

**Name of Document For Consultation: Proposed Gas (Supply) Regulations**

**Company Name: PowerGas Ltd**

**Date of Submission: 4 June 2007**

**Summary of Comments and Changes**

No.	Regulations No.	Comments	Suggested Amendments
	General		
1.		The typographical, grammatical and formatting errors in the Draft Gas (Supply) Regulations 2007 (" <b>Regulations</b> ") should be rectified.	
2.		It is noted that some of the defined terms in the Regulations have already been defined in the Gas Act (" <b>Act</b> "). If the terms are meant to be used differently, different terms should be adopted.	
3.		It is noted that some of the defined terms in the Regulations have already been defined in the other codes of practice. If the terms are meant to be used differently, different terms should be adopted.	
4.	2(1)	There can be cases where the meter installation is outside the consumer's premise (e.g. HDB units). For clear demarcation of responsibility, the definition of "consumer's internal pipe" should not be limited to the part of the gas installation within the consumer's premises.	The EMA should amend this definition as follows:  "“consumer's internal pipe” means the part of the gas installation between a meter installation and a gas appliance;”
5.	2(1)	As currently drafted, both the definitions of "gas metering code" and "gas supply code" are identical and simply refer to "the code of practice approved by the Authority". This is incorrect and leads to confusion as to the exact code of practice the defined term relates to.	The EMA should amend these definitions as follows:  "gas metering code" means the code of practice so entitled approved by the Authority, as may be supplemented, varied, modified or replaced from time to time;”  "gas supply code" means the code of practice so entitled approved by the Authority, as may be supplemented, varied, modified or replaced from time to time;”

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6.	2(1)	<p>As a drafting point, “leak free” should be defined in relation to a gas installation.</p> <p>In addition, since initial leak tests are conducted using nitrogen or air, the reference to “<u>gas</u> leak” is confusing and should be replaced with “leak”.</p>	<p>The EMA should amend this definition as follows:</p> <p>“leak free” means, in relation to a gas installation, there is no leak at any part of such gas installation and this is to be verified with appropriate testing as specified in Singapore Standard CP 51;”</p>
7.	2(1)	<p>The current definition of “professional engineer” is restricted to a professional engineer from the mechanical engineering discipline. This definition is too narrow and may be overly restrictive in the context of certain provisions in the codes of practice, such as paragraph 8.3.3 and 8.3.4 of the Gas Supply Code (“<b>GSC</b>”). A professional engineer in the relevant discipline should be able to act as a designated representative.</p>	<p>The EMA should amend this definition as follows:</p> <p>““professional engineer” means any person who is registered as a professional engineer under the Professional Engineers Act (Cap. 253);”</p>
8.	2(1)	<p>We note that “Singapore Standard CP 51” does not apply to gas installations taking natural gas above 20kPa.</p>	
9.	3(2)	<p>As a drafting point, it should be clarified that the provisions of Part III shall only apply with respect to the application made.</p>	<p>The EMA should amend this provision as follows:</p> <p>“(2) Where the applicant is a direct access customer, an application for a supply of gas or for an increase to an existing supply thereof shall be made to a gas transporter as if the application was for the connection of any gas installation for the supply of gas under regulation 5(1) and the provisions of Part III shall apply in respect of such application.”</p>
10.	3(4)(b)	<p>The tests should be carried out without the meter so as to avoid the risk of introducing air into the transportation system. In addition, we believe that the current practice is to test the meter installation using soap solution.</p>	<p>The EMA should amend this provision as follows:</p> <p>“prior to turning on or restoring the gas supply at the relevant gas meter control valve, ensure that appropriate tests as prescribed in the gas supply code are performed on the gas appliance and the consumer’s internal pipe to ascertain that it is safe to turn on the gas supply. The meter installation shall thereafter be tested using soap solution;”</p>
11.	3(4)(c)	<p>Please see our comments above in relation to regulation 3(4)(b).</p>	<p>The EMA should amend this provision as follows:</p> <p>“upon the completion of the tests referred to in sub-paragraph (b), if the gas supply is not turned on and the consumer’s internal pipe including the meter installation is left unattended, ensure that the</p>

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			meter installation is removed and repeat the process in (b); and”
12.	5(2)	<p>It is not for the gas transporter to approve the plans and specifications of the gas installation. Instead, an obligation should be placed on the applicant to keep the plans and specifications and to make them available to the transporter on request.</p>	<p>The EMA should amend this provision as follows:</p> <p>“(2) Every application referred to in paragraph (1) shall be —</p> <p>(a) made in such form as may be required by the gas transporter in accordance with the procedures specified in the gas supply code.”</p>
13.	5(3)(a)	<p>Since the designated representative is responsible for performing the “appropriate tests”, it would be more practical for the designated representative to produce some form of proof in the form of a certificate to the gas transporter that the tests have been conducted. Also, it is noted that in the GSC, it is provided in paragraph 2.4.3 that the designated representative will certify to the gas transporter that the appropriate tests have been carried out and the gas transporter would only make the connections and to admit gas upon receipt of such certification. For consistency between the GSC and this Regulations, this provision should be amended to reflect the position taken in the GSC.</p> <p>In addition, the provision provides that the gas transporter has to ensure that the appropriate tests are performed by <u>a</u> designated representative. As currently drafted, it is not clear whether this is a reference to the gas transporter’s designated representative or the designated representative of the applicant.</p>	<p>The EMA should amend this provision as follows:</p> <p>“(a) prior to making the connection applied for under that paragraph, ensure that the procedures as prescribed in the gas supply code are followed by a designated representative on the gas installation from the gas service isolation valve to (but excluding) the meter installation to ascertain that it is safe to make such connection;</p> <p>(b) upon the completion of the tests referred to in sub-paragraph (a), if gas is not admitted into the gas installation up to (but excluding) the meter installation and the said portion of the gas installation is left unattended, any connection to the gas installation shall be disconnected and the gas transporter shall follow the procedures as prescribed in the gas supply code, before admitting the gas; and</p> <p>(c) after admitting gas into the gas installation up to (but excluding) the meter installation, immediately issue a statement of admittance of gas (which shall be in such form as may be approved by the Authority) signed by the officer of the gas transporter responsible for the admittance of gas, and counter-signed by the applicant and his designated representative.”</p> <p>The EMA should provide clarification whether “a designated representative” is a reference to the gas transporter’s designated representative or the designated representative of the applicant.</p>

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14.	5(3)(b)	<p>Please see our comments in relation to regulation 5(3)(a). Similarly, the gas transporter will not be in a position to know that the gas installation is left unattended. It will be more practical for the designated representative to re-conduct the appropriate tests and thereafter certify the same to the gas transporter.</p> <p>It is to be noted that in the GSC, the position taken in paragraph 2.4.8 is that the designated representative shall re-perform the appropriate test and re-certify to the gas transporter if gas is not admitted to the gas installation forthwith on completion of the tests. For consistency between the GSC and this Regulations, this provision should be amended to be consistent with the procedures highlighted in paragraph 2.4.8 of the GSC.</p> <p>As currently drafted, it would seem that gas has to be admitted immediately upon the completion of the tests – it would seem more practical to instead provide for a specified period during which gas must be admitted before the appropriate tests are required to be re-performed.</p>	<p>For consistency with the GSC, the EMA should consider amending this provision to provide that the gas transporter shall only admit the gas upon receiving the appropriate certification from the designated representative that the appropriate tests have been re-performed.</p> <p>The EMA to amend this provision to provide for a specified period of time before the requirement to re-perform the tests kicks in.</p>
15.	7(1)	<p>The obligation on the gas transporter to refuse to connect any gas installation if the gas installation is unsafe should be made subject to the gas transporter having knowledge that the particular gas installation is unsafe. This is consistent with the position taken in regulation 7(3).</p>	<p>The EMA should amend this provision as follows:</p> <p>“(1) The gas transporter shall, to the extent that it is aware, refuse to connect any gas installation or gas fitting to the gas pipeline network if the gas installation or gas fitting is unsafe for use or does not comply with these Regulations.”</p>
16.	7(3)	<p>It is not practical to require the gas transporter to be able to disconnect the gas installation or gas fitting immediately. To ensure this provision is workable, the requirement for immediate notice</p>	<p>The EMA should amend this provision as follows:</p> <p>“(3) When the gas transporter becomes aware that a gas</p>

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		should be replaced with a requirement to disconnect as soon as practicable.	installation or a gas fitting is unsafe or it is no longer to be used to supply gas to any consumer, he shall, as soon as reasonably practicable, disconnect such gas installation or gas fitting from the gas pipeline network.”
17.	7(4)	There should be clear demarcation of roles and responsibilities to ensure safety.	The EMA should amend this provision as follows:  “(4) Where any gas installation or any gas fitting is disconnected from the gas pipeline network by the responsible person shall ensure that the disconnected gas installation or gas fitting is safe.”
18.	7(5)	The procedures set out in regulation 5(3) should be followed before the gas supply is reconnected.	The EMA should amend this provision as follows:  “(5) In the event the gas transporter disconnects any gas installation or any gas fitting for safety reasons, the supply of gas shall be reconnected as per the procedures in regulation 5(3).”
19.	7(6)	It is not practical to require the gas transporter to be able to give notice in writing immediately. The requirement for immediate notice should be replaced with a requirement to give notice as soon as practicable.	The EMA should amend this provision as follows:  “(6) Where the gas transporter refuses to connect under paragraph (1) or the gas transporter disconnects under paragraph (2) any gas installation or gas fitting from the gas pipeline network, it shall, as soon as practicable, give notice in writing for its decision to the applicant or the responsible person for the premises, as the case may be.”
20.	9(1)	<p>Given that the obligations of the gas transporter end at the gas service isolation valve, this regulation is inappropriate in providing that the responsibility of the gas transporter extends to <u>any</u> gas installation.</p> <p>As currently drafted, this regulation imposes an onerous obligation on the gas transporter who will be unable to connect any new customers to the network.</p> <p>Also, the obligation of the gas transporter under this regulation seems to go further than the obligation envisaged under the Act.</p> <p>Section 29(1) of the Act states:</p> <p>“A gas transporter shall carry out any necessary work of</p>	<p>The EMA should delete this provision entirely.</p> <p>It is suggested that paragraph 9(1) be replaced with the following:</p> <p>“Pursuant to clause 29(4) of the Act, the gas transporter shall establish and implement a systematic inspection program as outlined in the Gas Supply Code.”</p>

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		<p>maintenance, repair or renewal of —</p> <p>(a) any part of a gas service pipe from a gas main <u>up to a gas service isolation valve...</u>”</p> <p>Section 29(4)(b) of the Act states:</p> <p>“(4) The gas transporter shall —</p> <p>(b) notify the person prescribed under subsection (3) as being responsible for the maintenance, repair or renewal of that part of the gas installation <u>or that part of the gas service pipe linking the gas service isolation valve to the gas installation,</u> if any such work of maintenance, repair or renewal is necessary following such inspections; and such work shall be carried out at the expense of that person.”</p> <p>Reading these two provisions together, it seems clear that the gas transporter’s obligation of maintenance ceases at the gas isolation service valve. Thereafter, the gas transporter’s obligation is merely to notify the person responsible for maintenance in the event that maintenance work is necessary.</p> <p>The scope of the gas transporter’s obligations under this provision extends to <u>any gas installation.</u> Given that “gas installation” is defined in the Act to mean a discrete grouping of gas fittings linking a gas service pipe to a gas appliance, the gas transporter’s obligations under this provision will include obligations in relation to the gas fittings from the gas service pipe to the gas appliance. This is inconsistent with the Act. Given that the Act already provides for the gas transporter to undertake the necessary inspection and maintenance, this provision is unnecessary.</p>	
21.	9(2)	This regulation is irrelevant and should be deleted.	The EMA should delete this provision entirely.
22.	9(3)	This regulation is irrelevant and should be deleted.	The EMA should delete this provision entirely.
23.	9(3)(a)	Presumably, the reference to “gas installation” should be a reference to “gas fittings”.	<p>The EMA should amend this provision as follows:</p> <p>“engage a professional engineer to certify the fitness of such part of the gas fittings for which the direct access customer is responsible</p>

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			under regulation 12; and”
24.	9(5)	Compliance with any such code of practice cannot be implemented immediately. The EMA should give advance notice of the implementation of such code of practice and give the gas transporter adequate time to ensure compliance.	The EMA should amend this provision as follows:  “(5) Upon notification in writing by the Authority of the approval of a code of practice (which notice shall be given to the gas transporter reasonably in advance), the gas transporter shall ensure that the gas installation or gas fitting in any premises is inspected at such intervals in accordance with such code of practice.”
25.	10	For clarity, the gas appliance is a better representation of the end point than the gas installation.	The EMA should amend this provision as follows:  “The responsible person for any premises shall at his own expense be responsible for the inspection, maintenance, repair or renewal of any part of the gas pipe linking the gas service isolation valve to the gas appliance or any gas fitting within the premises, excluding the meter unless the responsible person is the meter owner.”
26.	11	The consumer should be responsible for the maintenance, repair or replacement of all internal pipes within his premises, irrespective of whether they belong to the consumer.  For consistency with regulation 10, the consumer should also be responsible for the inspection of the gas appliances and internal pipe.	The EMA should amend this provision as follows:  “The consumer shall at his own expense be responsible for the proper inspection, maintenance, repair or replacement of the gas appliances and any internal pipes located after the meter.”
27.	12	For clarity, it is preferred that the demarcation of responsibilities is set out. For consistency with the demarcation of responsibilities of the various parties, the gas service isolation valve should be used as a demarcation point.  For consistency with regulation 10, the direct access consumer should also be responsible for the inspection of the gas plants, gas appliances and gas fittings.	The EMA should amend this provision as follows:  “The direct access customer shall at his own expense be responsible for the proper inspection, maintenance, repair or renewal of the gas plants and gas appliances, and of such gas fittings after the gas service isolation valve, excluding the meter unless the direct access customer is the meter owner.”
28.	13	The gas transporter is not the appropriate party and has no capability to approve internal gas installations.  It is noted that in the electricity industry, after the introduction of the	The EMA should amend this provision as follows:  “(1) No person shall carry out any replacement of, or addition or alteration to, the gas installation or gas fittings located from the gas

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		<p>licensing scheme, the licensed electrical worker, rather than the grid operator, is responsible for internal installations.</p> <p>Our revised regulation 13 is also more consistent with regulations 14 and 15.</p>	<p>service isolation valve to the gas appliance unless he is a professional engineer ora licensed gas service worker, as the case may be.</p> <p>(2) Any person who contravenes paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000."</p>
29.	15(1) & 15(2)	<p>Given the possibility that there may be more than one gas installation or gas fitting on the premises, references to "the gas installation" should be replaced with "any gas installation".</p>	<p>References to "the gas installation" in this regulation should be replaced with "any gas installation".</p>
30.	15(3)	<p>Meter reading is only one of the ways to check for gas leaks. For clarity, it is proposed that (a) and (b) are combined.</p>	<p>The EMA should amend this provision as follows:</p> <p>"Any person carrying out or causing to be carried out any work on any premises which may affect the gas installation or gas fitting on those premises shall take all necessary steps to check and detect any escape of gas within the premises throughout the duration of the works."</p>
31.	15(4)	<p>For clarity, the references to gas escaping "<u>into</u> those premises" should be gas escaping "at those premises" instead.</p>	<p>References to "into those premises" should be replaced with "at those premises".</p>
32.	18(2)(a)	<p>It is noted that regulation 18(1) and (3) refers to work in relation to a gas installation "or gas fitting". However, regulation 18(2)(a) refers only to the gas installation. For consistency, regulation 18(2)(a) should also refer to the gas fitting.</p>	
33.	19(2)	<p>It is more appropriate if the determining factor for deciding the gas appliances which must be installed, repaired, altered or replaced by a professional engineer or under the supervision of a professional engineer be based on the type of the gas appliances and not whether it is used by a direct access customer. For example, large gencos and petrochemical plants (such as Shell and Exxon Mobil) may not be direct access customers but will operate gas appliances</p>	

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		that should be subject to the requirements contained in this regulation. The criteria should thus be the type of gas appliance based on a range of factors such as flow, pressure or load. It is recommended that the EMA should develop other thresholds (such as load or pressure) for determining the applicability of the said safety requirements.	
34.	20	As currently drafted, it is to be noted 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 such 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.	The EMA should delete regulation 20(3) entirely.
35.	25(2)	As a point of drafting, the user of the phrase “stipulated in the gas supply code as not requiring endorsement of a professional engineer” would mean that this requirement would apply only where the GSC expressly provides that the endorsement of a professional engineer is not required.	
36.	25(3)	As a point of drafting, is this intended to be a reference to “a” professional engineer instead of “the” professional engineer?	
37.	35(2)	As a drafting point, it is incorrect to refer to the holder of the gas service worker licence ceasing to be a licensed gas service worker if his licence is merely suspended.	