



Queensland

Petroleum and Gas (Safety) and Other Legislation Amendment Regulation 2023

Subordinate Legislation 2023 No. 102

made under the

Petroleum and Gas (Production and Safety) Act 2004
Petroleum Act 1923
State Penalties Enforcement Act 1999

Contents

		Page
Part 1	Preliminary	
1	Short title	3
Part 2	Amendment of Petroleum and Gas (Safety) Regulation 2018	
2	Regulation amended	3
3	Amendment of s 11 (Activities prescribed for definition of operating plant)	3
4	Amendment of s 67 (Pipelines)	4
5	Amendment of s 72 (Prescribed quality for fuel gas)	4
6	Amendment of s 73 (Prescribed odour for fuel gas)	4
7	Amendment of s 77 (Required gauge pressure)	5
8	Amendment of s 81 (Design etc. of distribution system)	5
9	Amendment of s 82 (Requirements to be complied with before supplying fuel gas to a gas system)	6
10	Amendment of s 99 (Definitions for part)	6
11	Amendment of s 103 (Issue of gas inspection certificate after alterations)	6
12	Amendment of s 105 (New vehicle or vessel must not be offered for sale without gas inspection certificate or gas compliance plate)	7
13	Amendment of s 106 (Copy of gas inspection certificate to be given to	

Contents

	new owner of used vehicle or vessel)	7
14	Amendment of s 110 (Requirements for owner)	7
15	Amendment of sch 2 (Mandatory and preferred standards for safety requirements)	8
16	Amendment of sch 7 (Dictionary)	10
Part 3	Amendment of State Penalties Enforcement Regulation 2014	
17	Regulation amended	11
18	Amendment of sch 1 (Infringement notice offences and fines for nominated laws)	11

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Petroleum and Gas (Safety) and Other Legislation Amendment Regulation 2023*.

Part 2 Amendment of Petroleum and Gas (Safety) Regulation 2018

2 Regulation amended

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

3 Amendment of s 11 (Activities prescribed for definition of *operating plant*)

(1) Section 11(1), ‘prescribed—’—

omit, insert—

prescribed for fuel gas other than hydrogen—

(2) Section 11—

insert—

(1A) For section 670(5)(a) of the Act, the following fuel gas delivery networks are prescribed for hydrogen—

- (a) a network that includes filling a fuel gas container with hydrogen;
- (b) a network that includes the delivery or supply of hydrogen in a fuel gas container;
- (c) a network that includes the delivery or supply of hydrogen in a tanker;

[s 4]

(d) a network that includes dispensing hydrogen to a vehicle.

(3) Section 11(2)—

insert—

(d) the blending of fuel gases.

(4) Section 11(1A) and (2)—

renumber as section 11(2) and (3).

4 Amendment of s 67 (Pipelines)

Section 67(2)(a), ‘version 5.0, August 2019’—

omit.

5 Amendment of s 72 (Prescribed quality for fuel gas)

Section 72(1)—

insert—

(c) for hydrogen—the quality required to comply with—

(i) AS ISO 19880.8 ‘Gaseous hydrogen, Fuelling stations, Part 8: Fuel quality control’; or

(ii) SAE J2719 ‘Hydrogen fuel quality for fuel cell vehicles’.

6 Amendment of s 73 (Prescribed odour for fuel gas)

(1) Section 73—

insert—

(2A) Subsection (1) does not apply in relation to hydrogen if—

(a) the hydrogen is supplied to a hydrogen fuel gas system; and

(b) the person who supplies the hydrogen complies with part 7.1 of the hydrogen safety code in relation to the hydrogen.

(2) Section 73(2A) and (3)—
renumber as section 73(3) and (4).

7 Amendment of s 77 (Required gauge pressure)

Section 77(2)—

insert—

(c) for hydrogen—2.0kPa.

8 Amendment of s 81 (Design etc. of distribution system)

(1) Section 81(1), from ‘complies with’—

omit, insert—

complies with—

(a) to the extent the distribution system transports hydrogen, or a blend of hydrogen and another fuel gas with a hydrogen content that is more than 15% by volume—part 5.4.1 of the hydrogen safety code; or

(b) otherwise—AS/NZS 4645.

(2) Section 81(2) and (3)—

omit, insert—

(2) Despite subsection (1)(b)—

(a) if AS/NZS 4645 does not apply to a particular distribution pipeline that is part of the distribution system, the operator must ensure the design, construction, operation, maintenance and abandonment of the pipeline complies with AS 2885; and

[s 9]

- (b) if AS 2885 and AS/NZS 4645 both apply to a particular distribution pipeline that is part of the distribution system, the operator must ensure the design, construction, operation, maintenance and abandonment of the pipeline complies with either AS 2885 or AS/NZS 4645.

9 Amendment of s 82 (Requirements to be complied with before supplying fuel gas to a gas system)

- (1) Section 82(1)(b)(i) and (ii) and (4)(b), after ‘LPG’—

insert—

or hydrogen

- (2) Section 82(1)(b), example, after ‘LPG’—

insert—

or hydrogen

- (3) Section 82(5)(a), ‘LPG’—

omit, insert—

fuel gas

10 Amendment of s 99 (Definitions for part)

Section 99—

insert—

third-party certification means an approval granted for a gas fuel system in accordance with the United Nations Economic Commission for Europe Regulation No 134.

11 Amendment of s 103 (Issue of gas inspection certificate after alterations)

Section 103(3), after ‘motor vehicle’—

insert—

that uses fuel gas other than hydrogen

12 Amendment of s 105 (New vehicle or vessel must not be offered for sale without gas inspection certificate or gas compliance plate)

Section 105(3), definition *gas inspection certificate—*

omit, insert—

gas inspection certificate includes—

- (a) an interstate gas inspection certificate; and
- (b) for a gas fuel system in a vehicle or vessel that uses hydrogen—a third-party certification.

13 Amendment of s 106 (Copy of gas inspection certificate to be given to new owner of used vehicle or vessel)

Section 106(4), definition *gas inspection certificate—*

omit, insert—

gas inspection certificate includes—

- (a) an interstate gas inspection certificate; and
- (b) for a gas fuel system in a vehicle or vessel that uses hydrogen—a third-party certification.

14 Amendment of s 110 (Requirements for owner)

Section 110(b), after ‘a vehicle’—

insert—

that uses fuel gas other than hydrogen

[s 15]

15 Amendment of sch 2 (Mandatory and preferred standards for safety requirements)

- (1) Schedule 2, part 1, entry for AS/NZS 1425, column 2, after ‘systems’—

insert—

, for LPG,

- (2) Schedule 2, part 1, entry for AS/NZS 2739, column 2, ‘natural gas fuel systems’—

omit, insert—

gas fuel systems, for natural gas,

- (3) Schedule 2, part 1, entry for AS 4732, column 2, after ‘systems’—

insert—

, for LPG,

- (4) Schedule 2, after part 1—

insert—

Part 1A Hydrogen fuel gas systems in vehicles, vessels or stationary engines

Column 1	Column 2	Column 3
Name of standard or document	What the safety requirement applies to	Mandatory or preferred standard
Part 7.3 of the hydrogen safety code	design and installation of hydrogen fuel gas systems in vehicles, vessels or stationary engines	preferred

- (5) Schedule 2, part 2, entry for standards that are part of the series AS/NZS 60079—

omit.

- (6) Schedule 2, part 2, before entry for standards that are part of the series AS/NZS 5601—

insert—

AS 4575 ‘Gas appliances—Servicing of type A appliances’	repairing, servicing and testing of gas devices (type A)	preferred
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- (7) Schedule 2, part 2, after entry for AS/NZS 5601.2—

insert—

The following standards that are part of the series AS/NZS 60079 ‘Explosive atmospheres’—	assessing hazards created by a gas system for fuel gas	preferred
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AS/NZS 60079.0 Part 0 ‘Equipment—general requirements’

AS/NZS 60079.10.1 Part 10.1 ‘Classification of areas—explosive gas atmospheres’

- (8) Schedule 2, part 2, after entry for standards that are part of the series AS/IEC 61511—

insert—

Part 7.2 of the hydrogen safety code	operation of hydrogen fuel gas systems	preferred
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Part 7.3 of the hydrogen safety code	design and installation of hydrogen fuel gas systems	preferred
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- (9) Schedule 2, part 3, entry for AS 3814, column 2, after ‘(type B)’—

[s 16]

insert—

, other than hydrogen fuel cells

- (10) Schedule 2, part 3, after entry for standards that are part of the series AS/NZS 5149—

insert—

Part 7.3 of the hydrogen safety code	design and installation of hydrogen fuel cells that power vehicles or vessels	preferred
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16 Amendment of sch 7 (Dictionary)

- (1) Schedule 7—

insert—

hydrogen fuel gas system means a gas system that is used with, or designed or intended to be used with, hydrogen.

hydrogen safety code means the document called ‘Hydrogen Safety Code of Practice’, published by RSHQ on its website.

third-party certification, for chapter 6, part 3, see section 99.

- (2) Schedule 7, definition *gas fuel system*, from ‘supplies’—

omit, insert—

supplies—

- (a) gas as a fuel to an engine; or
- (b) hydrogen fuel gas as a fuel to a hydrogen fuel cell that powers a vehicle or vessel.

Part 3 **Amendment of State Penalties Enforcement Regulation 2014**

17 **Regulation amended**

This part amends the *State Penalties Enforcement Regulation 2014*.

18 **Amendment of sch 1 (Infringement notice offences and fines for nominated laws)**

- (1) Schedule 1, entry for *Petroleum and Gas (Production and Safety) Act 2004*, entry for section 733(1)(a)—
omit, insert—

s 731AA(1)(a)

5

10

- (2) Schedule 1, entry for *Petroleum and Gas (Production and Safety) Act 2004*, authorised person for service of infringement notices entry, ‘authorised officer’—

omit, insert—

authorised officer (safety and health)

- (3) Schedule 1, entry for *Petroleum and Gas (Safety) Regulation 2018*, authorised person for service of infringement notices entry, ‘authorised officer’—

omit, insert—

authorised officer (safety and health)

Endnotes

ENDNOTES

- 1 Made by the Governor in Council on 10 August 2023.
- 2 Notified on the Queensland legislation website on 11 August 2023.
- 3 The administering agency is Resources Safety and Health Queensland.

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