

Occupational Licensing (Medical Gas Exemption) Order 2012

Occupational Licensing Act 2005
Section 99 - Exemption

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; and
 - (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

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