



STATUTORY INSTRUMENTS

**S.I. No. 225 of 2009**

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ELECTRICITY REGULATION ACT 1999 (GAS WORKS)  
REGULATIONS 2009

**(Prn. A9/0814)**

ELECTRICITY REGULATION ACT 1999 (GAS WORKS)  
REGULATIONS 2009

The Commission for Energy Regulation, in exercise of the powers conferred on it under Section 9G of the Electricity Regulation Act 1999 (No. 23 of 1999), as amended by the Energy (Miscellaneous Provisions) Act 2006 (No. 40 of 2006), having taken into account the matters raised in the public consultation process carried out by the Commission under Section 9G(1) of that Act, and the Minister for Communications, Energy and Natural Resources having given his consent, hereby make the following regulations:

*GENERAL*

1. These Regulations may be cited as the Electricity Regulation Act 1999 (Gas Works) Regulations 2009.

2. These Regulations come into operation on 26 June 2009.

3. In these Regulations, except where the context otherwise requires—

“**Act**” means the Electricity Regulation Act 1999 (No. 23 of 1999) as may be amended from time to time;

“**Appliance**” means a unit of equipment for the utilisation of Natural Gas, as set out in Article 1(1) of the G.A.D and which satisfy the essential requirements applicable to them set out in Annex I of the G.A.D;

“**Commercial Premises**” means any building or part of a building used for the purposes of carrying on a trade or business but does not include that part of a building which is used as a Domestic Premises;

“**Domestic Customer**” means those end users who use Natural Gas for residential purposes such as space heating, cooking and hot water utilising standardised and gas burning appliances approved under the requirements of the G.A.D;

“**Domestic Premises**” means any building or part of a building used as a private place of residence;

“**G.A.D**” means Council Directive 90/396/EEC of 29 June 1990 on the approximation of the laws of the Member States relating to appliances burning gaseous fuels;

“**Industrial Premises**” means any building or part of a building used primarily for a process which creates, manufactures, mines or changes raw or unfinished materials into another form or product;

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 23rd June, 2009.*

“**I.S. 813**” means the Irish Standard Specification for Domestic gas installations, covering Natural Gas and Liquefied Petroleum Gas installations in Domestic Premises, which is published by the National Standards Authority of Ireland and which may be amended from time to time;

“**I.S. 820**” means the Irish Standard Specification for Non-domestic gas installations, covering Natural Gas and Liquefied Petroleum Gas installations other than in Domestic Premises, which is published by the National Standards Authority of Ireland and which may be amended from time to time;

“**Liquefied Petroleum Gas**” means gas having the characteristic of being easily liquefied by the application of pressure. It is provided as commercial butane and commercial propane or mixtures thereof;

“**Natural Gas**” means gas largely consisting of methane, distributed through a network of pipes;

“**Natural Gas Fitting**” means any Appliance, apparatus or other thing including associated pipework and flueing;

“**Point of Delivery**” means the point immediately downstream of the control device fitted to terminate the service pipe;

4(1) For the purposes of section 9G(3) of the Act, ‘works which are gas works’ means the installation, removal, repair, servicing, maintenance or replacement (or any combination of the foregoing) of a Natural Gas Fitting covered by I.S. 813 which is:

- (a) used or designed to be used by a Domestic Customer; or
- (b) which is designed to be used by a Domestic Customer but which is installed in a Commercial or an Industrial Premises;

4(2) For the purposes of section 9G(3) of the Act ‘works which are gas works’ does not include—

- (a) the installation, removal, repair, servicing, maintenance or replacement of Natural Gas Fittings designed to be used by commercial gas customers;
- (b) the installation, removal, repair, servicing, maintenance or replacement of Natural Gas Fittings designed to be used by industrial gas customers;
- (c) the installation, removal, repair, servicing, maintenance or replacement of Liquefied Petroleum Gas fittings;
- (d) the design of gas works;
- (e) work on the Point of Delivery;
- (f) work upstream of the Point of Delivery;

- (g) work on Natural Gas Fittings for the supply of gas for automotive use;
- (h) work that is specifically designed to be effected by a person without the use of a tool; or
- (i) the manufacture of Appliances or Natural Gas Fittings.



GIVEN under the common seal of the Commission for Energy Regulation on 18 June 2009.

TOM REEVES.  
Member of Commission.

PAUL McGOWAN.  
Member of Staff of the Commission.

## EXPLANATORY MEMORANDUM

*(This note is not a part of the Instrument and does not purport to be a legal interpretation)*

The Commission for Energy Regulation, in exercise of the powers conferred on it under Section 9G of the Electricity Regulation Act 1999 (No. 23 of 1999), as amended by the Energy (Miscellaneous Provisions) Act 2006 (No. 40 of 2006), having taken into account the matters raised in the public consultation process carried out by the Commission under Section 9G (1) of that Act and with the consent of the Minister for Communications, Energy and Natural Resources designates a class of works to be gas works for the purposes of Section 9G(3) of that Act. For the purposes of section 9G(3) of the Act, 'works which are gas works' means the installation, removal, repair, servicing, maintenance or replacement of a Natural Gas Fitting covered by I.S. 813 which is used or designed to be used by a Domestic Gas Customer, or which is designed to be used by a Domestic Gas Customer but which is installed in a Commercial or an Industrial Premises.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)  
nó trí aon díoltóir leabhar.

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