

PUBLIC FEEDBACK ON THE PROPOSED GAS (SUPPLY) REGULATIONS

1. A public feedback exercise on the proposed Gas (Supply) Regulations was held from 9 May 2007 to 4 June 2007 to obtain feedback on the proposed regulations.
2. Feedback was received from 7 respondents, viz PowerGas Ltd, City Gas Pte Ltd, SembCorp Gas Pte Ltd, PowerSeraya Ltd, Tuas Power Ltd, ConocoPhillips Ltd and Ciba Specialty Chemicals Industries (S) Pte Ltd.
3. Common concerns raised were on provisions governing the procedures on application for gas supply and connection of the gas installation and gas fitting; provisions pertaining to gas installations, gas fittings and gas appliances and the responsibilities of respective parties to inspect and maintain gas appliances or gas fittings.
4. A summary of the key concerns, and the EMA's assessment is tabulated in the Appendix. Feedback from all the respondents are also published for general information.
5. EMA thanks all the respondents for their comments and feedback.

Summary of Feedback and EMA's Assessment on the Proposed Gas (Supply) Regulations

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Part I Definitions		
1.	It was proposed that the definition of "consumer's internal pipe" should not be limited to the part of the gas installation within the gas consumer's premises as a meter installation can be located outside the gas consumer's premises.	This feedback is accepted. The definition is amended by deleting the words "within the gas consumer's premises" as follows: "Consumer's internal pipe" means the part of the gas installation between a meter installation and a gas appliance;
Part II Supply of gas		
2.	<u>Reg 3(1), 3(2), 4, 9, 12 & 13</u> Some respondents commented that there is no mention of the application process by a managed capacity customer under the new gas market and these Regulations only covers the direct access customer and the retail consumer. Clarifications were sought on who is considered a direct access customer and whether a retail consumer includes a managed capacity customer.	This feedback is noted. Managed capacity customer is used in the proposed Gas Network Code to refer to a specific group of direct access customer. In the context of the Gas Act and the Gas (Supply) Regulations, managed capacity customer is a direct access customer and not a retail consumer.
3.	<u>Reg 3(4)(a)</u> Respondents sought clarification on the need for obtaining consent from the owner to use his gas installation for the supply of gas.	For safety considerations, the responsible person of a gas installation needs to be aware that gas is being supplied through his gas installation. The applicant for gas supply is therefore required to obtain the consent of the responsible person to use his gas installation for the supply or increase in supply of gas applied for.
4.	<u>Reg 3(4)(c)</u> There was a feedback on the procedure for the turn-on of a gas installation when the gas installation is left unattended upon completion of the appropriate test but the gas supply is not turned on immediately.	For safety reason, gas supply to a gas installation shall be turned on immediately after the appropriate test has been successfully carried out. If the gas supply to the gas installation is not turned on and the gas installation is left unattended after the appropriate test has been carried

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		out, the appropriate test has to be conducted again before turning on of the gas supply to ensure that the gas installation is safe for use.
5.	<p><u>Reg 3(5)</u></p> <p>Clarification was sought on the responsibility for turning on or cutting off the gas supply for a retail consumer, and to whom the retail consumer should be making his application. A gas retailer may not have access to the gas meter control valves as the gas transporter owns the meters.</p>	<p>The relevant gas retailer shall be responsible for installing the meter and turn-on of the gas supply to the retail consumer or the discontinuance of supply to the retail consumer and removal of the gas meter.</p> <p>Under the Gas (Supply) Regulations, there is a difference between “discontinuance of supply”, which is to be carried out at the meter control valve by the gas retailer, and the “disconnection of supply” which is to be carried out at the gas service isolation valve by the gas transporter.</p>
Part III Connection of gas installation and gas fitting		
6.	<p><u>Reg 5(2)</u></p> <p>There is a suggestion that the gas transporter should not be the party to approve the plans and the specifications of a gas installation and that the applicant should keep the plan and to make them available to the gas transporter upon request.</p>	<p>This feedback is not accepted. This provision is to ensure that any gas installation or gas fitting, which is to be connected to the gas supply system, is safe for connection and admittance of gas.</p>
7.	<p><u>Reg 5(3)(b)</u></p> <p>A respondent commented that it is more practical for the designated representative of the premises to re-conduct the appropriate tests and to certify to the gas transporter that the installation is safe. This is because the gas transporter is not in a position to know if any gas installation would be left unattended.</p>	<p>This feedback is not accepted. Prior to making the connection to any gas installation or gas fitting and admitting the gas, the gas transporter has to ascertain that the designated representative has re-conducted all appropriate tests. This is necessary for the safety of the public.</p>

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8.	<p><u>Reg 6</u></p> <p>Some respondents opined that the Regulations gives the gas transporter too much power in dictating the location of the gas service isolation valve. They suggested that the criterion and the obligation by the gas transporter should be clearly stated and the decision should be reasonable.</p>	<p>Regulation 6 is amended by inserting one additional paragraph "In determining the point of termination of a gas service pipe and the location of a gas service isolation valve, the gas transporter shall have regard to the ease of isolation of any supply of gas to any premises in the event of an emergency involving public safety."</p>
9.	<p><u>Reg 7(1) & 7(3)</u></p> <p>A respondent proposed an independent panel be set up to review the safety of the gas fittings before the gas transporter disconnect such gas installations from the gas network and refuted the idea of requiring the gas transporter to immediately disconnect the gas installation or gas fitting.</p> <p>Another respondent commented that the obligation of the gas transporter in refusing connection for any gas installation if the gas installation is unsafe should be made only if the gas transporter has knowledge that the particular gas installation is unsafe.</p>	<p>This feedback is not accepted. Unsafe situation has to be dealt with expeditiously by the gas transporter and it is the duty of the gas transporter to do its due diligence to ensure safety and compliance before re-connection. The gas transporter also has to ensure that the gas pipeline network continues to operate in a manner that will not endanger the safety of any person.</p>
Part IV Gas installation, gas fitting and gas appliance		
10.	<p><u>Reg 9(5)</u></p> <p>A respondent suggested that EMA should give advance notice for the implementation of any code of practice and allow the gas transporter adequate time to ensure compliance to such code of practice.</p>	<p>This feedback is noted. EMA will give advance notice of the implementation of such code of practice.</p>
11.	<p><u>Reg 10</u></p> <p>A suggestion was made to end the responsibilities of the responsible person at the gas appliance.</p>	<p>This feedback is not accepted. The responsible person shall at his own expense be responsible for the inspection, maintenance, repair or renewal of the gas installation within the premises, including riser pipes and up to the meter installation. The consumer shall at his own expense</p>

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		be responsible for the proper maintenance, repair or replacement of the gas appliances and the consumer's internal pipe.
12.	<p><u>Reg 11 and 12</u></p> <p>Some respondents suggested that the consumer or the direct access customer be responsible for the maintenance, repair or replacement of all internal pipes and the gas appliance within their premises, irrespective of whether they belong to the consumer. Furthermore, the Regulation does not state the need for the responsible person to inspect that part of the gas installation.</p>	<p>This feedback is accepted. Regulation 11 is amended to "the consumer shall at his own expense be responsible for the proper maintenance, repair or replacement of the gas appliances and the consumer's internal pipe." Regulation 12 is amended to "the direct access customer shall at his own expense be responsible for the inspection of gas fitting and the proper maintenance, repair or renewal of the gas plants and gas appliances, and of such gas fittings as may be agreed upon between the gas transporter and the direct access customer."</p>
13.	<p><u>Reg 17(1)</u></p> <p>Feedback by a respondent on regulation 17(1) stated that the Regulations gives the impression that a person is allowed to carry out any work on any pipe containing gas, once he has taken all reasonable steps to ensure that the work would not cause any danger to any person or property.</p>	<p>The requirements to seek prior approval of the gas transporter or the relevant gas retailer are stipulated in regulations 3, 5 and 13 of the Regulations.</p>
14.	<p><u>Reg 17, 18, 19 and 20</u></p> <p>Respondents commented that the work set out in the Regulations did not specify that it has to be carried out by either a professional engineer or a licensed gas service worker. Also the respondents suggested this to be made an offence for any person who is not a professional engineer or a licensed gas service worker (or in cases where a professional engineer is expressly required) to engage in any gas service work.</p>	<p>Such provisions are already stipulated in the Gas Act.</p>

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15.	<p><u>Reg 19(2)</u></p> <p>There is a suggestion to determine whether a gas appliance is to be installed, repaired, altered or replaced by a professional engineer or under the supervision of a professional engineer based on the type of the gas appliance and not whether it is used by a direct access customer as large generation companies and petrochemical plants may not be a direct access customers.</p>	<p>Gas service work carried out on gas installation or gas fittings where the operating pressure is above 30 mbar will have to be carried out by a professional engineer or under the supervision of a professional engineer. Gas installation or gas fittings of large generation companies and petrochemical plants taking gas from the gas transmission pipeline are operating at pressures above 30 mbar.</p>
16.	<p><u>Reg 20</u></p> <p>Respondents commented that regulation 20 is wide enough to capture domestic gas appliances and the users of such domestic gas appliance i.e. the domestic consumers. It is unlikely that most layman consumers would be aware of, much less be in a position to comply with the requirement in this regulation, which would result in such consumers committing a criminal offence. It is onerous to require all users of gas appliances, including users of domestic gas appliances to use gas appliances only after they have been certified safe for use.</p>	<p>Under the Gas Act, installation or work such as repair, maintenance, testing, etc. of gas appliance is defined as gas service work. Such gas service work has to be performed by a licensed gas service worker or a professional engineer, who is also required to issue a written statement certifying that the appliance is safe to be used upon completion of the gas service work.</p>
17.	<p><u>Reg 22</u></p> <p>One respondent suggested amending this regulation as the operation, maintenance and accuracy of certain installed meters are outside the scope of pre-existing contractual agreements.</p>	<p>The original provision is deleted from the Gas (Supply) Regulations. Separate regulations will be made to cover gas metering requirements taking into consideration the feedback.</p>

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Part VI Licensing of Gas Service Workers		
18.	<p><u>Reg 23, 24, 25, 26, and 29</u></p> <p>Respondents requested for a reasonable notice prior to the appointed day when the requirement of gas service worker licences become effective. This is to allow the relevant parties to make necessary arrangements to obtain the requisite licences of gas service workers. Additional request was also made for automatic granting of gas service worker licences to existing experienced gas personnel who are yet to be licensed.</p>	<p>Under Section 12(6) of the Gas Act, any gas service worker licence granted under the existing Public Utilities Act (Cap. 261, 1996 Ed.) in force immediately before the appointed day shall, unless the Authority directs otherwise, be deemed to have been granted under the Gas Act. However, it would not be appropriate to automatically grant a gas service worker licence to any person who has not applied for a gas service worker licence and has not been assessed by EMA on his qualifications and experiences.</p>
19.	<p><u>Reg 38</u></p> <p>There is a concern that this regulation requiring the licensed gas service worker to inform EMA of his change of address is unduly onerous, especially given that a breach of this regulation constitutes an offence under regulation 41 and the licensed gas service worker may be fined up to \$5,000.</p>	<p>Under regulation 38(2), a licensed gas service worker who makes a report of a change in his residential address under section 8 of the National Registration Act (Cap. 201) shall be deemed to have complied with regulation 38(1) in relation to his residential address on the date on which he makes the report.</p>