

Gas Information Sheet 64

Applying for an Exemption



Introduction

This gas information sheet provides information about applying for an exemption under the Gas Safety (Gas Installation) Regulations 2018.

The *Gas Safety Act 1997* (section 72) requires work on a gas installation to comply with the prescribed standards (for example, for complex gas installations AS/NZS 5601, Parts 1 & 2, and for Type B appliances AS 3814). Where compliance with the prescribed standards cannot be met a person may apply for an exemption.

Energy Safe Victoria may grant an exemption if it is satisfied that:

- complying with the standard or requirement is too costly
- safety is not being compromised.

The need for an exemption should be identified before work starts and an application submitted to Energy Safe as early as possible.

Exemption applications

Exemption applications:

- are made in the final stages of the installation process, or because Energy Safe issued a non-compliance notice that may delay the project's completion
- will be declined if acceptable reasons and evidence are not provided. Under these circumstances, compliance with the prescribed standards will be required.

Schedule 6 Information

Schedule 6 of the Gas Safety (Gas Installation) Regulations 2018 lists the required information when applying for an exemption.

The following table explains each Schedule 6 item and provides a guide to correctly completing an application.

If the exemption application is for gas appliances or components not installed in a gas installation (meaning the applicant is a manufacturer and/or a supplier), information relating to gas installations and gas work (items 3, 4, 5 and 6) are not required.

Schedule 6 information requirement	Definitions and explanations
1. Full name and ABN or ACN of applicant.	This section requires the full name of the person applying for the exemption. This may not necessarily be the plumber or gasfitter doing the work. Anyone can apply for an exemption. The ABN or ACN should be provided (where applicable).
2. Address and contact details of applicant.	<ul style="list-style-type: none">• This section requires the address and contact details of the person applying for the exemption

Schedule 6 information requirement	Definitions and explanations
	<p>(the applicant). Contact details should include the: residential or business address</p> <ul style="list-style-type: none"> • telephone number • email address. <p>Ensuring this information is accurate and up-to-date means the applicant can be contacted as soon as possible for clarification, further questions, or to be informed of the outcome of the application.</p>
<p>3. Name, address and contact details of customer.</p>	<p>This section requires the name, address and contact details of the person (client) the work is being carried out for (if applicable). Contact details should include:</p> <ul style="list-style-type: none"> • residential or business address • telephone number • email address.
<p>4. Address of gas installation.</p>	<p>This section requires detailed information about the gas installation address (if applicable).</p> <p>If the gas installation is part of a shopping complex, or high-rise building, then the individual tenancy number is required.</p> <p>For example: Tenancy (Shop) 1234, Downtown Shopping Centre, 101 City Rd, Melbourne, 3000.</p>
<p>5. Name, address and contact details of person carrying out gasfitting work.</p>	<p>This section requires the name, address and contact details of the licensed gasfitter performing the gasfitting work (if applicable). The licensed gasfitter's Victorian Building Authority (VBA) license number is also required.</p> <p>Contact details should include:</p> <ul style="list-style-type: none"> • residential or business address • phone number • email address. <p>If an associated gas application is in progress (for example, Energy Safe reference – GA-12345), or is in progress via Energy Safe's online gas application system (GasTrac), then the GA job reference number should also be noted in the exemption application.</p>
<p>6. Details of proposed gas fitting work.</p>	<p>This section requires details about the gasfitting work (if applicable).</p> <p>This enables Energy Safe to understand the scope of the work before it starts.</p>
<p>7. Details of Standard or requirements from which exemption is sought (please specify regulation number and/or the standard or clause number in the relevant standard.</p>	<p>This section specifies which clause (or part of a clause) the applicant wants to be exempted from, and provides an opportunity to specify in what way the proposed installation will not comply with (or will deviate from) the relevant clause.</p> <p>Always ensure that the clause the exemption is being sought for is quoted accurately and in full. For example:</p>

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Schedule 6 information requirement	Definitions and explanations
	<ul style="list-style-type: none"> Standard – AS/NZS 5601.1:2013 Clause – 5.7.4 Part (c).
<p>8. Statement of reasons why you believe that compliance with the standards or requirements does not warrant the cost of compliance and the alternative means by which you propose to achieve an acceptable level of safety.</p>	<p>This section requires details about the reasons why it is believed that the cost of compliance does not warrant compliance with the relevant clause.</p> <p>Evidence also needs to be provided to show that safety is not being compromised.</p> <p>When establishing whether an acceptable degree of safety can be achieved, it is important to:</p> <ul style="list-style-type: none"> identify the intent of the clause the exemption is being sought for identify any possible risks from not adhering to the clause clearly detail any proposed alternative/s and explain how they provide an acceptable level of safety. <p>Supporting documentation may include (but is not limited to):</p> <ul style="list-style-type: none"> National Association of Testing Authorities (NATA) accredited laboratory test reports expert judgment (or judgments) by a competent person a risk assessment/hazard and operability (HAZOP) study by appropriate person/s identifying hazards, consequences, and proposed controls.
<p>Date and signature</p>	<p>The date and the applicant's signature before submission. This can be completed online using the GasTrac system.</p>

Applying for an exemption

There are two ways to make an exemption application. If you are:

- **a licensed gasfitter** – submit a Gas Exemption application online via GasTrac. Watch our instructional video below
- **not a licensed gasfitter** – provide a written application by email to Energy Safe at <mailto:gasapplications@energysafe.vic.gov.au>

You can only apply for exemption from one clause at a time. This means a separate application must be completed for each clause an exemption is being sought for.

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How to submit an exemption application (video)



Watch the video on YouTube:

<https://www.youtube.com/watch?v=J-gkUyGDAXI>

The application process

Once the application is submitted, Energy Safe will send an acknowledgement receipt by email and a payment request form for the Schedule 6 application fee, which must be paid before the review process proceeds. (Payment of the fee does not mean the gas exemption application will be granted.)

If the exemption application:

- has all the required information, Energy Safe will review the information and determine an outcome
- does not have all the required information, the applicant will be sent a 'Request for Information' letter stating what additional information is required.

You should respond to a 'Request for Information' letter within 14 working days, otherwise Energy Safe may:

- cancel the application
- carry out an assessment based on the information already received (making it likely that the application will be declined due to insufficient information).

An exemption application may be re-submitted once the applicant has obtained all the information Energy Safe requires to complete an assessment.

Exemption applications accepted by Energy Safe will include conditions of acceptance that form part of the exemption. Conditions may include:

- specific signage
- use of a particular type, or classification of gas component/flame safeguard
- strict adherence to documented operating or maintenance procedures
- other relevant conditions depending on the exemption issue.

Exemption conditions must be complied with to maintain acceptance from Energy Safe. Modifying the installation or not complying with the conditions may cause the exemption to lapse, resulting in a gas installation that is potentially unsafe and in breach of the Gas Safety Act 1997.

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Schedule 6 application fee

From 1 July 2021, Schedule 6 Gas Exemption Applications will incur an application fee as per the Gas Safety (Gas Installation) Regulations 2018, Reg 19 (1) and (2).

The non-refundable application fee is 8.03 fee units (\$131.13) and is subject to change as the Victorian Government adjusts fee units annually.

Who we are

At Energy Safe Victoria we work to keep Victoria energy safe.

We regulate the energy industry and sector to ensure generation, supply and usage uphold safety standards, and engage with the community to raise awareness of energy safety risks.

In everything we do, we strive to deliver on our purpose to keep Victoria energy safe. Always.

www.energysafe.vic.gov.au