I, Kerrie Davidia Crowder, Administrator of Occupational Licensing, make the following Order under section 99 of the Occupational Licensing Act 2005.

1. **Short title**
   This Order may be cited as the *Occupational Licensing (Medical Gas Exemption) Order 2012*.

2. **Commencement**
   This Order takes effect on 11 April 2012.

3. **Interpretation**
   In this Order, unless the context otherwise requires –
   
   “**Act**” means the *Occupational Licensing Act 2005*;
   
   “**Administrator**” means the person appointed as the Administrator of Occupational Licensing under section 10 of the Act;
   
   “**container**” has the same meaning as in the *Gas (Safety) Regulations 2002*;
   
   “**contractor**” has the same meaning as in the *Occupational Licensing Act 2005*;
   
   “**Determination**” means the *Occupational Licensing (Plumbing Work) Determination 2010*, as amended from time to time;
   
   “**gas storage system**” has the same meaning as in the *Gas (Safety) Regulations 2002*;
   
   “**medical gas supplier**” means a person who –
   
   (i) receives medical gas for supply or resale to a consumer in the course of trade or commerce; and
   
   (ii) supplies medical gas to a gas storage system that has a container with an individual capacity in excess of 25 litres;
   
   “**medical gas**” means any gas or mixture of gases intended to be administered to patients for therapeutic, diagnostic or prophylactic purpose;
   
   “**medical gas work**” means work on the installation, repair or maintenance of any fixed component used in a reticulation system for the supply or removal of medical gases from the gas source to a wall outlet;
   
   “**Plumber Practitioner (Certifier) Mechanical Services Plumbing – Endorsed Medical Gas**” is the licence listed in clause 4.3(e)(iii) of the Determination;
   
   “**Plumber Practitioner (Certifier Restricted) Mechanical Services Plumbing – Restricted to Medical Gas**” is the licence listed in clause 4.4(c) of the Determination.
4. **Application of the Acts Interpretation Act 1931**

The *Acts Interpretation Act 1931* applies to this Order.

5. **Exemption in relation to medical gas work**

   (1) In accordance with section 99(1)(b) of the Act, I exempt -

   (i) contractors who contract for medical gas work; and

   (ii) medical gas work carried out by the following classes of plumbing licence holders –

       (a) Plumber Practitioner (Certifier) Mechanical Services Plumbing – Endorsed Medical Gas;

       (b) Plumber Practitioner (Certifier Restricted) Mechanical Services Plumbing – Restricted to Medical Gas;

   (iii) persons who can satisfy the Administrator that, in the three years prior to 15 December 2010, they were undertaking medical gas work on a regular basis -

   from the requirement to be licensed under the Act in relation to medical gas work until a date determined by the Administrator.

   (2) This exemption applies subject to the following conditions –

   (i) Medical gas work must only be undertaken by persons considered by medical gas suppliers to be competent to perform such work; and

   (ii) Persons who undertake medical gas work must work only within their area of competence; and

   (iii) Persons who are not appropriately trained and competent must be supervised at a level commensurate with their knowledge, skills and experience in accordance with the *Occupational Licensing (Supervision of Prescribed Work) Code of Practice 2010*, as amended from time to time; and

   (iv) Medical gas systems must be installed, serviced and maintained in accordance with -

       • AS 2896 Medical gas systems - Installation and testing of non-flammable medical gas pipeline systems;

       • AS 2473.3 Valves for compressed gas cylinders Part 3: Outlet connections for medical gases (including pin-indexed yoke connections);

       • AS 2568 Medical gases - Purity of compressed medical breathing air; and

   (v) Any work required on a container must be undertaken with the written permission of the container owner, in accordance with Clause 8.1 of AS2030.1-2009 - Gas cylinders – General requirements.

Kerrie Crowder  
**ADMINISTRATOR OF OCCUPATIONAL LICENSING**  
11 April 2012

[CONTACT DETAILS]

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