



Queensland

Petroleum and Gas (Safety) (Gas Devices) Amendment Regulation 2021

Subordinate Legislation 2021 No. 187

made under the

Petroleum and Gas (Production and Safety) Act 2004

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[s 1]

1 Short title

This regulation may be cited as the *Petroleum and Gas (Safety) (Gas Devices) Amendment Regulation 2021*.

2 Commencement

This regulation commences on 1 January 2022.

3 Regulation amended

This regulation amends the *Petroleum and Gas (Safety) Regulation 2018*.

4 Amendment of s 12 (Gas device (type A)—Act, s 724)

Section 12, from ‘each’—

omit, insert—

the following devices are prescribed—

- (a) each device mentioned in schedule 1;
- (b) a small gas engine driven appliance that complies with AS/NZS 5263.1.11 Part 1.11 ‘Small gas engine driven appliances’.

5 Insertion of new s 12A

After section 12—

insert—

12A Prescribed gas flares

For section 724(5) of the Act, definition *gas flare*, paragraph (b), a device is prescribed if the fuel gas disposed of by the device is biogas or biomethane.

6 Replacement of s 123A (Gas work licence not required for particular gas work)

Section 123A—

omit, insert—

123A Gas work licence not required for particular gas work

For section 726(5) of the Act, the following circumstances are prescribed—

- (a) the gas work is—
 - (i) replacing a pigtail connected to a gas cylinder; and
 - (ii) carried out under the safety management system for a fuel gas delivery network; and
 - (iii) carried out by a person assessed under the safety management system as competent to replace a pigtail;
- (b) the gas work—
 - (i) relates to a small gas engine driven appliance that is a gas device (type A) and part of an operating plant; and
 - (ii) is carried out under the safety management system for the operating plant; and
 - (iii) is carried out by a person assessed under the safety management system as competent to carry out gas work in relation to the small gas engine driven appliance.

7 Insertion of new ch 10, pt hdg

Before section 166—

insert—

Part 1

Transitional provisions for SL No. 135 of 2018

[s 8]

8 Insertion of new ch 10, pt 2

Chapter 10—

insert—

Part 2 **Transitional provision for Petroleum and Gas (Safety) (Gas Devices) Amendment Regulation 2021**

175 Existing biogas flares

- (1) This section applies to a biogas flare in existence immediately before the commencement.
- (2) Despite section 12A, on the commencement, the biogas flare is not prescribed for section 724(5) of the Act until immediately after any of the following occurs—
 - (a) the biogas flare is installed in an operating plant;
 - (b) the biogas flare is removed from an operating plant and installed in another operating plant;
 - (c) an integral part of the biogas flare is replaced with another part that differs substantially in design or function to the replaced part.
- (3) In this section—

biogas flare means a device that uses combustion for the disposal of biogas or biomethane.

9 Amendment of sch 7 (Dictionary)

Schedule 7—

insert—

small gas engine driven appliance means a device for fixed installation that consists of—

- (a) a gas fuelled reciprocating internal combustion engine with the capacity to consume no more than 1000 MJ in an hour; and
- (b) an air conditioner, heat pump, electricity generator or gas compressor powered by the engine.

Endnotes

ENDNOTES

- 1 Made by the Governor in Council on 9 December 2021.
- 2 Notified on the Queensland legislation website on 10 December 2021.
- 3 The administering agency is the Department of Resources.

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