The Gas Utility Licensee shall refund to the consumer the full amount of security which has been deposited by the consumer in compliance with regulation 66 provided that-

- (a) the consumer has vacated the premises and shall all the accrued charges have been paid in accordance with regulation 71; or
- (b) the supply of gas to the consumer has been stopped or disconnected and all accrued charges have been paid.

(2) The refund shall be made to the consumer within a period of two month after the date of the vacation of the premises or the date the supply of gas has been stopped or disconnected.

**68. Recovery of charges.**

The Gas Utility Licensee may recover from a consumer the charges due to him in respect or the supply of gas or in respect of the supply and fixing of a gas meter, gas pipeline or gas equipment.

**69. Gas supply and reconnection fees.**

(1) A fee for the supply of gas by the Gas Utility Licensee shall be charged to the consumer and a bill shall be sent to the consumer monthly and shall be paid within twenty-one working days from the date of the invoice.

(2) In default of the payment of the amount charged under subregulation (1) the Gas Utility Licensee may disconnect the supply of gas without further notice.

(3) The Gas Utility Licensee shall be entitled to impose a reconnection fee as approved by the Director General, which shall be paid in advance, for the reconnection of the gas installation to the Gas Utility Licensee's gas pipeline.

(4) The bill referred to in subregulation (1) shall contain the amount charged and the requirements under subregulations 71(1) and (2).

**70. Restoration of gas supply.**

The Gas Utility Licensee shall restore the supply of gas which has been disconnected under subregulation 69(2) within two working days from the date the following conditions are satisfied:

- (a) the consumer has made good the default under subregulation 69(2);
- (b) the consumer has paid the reconnection fee under subregulation 69(2); and
- (c) the consumer has given the security stipulated in subsection 17(1) of the Act and subregulation 66(1).

**71. Notice to vacate premises and payment of accrued charges.**

(1) The consumer shall send a notice to vacate his premises in not less than three working days before the vacation to the Gas Utility Licensee in the form as may be determined by the Gas Utility Licensee.

(2) If consumer vacates his premises which are supplied with gas by a Gas Utility Licensee without giving the notice under subregulation (1) he shall be liable to pay the Gas utility Licensee all the charges in respect of the supply of gas to the premises accruing up to-

- (a) the day on which the register of the meter is ascertained; or
- (b) the day from which a subsequent occupier of the premises requires the Gas Utility Licensee to supply to the premises,

as the case may be.

(3) If a consumer vacates his premises without paying the amount due by way of charges in respect of the supply of gas, the Gas Utility Licensee may refuse to supply gas to the consumer at any other premises until full payment is made.

(4) The Gas Utility Licensee shall not be entitled to recover payment of the amount referred to under subregulation (3) from the subsequent occupier of the premises.

(5) If a consumer vacates his premises without paying the money due in respect of the supply of gas by the Gas Utility Licensee or in respect of the supply and fixing of a meter, gas pipeline or gas equipment within a period of ten working days from the date of the demand in writing the Gas Utility Licensee for the payment of the money, the Gas Utility Licensee may-

- (a) cease the supply of gas to the premises, or to any other premises occupied by the consumer, by the appropriate means as he thinks fit; and
- (b) recover any expenses incurred under paragraph (a) from the consumer.

**72. Power of authorized officer to disconnect the supply of gas and refusal to connect.**

(1) The authorized officer shall immediately disconnect the supply of gas upon knowing or upon being informed that a gas installation is unsafe for use.

(2) The authorized officer may refuse to connect a gas installation or any of it to the gas main pipe if, in his opinion, the installation or any part of it is unsafe for use or does not comply with these Regulations.

**73. Power of Gas Utility License to disconnect.**

Where a gas installation is connected to the Gas Utility Licensee's gas main pipe, or the replacement of, addition or alteration to a gas installation is made, in contravention of the Act or these Regulations, the Gas Utility Licensee may, upon giving not less than twenty-four hours notice to the consumer, disconnect the supply of gas from the gas installation.

*Inspection and Test of Gas Installation*

**74. Entry into premises to inspect, etc., gas installation, etc.**

A person authorized by a Gas Utility Licensee may, at all reasonable times, on the production of a duly authenticated document of his authority, enter into premises which are supplied with gas by the Gas Utility Licensee, or by another Gas Utility Licensee (whether wholly or partly) through the first-mentioned Gas Utility Licensee's gas pipeline or gas installation, for the any of the following purposes:

- (a) to inspect a gas pipeline or gas installation belonging to the Gas Utility Licensee;
- (b) to ascertain the register of a meter;
- (c) to remove or inspect a meter to install a new meter; or
- (d) in case of an emergency.

**75. Entry to disconnect, etc., supply of gas, etc.**

A person authorized by a Gas Utility Licensee may, at all reasonable times, on the production of a duly authenticated document of his authority, enter into premises which are supplied with gas by the Gas Utility Licensee, or by another Gas Utility Licensee (whether wholly or partly) through the first-mentioned Gas Utility Licensee's gas pipeline or gas installation, for the purpose of disconnecting the supply of gas or removing a gas fitting, gas pipeline or meter in the premises but shall be subject to the following conditions:

- (a) the entry is made in order to cut off or discontinue the supply of gas to the premises as authorized under the Act;
- (b) the entry is made on order to remove the meter in respect of which an offence has been committed under the Act or the regulations made thereunder;
- (c) the person occupying the premises ceases to require the supply of gas;
- (d) the person who enters into occupation of the premises which were previously supplied with gas does not require the supply of gas; or
- (e) the person who enters into occupation of the premises which were previously supplied with gas through e meter belonging to a Gas Utility Licensee will not rent or borrow the meter.

**76. Entry for replacing, etc., gas pipeline or gas installation.**

(1) A person authorized by a Gas Utility Licensee may, at all reasonable times, on the production of a duly authenticated document of his authority, enter into premises after giving notice of not less than three working days to the consumer or occupier of the premises, or to the owner of the premises which are unoccupied for the purpose of-

(a) placing a new pipeline, gas fitting, gas equipment or meter in place of or in addition to an existing gas pipeline, gas fitting, gas equipment or meter which has already been lawfully placed; or

(b) repairing or altering an existing gas pipeline or gas equipment.

(2) In the case of an emergency arising from fault in a gas pipeline or gas installation, entry under subregulation (1) may be made without giving notice.

**77. Powers of entry.**

(1) A person authorized by a Gas Utility Licensee to enter any premises shall ensure that the premises are left secured after the entry.

(2) The Gas Utility Licensee shall make good, or pay compensation for, any damage caused by the person so authorized or by the person accompanying him in entering the premises.

(3) A person authorized by a Gas Utility Licensee to enter any premises may be accompanied by such persons as may be appropriate for the purpose for which the entry is made.

**78. Fixing of meter, changing of meter position and loss of or damage to meter.**

(1) For the purpose of section 19 of the Act, the Gas Utility Licensee shall provide fix a meter as it considers necessary in order to measure the amount of gas supplied to a consumer.

(2) Where an additional meter is installed by the Gas Utility Licensee at the request of the consumer, the consumer shall pay the charges at the rate which is approved by the Director General.

(3) The Gas Utility Licensee may change e meter or its position in the premises in which gas is supplied by him.

(4) The consumer shall be liable to indemnify the Gas Utility Licensee for the loss of or damage to e meter installed within the premises.

**79. Reading of meter.**

(1) The reading of a meter shall be *prima facie* evidence of the amount of gas consumed by the consumer.

(2) However, if-

- (a) the supply of gas registered by the meter at any time is not equal to the gas consumed; or
- (b) the meter is not registering the actual consumption due to a defect in the installation,

the Gas Utility Licensee may impose a provisional charge for the gas supplied.

(3) If the Gas Utility Licensee is unable to provide a meter for a gas installation due to the shortage of a supply of a meter, the Gas Utility Licensee may, with the approval of the Director General, fix a monthly charge for the supply of gas.

**80. Test of meter.**

(1) The Gas Utility Licensee shall have the meter tested upon request in writing by the consumer and upon tendering the fee as may be determined by the Gas Utility Licensee.

(2) The test under subregulation (1) shall be made by the Gas Utility Licensee as soon as practicable upon receipt of the request and upon payment of the fee to the Gas Utility Licensee and the consumer may be present during the test.

(3) If----

- (a) the gas meter is found to be inaccurate by more than two percent; or
- (b) the gas meter is found to be registering the consumption of gas when no gas is flowing,

the fee shall be refunded and the consumer's account shall be adjusted.

(4) The adjustment under subregulation (3) shall be limited to the bill rendered for the month prior to the month in which the consumer requested a test of the meter and to the consumer's account from the date of the last bill to the date of removal of the meter for testing but the Gas Utility Licensee may, if he considers special circumstances justify such a course, authorize adjustment of the bill rendered prior to the period stipulated in this subregulation.

(5) In the case where the Gas Utility Licensee finds that the gas meter is not registering correctly, the consumer's account shall be adjusted as in subregulation (4).



*Inspection and Test*

**23. Director General may inspect and test gas installation.**

(1) The Director General may inspect and test a gas installation after giving notice of the intention to inspect and test as prescribed in Form E of the First Schedule.

(2) The notice under subregulation (1) shall be served either personally or by registered post or may be affixed at a conspicuous place of the premises where the gas installation which is to be inspected and tested is located.

(3) The notice under subregulation (1) shall be valid for a period not exceeding twenty-one days from the date of issue.

(4) Upon receipt of the notice under subregulation (1) the responsible person shall make or cause to be made the necessary preparation for the carrying out of the inspection and test and shall be present at the time of the inspection and test.

**24. Fee for inspection and test of gas installation.**

The fee as prescribed in Part I of the Third Schedule shall be charged for the inspection and test of the gas installation.

## PART V

### CERTIFICATE OF COMPETENCY AND REGISTRATION

#### *Certificate of Competency*

**81. Competent person to carry out work on gas pipeline, etc.**

No person shall engage in or employed in any work on a gas pipeline or gas installation unless he holds a Certificate of Competency issued under these Regulations or he works under the control of a competent person.

**82. Competent person shall possess a valid Certificate of Competency.**

A competent person referred to in these Regulations shall hold a valid Certificate of Competency according to the appropriate category, with or without restriction, issued by the Director General under these Regulations.

**83. Certificate of Competency and scope of work of competent person.**

(1) The Certificate of Competency as a Gas Engineer, Gas Engineering Supervisor and Gas Fitter of Class I, Class II and Class III, shall be signed by the Director General and shall be as prescribed in Forms F and G of the First Schedule, as the case may be.

(2) A Certificate of Competency shall entitle the holder to-

(a) carry out work on a gas pipeline or gas installation in any premises;  
and

(b) personally supervise a gas installation work.

(3) The scope of work of a competent person is as prescribed in Table 2 of the Second Schedule.

**84. Medical evidence of fitness.**

The Director General may require medical evidence of physical and mental fitness, Certified by a registered medical practitioner, to be produced by a person before a Certificate of Competency is issued or before registration or renewal of registration is made.

**85. Power of Director General to modify, suspend or cancel a Certificate of Competency.**

The Director General may, if it thinks fit, modify, suspend or cancel a Certificate of Competency issued under these Regulations if the holder of the Certificate obtains the Certificate by making or causing to be made a false or fraudulent declaration, certification or representation, either in writing or otherwise.

**86. Modification, suspension or cancellation of Certificate of Competency.**

(1) Notwithstanding regulation 85, the Director General may, in its discretion, modify, suspend or cancel Certificate of Competency issued under these Regulations in the case of serious misconduct by the holder of the Certificate of Competency or where an offence has been committed under the Act or these Regulations.

(2) For the purpose of subregulation (1), "serious misconduct" means one or more of the following:

- (a) sleeping while on duty;
- (b) causing damage to equipment by careless operation;
- (c) causing danger to life by careless operation
- (d) causing damage to equipment by neglecting to use safety devices provided;
- (e) causing danger to life by neglecting to use safety devices provided;
- (f) being under the influence of alcohol or drugs or both whilst on duty;
- (g) making or causing to be made a false or fraudulent declaration, certification or representation, either in writing or otherwise; and
- (h) failing to carry out diligently the duties as prescribed in these Regulations.

(3) When an authorized officer has reason to believe that a person who holds a Certificate of Competency has committed an offence under the Act or these Regulations or any serious misconduct under these regulations and is no longer fit to hold the Certificate of Competency, he shall forthwith suspend the Certificate and shall refer the matter within seven days from the date of suspension to the Director General.

(4) Upon receipt of the matter referred to the Director General under subregulation 3, the Director General shall, within seven days, appoint a Committee consisting of the Chairman as his representative and two other authorized officers to be nominated by the Director General referred by the authorised officer.

(5) The alleged offender shall be given the opportunity to defend himself against such alleged offence before the Committee.

(6) The Committee shall, within fourteen days, forward its findings and recommendations to the Director General who shall decide whether to modify or to suspend for any period of time to cancel the Certificate of Competency.

(7) A person who is aggrieved by the decision of the Director General under subregulation (6) may apply to the Minister for a reconsideration of the matter.

(8) The application under subregulation (7) shall be made in writing within twenty-one days from the date of the decision of the Director General and shall contain the grounds of grievance.

(9) The decision of the Minister on the matter referred to him under subregulation (7) shall be final.

**87. Person not to work, etc., when Certificate of Competency is suspended or cancelled.**

A person, whose Certificate of Competency has been suspended or cancelled, as the case may be, shall not, during the period of the suspension or upon cancellation, do any work or act which a holder of a Certificate of Competency is allowed to do.

**88. Loss of damage of Certificate of Competency.**

(1) If a Certificate of Competency issued by the Director General is lost, stolen, destroyed, mutilated or defaced, a replacement of the Certificate may be issued by the Director General on production of a statutory declaration by the holder that the original Certificate has been lost, stolen or destroyed or upon surrender of the mutilated or defaced original Certificate.

(2) The fee for replacement of Certificate of Competency is as prescribed in Part II of the Third Schedule.

*Registration of Competent Person*

**89. Registration of competent person.**

(1) A person who holds a Certificate of Competency and who does work or any act in relation to the Certificate shall be registered with the Director General, in the manner as the Director General may determine.

(2) The registration under subregulation (1) shall be valid for a period of twelve months and shall be renewed annually subject to the payment of fees as prescribed in Part II of the Third Schedule.

(3) A person who holds a Certificate of Competency shall not do any work or act which a holder a Certificate of Competency is allowed to do if he is more than 65 years of age.

(4) Notwithstanding subregulation (3), the age limit of a person may be waived on a year to year basis at the discretion of the Director General who may require medical evidence of fitness of the person to be certified by a registered medical practitioner.

## *Examination of Competent Person*

### **90. Panel of Examiners.**

(1) For the purpose of this Part, there shall be appointed a Panel of Examiners (“the panel”) consisting of the Chairman, the Deputy Chairman and the person as may be appointed under regulation 91.

(2) The Panel shall hold examination referred to in regulation 92 and may recommend to the Director General the issuance of the Certificate of Competency to candidates who have passed the examinations.

(3) Any matter referred to the Panel shall be considered and decided by the Chairman and at least one member of the Panel.

(4) Notwithstanding subregulation (1), (2) or (3) the Chairman may permit one member of the Panel to conduct the examination of a Gas Fitter.

### **91. Appointment of members of the Panel.**

(1) The Minister shall appoint the Director General as Chairman of the Panel.

(2) The Chairman of the Panel shall appoint----

(a) an authorized officer as Deputy Chairman; and

(b) at least two authorized officers, to be members of the Panel.

(3) The Director General may appoint a senior engineer from a relevant Government Department to be a member of the Panel.

(4) The member of the Panel shall hold office for a term as may be determined by the Director General.

### **92. Examinations.**

(1) The Panel shall hold the following examinations:

(a) Gas Engineer examination;

(b) Gas Engineering Supervisor examinations;

(c) Class I Gas Fitter examination;

(d) Class II Gas Fitter examination; and

(e) Class III Gas Fitter examination.

(2) A Certificate of Competency awarded to successful candidate of the examinations in subregulation (1) shall be in Forms F and G as prescribed in the First Schedule.

(3) The Certificate of Competency shall remain valid until suspended or cancelled under the Act or these Regulations.

(4) A holder of a Certificate of Competency shall surrender the Certificate to the Director General for cancellation upon the issuance of a Certificate of Competency of higher grade for the same category of work.

**93. Conduct of examination.**

An examination shall be conducted in accordance with the directions given by the Director General.

**94. Fee for examination for Certificate of Competency.**

The fee for an examinations for Certificate of Competency shall be as prescribed in Part II of the Third Schedule.

**95. Application to sit for examination.**

(1) Any application to sit for examination shall be made in writing in the manner as may be determined by the Panel.

(2) An application under subregulation (1) shall be considered by the Panel who shall decide whether or not the applicant is eligible to sit for the examination and the Panel shall notify the applicant of its decision.

**96. Failure in examination.**

Where a candidate fails in an examination, the Panel may, in its discretion, refuse to grant permission to the candidate to sit for the examination again until the expiry of a period not exceeding six months as the Panel may deem appropriate.

*Certificate of Competency as a Gas Engineer  
And Gas Engineering Supervisor*

**97. Eligibility to become a Gas Engineer.**

(1) In order to be considered eligible to sit for the examination for Certificate of Competency as a Gas Engineer, a person shall satisfy the Panel that he complies with the following conditions:

- (a) that he is a Malaysian citizen;
- (b) that he holds a degree or qualification equivalent to a degree in gas, mechanical, civil, chemical, petroleum, fuel, electrical, mining, industrial or production engineering from a recognised university or institution or any engineering degree recognised by the Director General;
- (c) that he is a Professional Engineer registered with the Board of Engineers under the Registration of Engineers Act 1967;
- (d) that he has not less than two years working experience in gas pipeline or gas installation work;
- (e) that he is able to speak and write in the national language; and
- (f) any other conditions as the Panel deems necessary.

(2) Before a Certificate of Competency as a Gas Engineer is issued to a person, he shall satisfy the Panel-

- (a) that he has sufficient knowledge of gas engineering practices including the principles of operation of the equipment used for production, transmission, distribution, utilization, metering and maintenance of a gas pipeline or gas installation; and
- (b) that he has sufficient knowledge of the Act and the regulations made thereunder.

(3) The examination for a Certificate of Competency as a Gas Engineer shall be based on a syllabus to be determined by the Panel and shall be partly by written answer to questions set and partly by *viva voce*.

(4) Notwithstanding subregulation (1) or (3), the Panel may, in its discretion, exempt a person from any or all of the requirements necessary for the examination.

**98. Eligibility to become a Gas Engineering Supervisor.**

(1) In order to be considered eligible to sit for the examination for Certificate of Competency as a Gas Engineering Supervisor, a person shall satisfy the Panel that he complies with the following conditions:



- (a) that he is a Malaysian citizen;
- (b) that he holds a degree or diploma in gas, mechanical, civil, chemical, petroleum, fuel, electrical, mining, industrial or production engineering from a recognised university or institution or any engineering degree or diploma recognised by the Director General;
- (c) that he has not less than two years working experience in gas pipeline or gas installation work;
- (d) that he is able to speak and write in the national language; and
- (e) any other conditions as the Panel deems necessary.

(2) Before a Certificate of Competency as a Gas Engineering Supervisor is issued to a person, he shall satisfy the Panel that-

- (a) that he has sufficient knowledge of gas engineering practices including the principles of operation of the equipment used for production, transmission, distribution, utilization, metering and maintenance of a gas pipeline or gas installation; and
- (b) that he has sufficient knowledge of the Act and the regulations made thereunder.

(3) The examination for a Certificate of Competency as a Gas Engineering Supervisor shall be based on a syllabus to be determined by the Panel and shall be partly by written answer to questions set and partly by *viva voce*.

(4) The examination for a Certificate of Competency as a Gas Engineering Supervisor referred to in subregulation (3) shall be conducted by the Panel.

(5) Notwithstanding subregulation (1) or (3), the Panel may, in its discretion, exempt a person from any or all of the requirements necessary for the examination.

*Certificate of Competency as a Gas Fitter*

**99. Eligibility to become a Gas Fitter.**

(1) In order to be considered eligible to sit for the examination for Certificate of Competency as a Class III Gas Fitter, a person shall satisfy the Panel that he complies with the following conditions:

- (a) that he is a Malaysian citizen;
- (b) that he is not less than 18 years of age;
- (c) that he has suitable educational qualification as may be determined by the Panel;
- (d) that he has one year working experience in gas pipeline or gas installation work with a Gas Contractor or in a recognized academic institution or Government Department or agency;
- (e) that he is able to speak and write in the national language; and
- (f) any other conditions as the Panel deems necessary.

(2) A person applying to sit for the examination as a Class II Gas Fitter shall fulfill the following conditions:

- (a) he is a holder of a Certificate of Competency as a Class III Gas Fitter or any equivalent Certificate of Competency ; and
- (b) he has the working experience as an assistant to a Gas Engineer, Gas Engineering Supervisor or Class I or II Gas Fitter by maintaining, operating or controlling a gas pipeline or gas installation for a period of two years whilst holding a Certificate referred to in paragraph (a).

(3) A person applying to sit for the examination as a Class I Gas Fitter he shall fulfill the following conditions:

- (a) he is a holder of a Certificate of Competency as a Class II Gas Fitter or any equivalent Certificate of Competency ; and
- (b) he has the working experience as an assistant to a Gas Engineer, Gas Engineering Supervisor or Class I or II Gas Fitter by maintaining, operating or controlling a gas pipeline or gas installation for a period of one year whilst holding a Certificate referred to in paragraph (a).

(4) Before a Certificate of Competency as a Gas Fitter of any class is issued to a person, he shall satisfy the Panel-

- (a) that he has sufficient knowledge and practical skill in gas pipeline or gas installation work; and
- (b) that he has sufficient knowledge of the Act and the regulations made thereunder.

(5) The examination for a Certificate of Competency as a Gas Fitter shall be based on a syllabus to be determined by the Panel and shall be partly by written answers to questions set and partly by *viva voce* and may include any practical test as the Panel deems necessary.

(6) Notwithstanding subregulation (1) or (5), the Panel may, in its discretion, exempt a person from any or all of the requirements necessary for the examination.

**100. Issuance, restriction or endorsement of Certificate of Competency by Panel.**

The Panel may in its discretion---

- (a) issue a Certificate of Competency as a Gas Fitter to a person who has passed the examination under regulation 99;
- (b) restrict the use of a Certificate of Competency to a type, class, duration or Location of installation;
- (c) endorse a Certificate of Competency to permit the holder to test and certify a gas installation on the condition that he has shown sufficient knowledge and experience in carrying out such work to the satisfaction of the Panel;
- (d) impose any other endorsement on a Certificate of Competency issued under these Regulations as the Panel deems necessary; and
- (e) impose a fee payable for the removal of any restriction or endorsement on a Certificate of Competency as prescribed in Part II of the Third Schedule.

**101. Temporary registration of foreign person.**

(1) Subject to these Regulations and the condition as the Panel may think fit to impose, the Panel may, upon payment of the fee prescribed in Part II of the Third Schedule, issue a temporary Certificate of Competency to foreign person.

(2) A foreign person may be considered for the issuance of the temporary Certificate of Competency if he satisfies the Panel-

- (a) that he possesses the necessary qualification and skill which is recognized for the practice of gas engineering in the country where he normally practises;
- (b) that he possesses the necessary expertise and his physical presence is required in Malaysia; and
- (c) that he has the necessary work permit issued by the relevant authority.

(3) Notwithstanding subregulation (2), before a person may be considered for the A purpose registration as a Gas Engineer, he shall be registered temporarily as a Professional Engineer with the Board of Engineers under the Registration of Engineers Act 1967.

(4) The Director General may issue a temporary Certificate of Competency for a period not exceeding twelve months.

(5) A foreign person whose Certificate of Competency has expired may apply for renewal subject to the provisions of these Regulations and the Director General may renew the Certificate as he deems fit.

(6) For the purpose of these Regulations, "foreign person" means a person who is not a citizen or a permanent resident of Malaysia.

#### **102. Endorsement of equivalent Certificate of Competency by Panel.**

(1) The Panel may, in its discretion, exempt from the whole or part of the examination, any candidate who is a resident of Malaysia and who is the holder of a Certificate of Competency which, in the opinion of the Panel, is equivalent to the corresponding Certificate issued under these Regulations.

(2) The person under subregulation (1) may be recommended to be issued an appropriate Certificate of Competency upon payment of the fee as prescribed in Part II of The Third Schedule.

(3) The Panel may, in its discretion, exempt a candidate who is a resident of Malaysia from an examination for a Gas Engineer's Certificate of Competency if-

(a) he is a holder of a Certificate of Competency which, in the opinion of the Panel, is equivalent to the relevant Certificate issued under these Regulations; and

(b) he is able to satisfy the conditions as stipulated in subregulation 97(2).

(4) The Director General shall, on payment of the prescribed fee, grant the relevant Certificate of Competency to a candidate exempted from the examination under subregulation (2).

## *Registration of Gas Contractor*

### **103. Gas Contractor.**

(1) No person shall perform or carry out any work in respect of installing, constructing, testing, commissioning, calibrating, maintaining, repairing or operating a gas pipeline or gas installation or part of it unless he holds a valid Certificate of Registration as a Gas Contractor issued under these Regulations.

(2) The Certificate of Registration as a Gas Contractor shall be as prescribed in Form H of the First Schedule and shall be valid for twelve months from the date of issue or its renewal.

### **104. Classification of Gas Contractor and scope of work.**

(1) A Gas Contractor registered under these Regulations shall be classified into the following classes:

- (a) Class A Gas Contractor;
- (b) Class B Gas Contractor;
- (c) Class C Gas Contractor; or
- (d) Class D Gas Contractor;

(2) The scope of work of the various classes of Gas Contractors is as prescribed in Table 3 of the Second Schedule.

### **105. Class A Gas Contractor.**

(1) A Class A Gas Contractor shall have under his employment at least a Gas Engineer or a Gas Engineering Supervisor and a Class I Gas Fitter who are employed on a full time basis by the Gas Contractor.

(2) A Class A Gas Contractor may undertake to design, install, modify, test, commission and maintain the classes of gas installations as prescribed in Table 3 of the Second Schedule.

(3) Any work done by A Class A Gas Contractor shall be in accordance with the competency of the competent persons employed.

(4) The scope of work of the competent person employed by a Class A Gas Contractor is as prescribed in Table 2 of the Second Schedule.

### **106. Class B Gas Contractor.**

(1) A Class B Gas Contractor shall have under his employment at least a Class I Gas Fitter who is employed on a full time basis by the Gas Contractor.

(2) A Class B Gas Contractor may undertake to design, install, modify, test, commission and maintain the classes of gas installations as prescribed in Table 3 of the Second Schedule.

(3) Any work done by a Class B Gas Contractor shall be in accordance with the competency of the competent persons employed.

(4) The scope of work of the competent person employed by a Class B Gas Contractor is as prescribed in Table 2 of the Second Schedule.

#### **107. Class C Gas Contractor.**

(1) A Class C Gas Contractor shall have under his employment at least a Gas a Class II Gas Fitter who is employed on a full time basis by the Gas Contractor.

(2) A Class C Gas Contractor may undertake to design, install, modify, test, commission and maintain the classes of gas installations as prescribed in Table 3 of the Second Schedule.

(3) Any work done by A Class C Gas Contractor shall be in accordance with the competency of the competent persons employed.

(4) The scope of work of the competent person employed by a Class C Gas Contractor is as prescribed in Table 2 of the Second Schedule.

#### **108. Class D Gas Contractor.**

(1) Class D Gas Contractor shall have under his employment at least a Gas a Class III Gas Fitter who is employed on a full time basis by the Gas Contractor.

(2) A Class D Gas Contractor may undertake to design, install, modify, test, commission and maintain the classes of gas installations as prescribed in Table 3 of the Second Schedule.

(3) Any work done by A Class D Gas Contractor shall be in accordance with the competency of the competent persons employed.

(4) The scope of work of the competent person employed by a Class D Gas Contractor is as prescribed in Table 2 of the Second Schedule.

#### **109. Requirements for registration as a Gas Contractor.**

No Certificate of Registration as a Gas Contractor shall be issued or renewed unless the Director General satisfied that-

(a) the person has registered his business with the Registrar of Business or Registrar of Companies, as the case may be;

(b) the person employs, on a full time basis, competent person as specified under subregulation 105(1), 106(1), 107(1) and 108(1) as prescribed in Table 4 of the Second Schedule;

(c) the person has an insurance coverage for his employees under the Employees Social Security Act 1969; and

(d) The person is in possession of suitable equipment, testing equipment and instruments related to his work as determined by the Director General.

**110. Information required for registration as a Gas Contractor.**

Before issuing or renewing a certificate of Registration as a Gas Contractor, the Director General shall require the person to submit the following information:

(a) the names and addresses of all partners in the case of registered partnership and of all directors, managers and shareholders in the case of registered company;

(b) the premises rented or owned for carrying on the business; and

(c) any other information as the Director General deems necessary.

**111. Fees for Certificate of Registration as a Gas Contractor.**

A fee shall be paid for a Certificate of Registration as a Gas Contractor, and its renewal at the rate as prescribed in Part II of the Third Schedule.

**112. Renewal of Certificate of Registration.**

The renewal of a Certificate of Registration as a Gas Contractor, shall be made on not less than two months before the date of expiry of the Certificate.

**113. Transfer of Certificate of Registration.**

(1) No Certificate of Registration shall be transferred by the holder of the Certificate unless with the written permission of the Director General.

(2) The holder of a Certificate of Registration shall obtain approval from the Director General in writing of any change of name or address in connection with the business and the Certificate shall be amended or replaced accordingly free of charge.

**114. Cancellation of Certificate of Registration.**

(1) The Director General may cancel a Certificate of Registration as a Gas Contractor if-

(a) the holder of a Certificate ceases to carry on the business in respect of which he is registered;

(b) the holder of a Certificate has been adjudicated a bankrupt;

(c) the company goes into liquidation; or

(d) the holder of a Certificate or his servant or agent contravenes or fails to comply with the Act or these Regulations.

(2) Where a Certificate of Registration is cancelled by the Director General pursuant to subregulation (1), the Certificate shall be returned to the Director General by the person to whom the Certificate is issued within fourteen days of the notification in writing of the cancellation.

**115. Removal and reinstatement of Gas Contractor.**

(1) The name and other particulars of a person who is registered as a Gas Contractor shall be removed from the Register if-

(a) the person fails to renew his registration on the date of its expiry; or

(b) his registration has been cancelled under these Regulations.

(2) A person whose name has been removed from the Register under subregulation (1) may appeal within thirty days of the removal from the Register for reinstatement and the Director General may, upon receipt of satisfactory evidence or reasons for his reinstatement, register him again.

(3) A person who feels aggrieved by the decision of the Director General not to reinstate him, may apply to the Minister for re-consideration of the matter.

(4) The application under subregulation (3) shall be made in writing within twenty one days from the date of the decision of the Director General against reinstatement and shall contain the grounds of grievance.

(5) The decision of the Minister on the matter referred to him under subregulation (3) shall be final.

(6) Upon reinstatement, a fee as prescribed in Part II of the Third Schedule shall be paid by the person referred to in subregulation (2) and the registration shall be valid for twelve months from the date of expiry of the registration.



*Gas Fittings, Gas Appliances and Gas Equipment*

**116. Certificate of Approval for assembler, manufacturer or importer of gas fittings, gas appliances and gas equipment.**

(1) No person shall assemble or manufacturer, or import a gas fitting, gas appliances or gas equipment without getting approval of the Director General.

(2) A Certificate of Approval to assemble or to manufacture, or import a gas fitting, gas appliances or gas equipment shall be as prescribed in Forms I and J of the First Schedule respectively.

(3) The Certificate of Approval under subregulation (2) shall be valid for a period of twelve months from the date stated in the Certificate and may be renewed not later two months before the date of its expiry.

**117. Test and certification of gas fittings, gas appliances or gas equipment before assembly, etc.**

(1) No gas fitting, gas appliance or gas equipment shall be assembled, manufactured, imported, sold or used unless it has been tested and certified and approved by the Government or its agent or a person accredited by the Government.

(2) A Certificate of Approval gas fitting, gas appliance or gas equipment shall be as prescribed in Forms K of the First Schedule.

(3) The Certificate of Approval under subregulation (2) shall be valid for a period of twelve months from the date stated in the Certificate and may be renewed not later two months before the date of its expiry.

**118. Fee for Certificate of Approval.**

A fee shall be paid for the issuance and renewal of a Certificate of Approval referred to in subregulations 116(2) and 117(2) at the rate as prescribed in Part II of the Third Schedule.

**119. Marking or labeling of approved gas fitting, gas appliance or gas equipment.**

(1) Where a gas fitting, gas appliance or gas equipment has been approved for use or sale by the Director General, the person to whom a Certificate of Approval has been issued under subregulation 117(2) shall mark the gas fitting, gas appliance or gas equipment in the manner to be determined by the Director General.

(2) Where the Director is of the opinion that a gas fitting, gas appliance or gas equipment approved under these Regulations cannot be marked in the manner as in subregulation (1) due to the nature of the gas fitting, gas appliance or gas equipment, the Director General may allow the marking to be made on a container or a label affixed to a bundle in which the gas fitting, gas appliance or gas equipment is contained or in any other manner to be determined by the Director General.

**120. Samples of gas fittings, gas appliances or gas equipment to be delivered to Director General.**

(1) An application for a Certificate of Approval of gas fitting, gas appliance or gas equipment under subregulation 117(2) shall be made to the Director General in a manner to be determined by the Director General.

(2) The applicant shall deliver to the Director General a sample of the gas fitting, gas appliance or gas equipment under subregulation (1) and other information in connection with it, including drawings, photographs, pamphlets and technical literature, as the Director General may require.

(3) A sample delivered shall be attached or affixed with a label containing the following particulars:

(a) the full name and address of the applicant;

(b) the nature of the sample; and

(c) the catalogue or type number of the manufacturer, or any other means of distinguishing the sample.

(4) The Director General shall not be liable for loss or damage caused to a sample delivered under subregulation (2).

**121. Examination and test of sample.**

(1) The Director General may cause one or more samples under regulation 120 to be Examined and tested before granting a Certificate of Approval under subregulation 117(2).

(2) Where the Director General considers that the sample examined and tested under subregulation (1) is likely to cause danger, the person apply for the Certificate of Approval shall modify or alter the sample to comply with the requirements of the Director General and submit the modified or altered sample.

**122. Test seizure and removal of dangerous gas, fitting, gas appliance or gas equipment.**

(1) The Director General may at any time by notice in writing require a person who assembles, manufactures, imports or sells a gas fitting, gas appliance or gas equipment to deliver, within the time specified in the notice, a sample of the gas fitting, gas appliance or gas equipment for examination and test.

(2) If a gas fitting, gas appliance or gas equipment is, in the opinion of the Director General, unsafe or dangerous for use, the Director General may prohibit the use or sale of the gas fitting, gas appliance or gas equipment and, where necessary, may seize and remove the gas fitting, gas appliance or gas equipment.

(3) The Director General shall not be liable for loss or damage caused to a gas fitting, gas appliance or gas equipment delivered, seized and removed under subregulations (1) and (2).

**123. Gas appliance safety precautions.**

(1) No person shall install a gas appliance unless-

- (a) the gas fitting and the gas equipment to be used in connection with the gas appliance are in the condition which ensures that the gas appliance can be used without causing danger to a person or property;
- (b) the general conditions of installation including the stability of the gas appliance and its connection to any other gas fitting are such that the appliance can be used without causing danger to a person or property;
- (c) the gas appliance can be used safely when it is connected to the gas supply; and
- (d) there is a method of shutting off the supply of gas to the gas appliance.

(2) Notwithstanding subregulation (1), the person shall also ensure that-

- (a) there are means of removal of the products of combustion from the gas appliance;
- (b) there is sufficient permanent supply of air for the gas appliance for proper combustion;
- (c) there is sufficient ventilation to the room or the internal space in
  - i. which the gas appliance is to be used; and
- (d) the installation is made in accordance with these Regulations.

**124. Access to gas appliances.**

No person shall install a gas appliance except in such a manner that it is easily accessible for operation, inspection and maintenance.

**125. Testing of gas appliances.**

(1) If a person installs a gas appliances at a time when gas is being supplied to the premises in which the gas appliances is to be installed, he shall immediately after that, test the connection to the gas appliance to verify that the connection is gas tight and examine the gas fitting, gas equipment, other works for the supply of gas and flue or means of ventilation to be used in connection with the gas appliance for the purpose of ascertaining whether-

- (a) the gas appliance has been installed in compliance with these Regulations;

- (b) the operating pressure is as recommended by the manufacturer;
- (c) the gas appliance has been installed in compliance with the manufacturer's instructions relating to the use of the gas appliance; and
- (d) all gas safety controls are in a proper working order.

(2) If a person carrying out a test or examination in relation to a gas appliance determines that adjustments are necessary to ensure compliance with the requirements specified in subregulation (1), he shall either carry out those adjustments or disconnect the supply of gas to the gas appliances.

(3) No person shall install a gas appliance in a premise without testing the connection to the gas appliance for gas tightness.

(4) No person shall install a gas appliance without first ascertaining that all the gas safety controls are in proper working order.

#### **126. Unsafe gas appliances.**

No person shall use a gas appliance or permit a gas appliance to be used if he knows or has reason to suspect that-

- (a) there is sufficient supply of air available for the gas appliance for proper combustion at the point of combustion;
- (b) the removal of the products of combustion from the gas appliance is not being or cannot be safely carried out;
- (c) the room or internal space in which the gas appliance is situated is not adequately ventilated for the purpose of providing air containing sufficient oxygen for the purpose present in the room or in the internal space, or in the vicinity of the internal space while the gas appliance is in use;
- (d) gas is escaping from the gas fitting or gas equipment used in connection with the gas appliance; or
- (e) the gas appliance or any part of it, the gas fitting or gas equipment connected to it cannot be used safely.

#### **127. Irreparable gas appliance.**

(1) A person who finds a gas appliance beyond repair or in an unsafe condition shall discontinue using the gas appliance and shall immediately notify an authorized officer of its conditions and location.

(2) If the notification under subregulation (1) is made verbally, the person shall immediately after that reduce it to writing and shall state all the relevant facts.

## PART VI

### MAINTENANCE

#### **128. Maintenance of gas installation.**

(1) A gas installation shall be maintained in good and efficient working order to ensure safety of persons and safety shall be observed at all times so as to prevent danger from arising.

(2) The duty to ensure the safety standards required under subregulation (1) shall be on the responsible person.

(3) A domestic gas installation shall be checked, tested and certified by the appropriate person every three years but other gas installations shall be similarly inspected, tested and certified every two years.

(4) Notwithstanding subregulation (3), the Director General may direct the inspection, test and certified of any gas installation to be carried out at any time.

#### **129. Power of Director General to inspect.**

(1) The Director General shall inspect a gas installation or premises where a gas installation is located if he thinks that it is necessary to do so in the interest of public or private safety.

(2) The Director General shall require an inspection to be made by sending a notice in writing to the responsible person and that person shall attend the inspection and give any assistance as may be require by the Director General in the notice.

#### **130. Competent person to undertake maintenance work.**

(1) No person other than a competent person or a person acting under the immediate supervision of a competent person, shall undertake to carry out the repair and maintenance of a gas pipeline or gas installation.

(2) The scope of maintenance for a competent person is as prescribed in Table 2 of the Second Schedule.

#### **131. Record of maintenance.**

(1) There shall be kept a maintenance record book in which any maintenance and repair work carried out on a gas installation is recorded.

(2) The book under subregulation (1) shall kept by the responsible person.

#### **132. Authorised or qualified person to do certain work.**

(1) No person, other than an authorized person of a Gas Utility Licensee, a competent person having the permission of a Private Gas Licensee, or a competent person having the permission of the owner or occupier shall -

- (a) open or make connections with a distribution main pipe or gas service pipe;
- (b) disconnect the inlet of a meter; or
- (c) move a meter.

(2) No person shall do welding on a metallic gas piping unless that person is a holder of a valid certificate of qualification from the relevant authority.

(3) No person shall install or inter-connect non-metallic pipe unless that person is a holder of a valid certificate of qualification from the relevant authority.

(4) The Director General may determine the qualification that a person shall have in order to weld piping, install or inter-connect other equipment composed of plastic, metal, glass or other material.

### **133. Testing after disconnection.**

Where a competent person or a person under the supervision of a competent person disconnects the outlets of a meter from house piping, he shall-

- (a) substitute the joint at the meter outlet; and
- (b) turn the meter on again only after testing the house piping and ensuring that no other outlets are open.

### **134. Competent person to notify of need to repair.**

Where a competent person has reason to believe that there is a need for the alteration of, or the repair of a part of a supply system, the competent person shall immediately notify the responsible person of the matter.

### **135. Competent person may make emergency repair.**

Where gas is leaking from a part of the gas supply system, a competent person may make necessary emergency repairs and shall notify the responsible person or the permanent repairs that are necessary.

### **136. Replacement of meter.**

A meter shall be replaced every ten years or at any time when the meter malfunctions.

### **137. Safety and precaution during maintenance work.**

(1) When a person is carrying out maintenance work within the vicinity, he shall take adequate precautions to prevent a gas installation or gas equipment from being accidentally or inadvertently made unsafe.

(2) A person engaged in maintenance work in connection with a gas equipment shall be adequately protected from danger and the responsibility for such protection shall be on the responsible person, his servant or agent, as the case may be.

## PART VII

### MISCELLANEOUS

#### **138. Form of identification card.**

For the purpose of subsection 5(7) of the Act, the identification card to be carried by the authorized officers is as prescribed in Form L of the First Schedule.

#### **139. Fees to be paid in advance.**

All fees payable to the Director General under the Act and these Regulations shall be paid in advance and shall not be refundable unless there is ample justification for a refund.

#### **140. Serious accidents to be reported and investigated.**

(1) For the purpose of section 36 of the Act, The authorized officer or other officer shall, as soon as practicable, upon being notified of an accident or a fire-

- (a) visit the place where the accident or fire occurred;
- (b) make preliminary investigation of the circumstances;
- (c) record in writing his findings which may be supported by relevant
  - i. photographs;
- (d) direct that the person or authority provides him with photographs, medical reports or other relevant documents on the accident or fire;
- (e) forward his report to the Director General; and
- (f) if there has been a loss of life or there is a reason to believe that a person has been fatally injured, send a copy of his findings to the nearest police station.

(2) In the event of the loss of life or grievous hurt is suffered by a person due to an accident or a fire in connection with a gas pipeline or gas installation, no alteration or addition shall be made to the gas pipeline or gas installation or any part of it which may have contributed to the accident or fire without the consent of the Director General and until the Director or the authorized officer has completed his investigation.

Provided that this subregulation shall not operate to interfere with the rescue work or work necessary for the general safety of life or property.

(3) If upon a preliminary investigation under subregulation (2) it appears to the authorized officer or other officer making the investigation that there is a reason to believe that-

- (a) the accident or fire was due to failure to comply with the Act or these Regulations or an order duly made by the Director General; or

- (b) the accident or fire could have been prevented if proper precautions had taken in carrying out work on a gas pipeline or gas installation or any part of it,

the Director General, authorised officer or other authorized officer may further investigate the circumstances of the accident or fire.

(4) If the Director General is of the opinion that any offence under the Act or these Regulations has been committed, it shall immediately forward to the police a copy of the report of the authorised officer's report referred to in subregulation (2) together with his opinion on the circumstances and findings.

(5) A person involved in the investigation made under this section may be entitled to receive a copy of the summary of the evidence and the decision made upon payment of a fee of fifty ringgit.

**141. Director General to keep records.**

The Director General shall keep the following records which have to be Numbered accordingly to chronological order-

- (a) all inquiries held under the Act and the evidence taken in respect of the inquiries;
- (b) all licences issued;
- (c) all technical and administrative instructions issued by the Director General;
- (d) all accidents and fires involving any gas pipeline or gas installation investigated;
- (e) all Certificates of Competency issued under these Regulations;
- (f) all registered competent persons;
- (g) all registered Gas Contractors;
- (h) all registered importers, assemblers and manufacturers of gas fitting, gas appliances and gas equipment;
- (i) all registered gas appliances, gas fitting and gas equipment; and
- (j) any other necessary records.

**142. Offence.**

Any person who contravenes these Regulations shall be guilty of an offence.

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