

# Tier 2 Certification Scheme for Commercial Catering Equipment 2022

## Gas Bulletin #54

Issued February 2023

### **Important notice from the South Australian Technical Regulator about the safety testing, approval and labelling of uncertified Type A Gas Appliances**

This bulletin is intended to provide information on Tier 2 (T2) certification scheme of Commercial Catering Equipment. Other appliances may be included in T2 certification but on a case-by-case basis.

The *Gas Act 1997*, *Gas Regulations 2012* and the *Energy Products (Safety and Efficiency) Act 2000* require all type A gas appliances to be tested for compliance with relevant Australian Standards and labelled to verify this before they are installed and operated. See extract from the *Gas Act s56 and Part 2 (6) of the Energy Products (Safety and Efficiency) Act 2000*.

All pre-certified type A gas appliances must have a data plate to indicate the appliance make, model, input rate of each burner, certification number and gas type. There must also be a hallmark certification label from a recognised conformity assessment body (CAB).

The following CAB's are recognised by Australian Gas Technical Regulators;

- **International Association of Plumbing and Mechanical Officials Oceana (IAPMO Oceana)**
- **The Australian Gas Association,**
- **Standards Australia International Global,**
- **Global-Mark**
- **Vipac**
- **BSI**

Gas appliances bearing certification labels from the above organisations may be installed by licensed gas contractors in accordance with the manufacturer instructions and the requirements of the AS/NZS 5601 Gas Installation Standard.

The *Gas Act* requires that installations conform to the gas installation standard as amended from time to time and that an electronic gas certificate of compliance is issued by the licensed gas contractor to certify the installation of the appliance.

**It is illegal to install or operate uncertified gas appliances.**

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## Process for achieving individual Tier 2 certification for uncertified Type A appliances in South Australia

The South Australian Technical Regulator (OTR) recognises **International Association of Plumbing and Mechanical Officials Oceana (IAPMO Oceana)** to undertake all eligible Tier 2 (T2) gas appliance testing for South Australia.

T2 testing will mostly be available for eligible uncertified Type A commercial gas catering equipment of a type that are not readily available in Australia. If a similar commercial appliance exists and can be purchased with certification in Australia, then Tier 2 certification will not be recognised for these uncertified appliances.

Uncertified Type A appliances that are **not** suitable for Tier 2 certification include;

- Gas water heaters
- Space heaters
- Domestic cookers
- Decorative log fires
- Central heaters
- Hydronic heating boilers
- Pool / spa heaters
- Recreational caravan and boat gas appliances

Other appliances that are individual and unique and not readily available in Australia will need to be assessed on a case-by-case basis at the discretion of IAPMO Oceana for determination if the appliance is suitable for Tier 2 certification upon application.

**Note 1.** Some appliances may require remedial work to be done on the appliance so that it will meet Australian requirements. This work will be at an additional cost to the Tier 2 certification and can be done by any licensed gasfitter. Alternatively, remedial work can be arranged through an authorised body approved by IAPMO Oceana.

**Note 2.** The appliance may after testing, be found to comply with Australian requirements, however caution is required as

- the appliance may have been imported directly by the owner or purchased from an internet auction site and original parts may be unavailable in Australia.
  - there may be no service or warranty back up from the manufacturer.
  - the appliance may have been fabricated, rather than manufactured by a recognised company, and the approval does not imply that fabricated parts are durable, replaceable or suitable, it only provides that the appliance operated safely when tested.
  - the appliance and associated components must be maintained in good order and any gas related work must be completed by a licensed gasfitter.
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## Arranging Tier 2 certification with International Association of Plumbing and Mechanical Officials Oceana

The applicant will need to contact IAPMO Oceana for uncertified gas appliance Tier 2 certification quotes, confirm certification eligibility, confirm if remedial work will be required to modify an appliance before it undergoes certification and arrange application forms.

Before Tier 2 certification commences the applicant will need to agree to IAPMO Oceana Tier 2 Governance Rules. The applicant will need to contact IAPMO Oceana for the Tier 2 Governance Rules, application form and any other associated documents that maybe required.

Gas appliances to be Tier 2 certified will need to be transported to and from the IAPMO Oceana laboratory, this cost will be borne by the applicant.

**Please see contact details below for IAPMO Oceana T2 Testing:**

**Lokkay Tam**

[lok.t@iapmooceana.org](mailto:lok.t@iapmooceana.org)

Office: 03 8684 9580

Mobile: 0448 383 696

Address: 7-11 Fullard Road, Narre Warren, Victoria, 3805, AUSTRALIA

**Anson Du**

[anson.du@iapmooceana.org](mailto:anson.du@iapmooceana.org)

Office: 03 8684 9580

Mobile: 0448 383 199

Address: 7-11 Fullard Road, Narre Warren, Victoria, 3805, AUSTRALIA

Regards

**Ron Meakins**

Manager, Gas Installation and Appliance Safety

Authorised Officer under the *Gas Act 1997*

Office of the Technical Regulator

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## Extract from the GAS ACT 1997 v 17.10.17

### South Australia

#### Part 5 — Safety and technical issues

##### 55 — Responsibility of owner or operator of infrastructure or installation

(1) A person who owns or operates gas infrastructure must take reasonable steps to ensure that —

- (a) the infrastructure complies with, and is operated in accordance with, technical and safety requirements imposed under the regulations; and
- (b) the infrastructure is safe and safely operated.

(1a) A person who contravenes subsection (1) is guilty of an offence.

Maximum penalty:

(a) if the person committed the offence intentionally or recklessly and with the knowledge that an immediate and material risk of harm to any person will or might result —

(i) if the offender is a body corporate — a penalty of \$250 000; or

(ii) in any other case — a penalty of \$50 000; or

(b) in any other case —

(i) if the offender is a body corporate — a penalty of \$100 000; or

(ii) in any other case — a penalty of \$20 000.

(1b) A person who owns or operates a gas installation must take reasonable steps to ensure that —

(a) the installation complies with, and is operated in accordance with, technical and safety requirements imposed under the regulations; and

(b) the installation is safe and safely operated.

Maximum penalty:

(a) if the offender is a body corporate — a penalty of \$50 000;

(b) in any other case — a penalty of \$10 000.

Expiation fee: \$315.

##### 56 — Certain gas fitting work

(1) A person to whom this section applies who carries out work on a gas installation or proposed gas installation must ensure that —

(a) the work is carried out as required under the regulations; and

(b) examinations and tests are carried out as required under the regulations.

Maximum penalty:

(a) if the offender is a body corporate — a penalty of \$50 000;

(b) in any other case — a penalty of \$10 000.

Expiation fee: \$315.

(2) If work on a gas installation or proposed gas installation is personally carried out by a registered gas fitting worker under the *Plumbers, Gas Fitters and Electricians Act 1995*, the person to whom this section applies must ensure that the requirements of the regulations as to notification and certificates of compliance are complied with.

Maximum penalty: \$5 000.

Expiation fee: \$315.

(3) This section applies —

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- (a) if a licensed gas fitting contractor under the *Plumbers, Gas Fitters and Electricians Act 1995* or licensed building work contractor under the *Building Work Contractors Act 1995* has been engaged to carry out the work (whether personally or not)—to the licensed gas fitting contractor or licensed building work contractor; or
- (b) in any other case—to the person who personally carries out the work.

(4) A prosecution for an offence against this section may be brought at any time within the period of 3 years after the date on which the offence is alleged to have been committed.

## **Extract from the Energy Products (Safety and Efficiency) Act South Australia v 17.6.2013**

### **Part 2 — Safety, performance and energy efficiency of energy products**

#### **5 — Proclamation for purposes of Part**

- (1) The Governor may, by proclamation, declare —
- (a) a class of energy product to be a class to which a subsection of section 6 or 6A applies; or
- (b) for the purposes of section 6(1) — a standard or part of a standard, with or without modification, to be a safety and performance standard for a class of energy product; or
- (c) for the purposes of section 6(2) — a body to be a certification body; or
- (d) for the purposes of section 6(3) — a standard or part of a standard, with or without modification, to be an information standard for a class of energy product; or
- (e) for the purposes of section 6A(1) — a standard or part of a standard, with or without modification, to be an energy performance standard for a class of energy product; or
- (f) for the purposes of regulations under section 6A(2) — a standard or part of a standard, with or without modification, to be an energy efficiency labelling standard for a class of energy product; or
- (g) for the purposes of sections 6(1) and 6A(1) and (2) — a law of another jurisdiction to be a corresponding law.

(2) The Governor may, by proclamation, vary or revoke a proclamation previously made under this section.

#### **6 — Offences relating to safety and performance, certification and information**

- (1) A trader must not sell an energy product of a class to which this subsection applies unless it is labelled so as to indicate its compliance with applicable safety and performance standards —
- (a) under the authority of the Technical Regulator in accordance with the regulations; or
- (b) under an authority conferred by a corresponding law in accordance with that corresponding law.
- Maximum penalty: \$5 000. Expiation fee: \$315.

(2) A trader must not sell an energy product of a class to which this subsection applies unless it is labelled under the authority of a certification body or the Technical Regulator so as to indicate its certification by that body or the Technical Regulator.

Maximum penalty: \$5 000. Expiation fee: \$315.

(3) A trader must not sell an energy product of a class to which this subsection applies unless the trader provides information in respect of the product to the purchaser in accordance with applicable information standards.

Maximum penalty: \$5 000. Expiation fee: \$315.

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- (4) No offence is committed against subsection (1), (2) or (3) if —
- (a) the sale takes place within 6 months after the date the subsection is applied to the relevant class of energy product; and
  - (b) the product was manufactured in or imported into the State before that date.
- (5) No offence is committed against subsection (1) or (3) if —
- (a) the sale takes place within 6 months after a change in the labelling or information requirements that apply under that subsection; and
  - (b) the product was manufactured in or imported into the State before the change in the requirements; and
  - (c) at the time of the sale the product was labelled, or the information provided, in accordance with requirements applicable at or after the time of manufacture or import of the product.
- (6) This section does not apply to the sale of second-hand goods.

Contact the Office of the Technical Regulator for more information

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Email      [otr@sa.gov.au](mailto:otr@sa.gov.au)  
Phone      8226 5722



**Government of  
South Australia**