

WORKPLACE HEALTH AND SAFETY ACT 1995

Workplace Health and Safety (Gasfitting Work – Motor Vehicle and Forklift) Determination 2009

I, Roy Ormerod, Director of Industry Safety (“the Director”), appointed pursuant to section 33 of the *Workplace Health and Safety Act 1995* (“the Act”), make the following Determinations:

- (a) I determine that certain work or tasks are specified tasks under Schedule I of the Regulations; and
- (b) I determine certain requirements required of those who make an application for a certificate of competency in relation to specified tasks under Regulation 40(1) of the Regulations.

PART I - PRELIMINARY

1. Short title

This Determination may be cited as the *Workplace Health and Safety (Gasfitting Work – Motor Vehicle and Forklift) Determination 2009*.

2. Commencement

This Determination takes effect on 1 July 2009.

3. Purpose of this Determination

The purposes of this Determination include the following –

- (a) to determine, under Schedule I of the Regulations, that certain work or tasks are specified tasks; and
- (b) to determine, under Regulation 40(1) of the Regulations, certain requirements, including qualifications, required of those who make an application for a certificate of competency in relation to specified tasks; and
- (c) to determine which of the specified tasks may be performed by those who meet these requirements.

4. Scope of Determination

4.1 This Determination establishes the requirements for the issue of certificates of competency (whether on a full or restricted basis) to install, service and repair the fuel systems of engines in -

- (a) motor vehicles (whether the engines are for the propulsion of the vehicles or for driving some auxiliary function) with a gas fuel system using -
 - (i) LPG; or
 - (ii) CNG; or
 - (iii) LNGand

(b) forklifts with a gas fuel system using -

- (i) LPG; or
- (ii) CNG.

4.2 This Determination establishes the -

(a) eligibility to be granted a certificate of competency, which can be contingent upon whether-

- (i) the specified tasks are to be performed on a motor vehicle or forklift;
- (ii) the gas fuel system is to use LPG, CNG or LNG; and
- (iii) a full, provisional, restricted, or provisional restricted certificate is granted; and

(b) scope of work that may be performed by a certificate holder, which can be contingent upon the type of certificate of competency granted.

5. Determination

5.1 I determine that -

(a) the work of

- (i) installation, service and repair; or
- (ii) service and repair -

of engines in motor vehicles or forklifts, fuelled by LPG, CNG and LNG are specified tasks;

(b) certain qualifications and units of competence set out hereunder in paragraphs 8.1 and 8.2; and paragraphs 9.1 and 9.2 are required of persons for certificates of competency to perform these specified tasks according to -

- (i) the types of certificate of competency established under paragraphs 8.3 to 8.14 inclusive; and paragraphs 9.3 to 9.10 inclusive; and
- (ii) whether the specified task -
 - (A) is to be performed upon engines in motor vehicles or forklifts, fuelled by LPG, CNG and LNG; and
 - (B) is to be the installation, service and repair; or the service and repair only, of engines in motor vehicles fuelled by LPG, CNG and LNG; or the installation, service and repair; or the service and repair only, of engines in forklifts fuelled by LPG and CNG.

6. Interpretation

6.1 In this Determination, unless the context otherwise requires -

“AS/NZS1425” means AS/NZS 1425 LP Gas fuel systems for vehicle engines, issued by Standards Australia and distributed by SAI Global Limited (ACN 050 611 642), as amended from time to time;

“AS/NZS2739” means AS/NZS 2739 Natural gas (NG) fuel systems for vehicle engines, issued by Standards Australia and distributed by SAI Global Limited (ACN 050 611 642), as amended from time to time;

“AS4983” means AS4983 Gas fuel systems for forklifts and industrial engines, issued by Standards Australia and distributed by SAI Global Limited (ACN 050 611 642), as amended from time to time;

“certificate” means a certificate of competency issued by the Director of Industry Safety under regulation 41 of the *Workplace Health and Safety Regulations 1998*;

“competent person” means a person who has acquired, through training, qualifications or experience, or a combination of them, knowledge and skill enabling him or her to perform the required task correctly;

“container” means a pressure vessel, cylinder or tank for the storage of LPG, LNG or CNG to be used as fuel for an engine mounted on a vehicle or forklift;

“CNG” means compressed natural gas;

“forklift” means an item of mobile equipment designed to transport or lift materials and equipment in industry, commerce and other applications by means other than manual power, but excluding mobile cranes as defined in AS2549 and earth-moving machinery as defined in AS2951;

“gas” means LPG, CNG or LNG;

“install” means work associated with the installation to motor vehicles and forklifts of component parts as specified in -

- (a) AS/NZS1425 LP Gas fuel systems for vehicle engines;
- (b) AS/NZS2739 Natural gas (NG) fuel systems for vehicle engines; or
- (c) AS4983 Gas fuel systems for forklifts and industrial engines -

and for their testing, commissioning and periodic inspections;

“LPG” means liquefied petroleum gas;

“LNG” means liquefied natural gas;

“motor vehicle” means a vehicle, other than a forklift, that is built to be propelled by a motor that forms part of the vehicle but does not include –

- (a) an aircraft; or
- (b) a motor vehicle that travels only on a railway, tramway or other fixed track; or
- (c) a pedal cycle with an auxiliary motor (or motors) with a power output (or combined power output) of not more than 200 watts; or
- (d) a self-propelled lawn or grass mower constructed and used solely for mowing lawn or grass that is not capable of travelling at a speed of more than 10 kilometres an hour; or
- (e) a self-propelled wheelchair that is not capable of travelling at a speed of more than 10 kilometres an hour;

“qualification” means formal certification in vocational education and training by a Registered Training Organisation and under the Australian Qualifications Framework that a person has achieved all the units of competence or modules comprising learning outcomes stated for the qualification in –

- (a) a Training Package for which details of the qualification have been registered in the national training register; or
- (b) an accredited training course that provides training for the qualification;

“RTO” means a person who is registered in the national training register as a registered training organisation, whether that person is a local registered training organisation or an interstate registered training organisation;

“Regulations” means the *Workplace Health and Safety Regulations 1998*;

“repair” means opening the pressurised gas or liquefied gas fuel system to the atmosphere to -

- (a) rectify faults and restore fuel systems for vehicle or forklift engines to an acceptable status of operation, by removing and replacing (with like for like) worn, damaged or failed components or assemblies (replacement components may be new, used, overhauled or reconditioned);
- (b) rectify faults by welding, aligning, tightening, securing or adjusting components; and
- (c) work on any of the electrical components associated with the control systems;

“service” means opening the pressurised gas or liquefied gas fuel system to the atmosphere to perform operations to maintain the serviceability of the gas fuel systems for vehicle or forklift engines including, but not limited to -

- (a) cleaning or lubricating components;
- (b) replacing service type components, such as gas fuel filters or other consumable components required to maintain fuel system operation;
- (c) performing basic engine tuning adjustments;
- (d) checking security and operation of components or systems; and
- (e) inspecting components for wear;

“specified tasks” means all that work necessary or incidental to the installation, service and repair of the fuel systems of engines in -

- (a) motor vehicles with a gas fuel system using -
 - (i) LPG;
 - (ii) CNG; or
 - (iii) LNG; and
- (b) forklifts with a gas fuel system using -
 - (i) LPG; and
 - (ii) CNG.

“Training Package” means a set of standards and qualifications endorsed by the National Quality Council for recognising and assessing a person’s skills and knowledge;

“units of competence” means a specification of knowledge and skill and their application to a standard of performance specified in a nationally endorsed Training Package.

6.2 In this Determination, references to units of competence are to read as units of competence provided within the relevant Training Package.

7. Application of Acts Interpretation Act 1931

The *Acts Interpretation Act 1931* applies to this Determination.

PART 2 CLASSES OF CERTIFICATES OF COMPETENCY UNDER THIS DETERMINATION, SCOPE OF WORK AND ELIGIBILITY

The following are the classes and types of certificates of competency that may be granted under this Determination according to -

- (a) the scope of work that may be performed by the holder of each such class or type of certificate of competency; and
- (b) the qualifications and other matters that are required of persons for each class and type of certificate of competency.

8. MOTOR VEHICLE CLASS OF CERTIFICATE OF COMPETENCY

8.1 ELIGIBILITY

Entry Level Qualification for LPG, CNG or LNG Motor Vehicle Certificate of Competency (from the AUR05 – Automotive Industry Training Package Retail Service and Repair)

- (a) AUR30405 Certificate 3 in Automotive, Automotive Mechanical Technologist (Heavy Vehicle Mobile Equipment);
- (b) AUR30405 Certificate 3 in Automotive, Automotive Mechanical Technologist (Heavy Vehicle Road Transport);
- (c) AUR30405 Certificate 3 in Automotive, Automotive Mechanical Technologist (Agricultural Mechanical);
- (d) AUR30405 Certificate 3 in Automotive, Automotive Mechanical Technologist (Light Vehicle);
- (e) AUR30308 Certificate 3 in Automotive Electrical Technology;
- (f) AUR30605 Certificate 3 in Automotive Specialist (Diesel Fitter);
- (g) AUR30605 Certificate 3 in Automotive Specialist (Diesel Fuel);
- (h) AUR30605 Certificate 3 in Automotive Specialist (Forklift Mechanic);
- (i) AUR40208 Certificate 4 in Automotive Technology (Electrical); or
- (j) AUR40208 Certificate 4 in Automotive Technology (Mechanical).

8.2. Additional Units of Competence Required (from the AUR05 – Automotive Industry Training Package Retail Service and Repair)

8.2.1 LPG

- (a) *Certificate/Provisional Certificate*
 - (i) AURT304231A – Install LPG;
 - (ii) AURT304266A – Repair LPG; and
 - (iii) AURT304270A – Service LPG; or
- (b) *Restricted Certificate/Provisional Restricted Certificate*
 - (i) AURT304266A – Repair LPG; and
 - (ii) AURT304270A – Service LPG.

8.2.2 CNG

- (a) *Certificate/Provisional Certificate*
 - (i) AURT304331A – Install CNG
 - (ii) AURT304366A – Repair CNG
 - (iii) AURT304370A – Service CNG
- (b) *Restricted Certificate/Provisional Restricted Certificate*
 - (i) AURT304366A – Repair CNG
 - (ii) AURT304370A – Service CNG

8.2.3 LNG

- (a) *Certificate/Provisional Certificate*
 - (i) AURT304431A – Install LNG
 - (ii) AURT304466A – Repair LNG
 - (iii) AURT304470A – Service LNG
- (b) *Restricted Certificate/Provisional Restricted Certificate*
 - (i) AURT304466A – Repair LNG
 - (ii) AURT304470A – Service LNG

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LPG
8.3 LPG Motor Vehicle Certificate of Competency**8.3.1 Scope of Work**

The holder of a LPG Motor Vehicle Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to install, service and repair LPG-fuelled motor vehicles.

8.3.2 In accordance with regulation 40 of the Regulations, an application for a LPG Motor Vehicle Certificate of Competency may be made by a person who -

- (a) holds -
 - (i) any of the qualifications set out in paragraph 8.1 above, issued by a RTO; or
 - (ii) an equivalent qualification approved by the Director; and
- (b) has completed any gap training identified by a RTO and been issued a document by a RTO stating the person has satisfied the requirements of such gap training; and
- (c) has completed the LPG units of competence, set out in paragraph 8.2.1(a) above, and -
 - (i) undergone an assessment of current competence by a RTO in the units of competence set out in paragraph 8.2.1(a); and
 - (ii) upon such an assessment being conducted by a RTO, satisfied the requirements of the units of competence set out in paragraph 8.2.1(a); and
 - (iii) been issued with a document by a RTO stating the person has the current competencies required of this sub-paragraph (c); and
- (d) satisfies the Director that he or she has maintained the knowledge and skills set out in this paragraph; and
- (e) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

8.3.3 In accordance with regulation 40 of the Regulations, an application for a LPG Motor Vehicle Certificate of Competency to install, service and repair LPG-fuelled motor vehicles may be made by a person who has been issued a Provisional LPG Motor Vehicle Certificate of Competency and -

- (a) has satisfied the requirements of paragraph 8.4.2 below; and
- (b) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

8.4 Provisional LPG Motor Vehicle Certificate of Competency

8.4.1 Scope of Work

The holder of a Provisional LPG Motor Vehicle Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to install, service and repair LPG-fuelled motor vehicles.

8.4.2 In accordance with regulation 40 of the Regulations, an application for a Provisional LPG Motor Vehicle Certificate of Competency may be made by a person -

- (a) who has been issued with –
 - (i) an Australian Recognised Trade Certificate, issued by Trades Recognition Australia, recognising the person as having a qualification similar to the qualifications set out in paragraphs 8.1 above; or
 - (ii) an Off-Shore Technical Skills Record Certificate, issued by an organisation approved by the Commonwealth, recognising the person as having a qualification similar to the qualifications set out in paragraph 8.1 above; and
- (b) who has undergone an assessment of current competence set out in paragraph 8.3.2(b) and (c), conducted by a RTO, and been issued with a document by a RTO stating the person has satisfied the requirements of paragraphs 8.3.2(b) and (c); and
- (c) if the Director can be satisfied that the person has made substantial progress, before or after 1 July 2009, towards being eligible to be granted a LPG Motor Vehicle Certificate of Competency, as mentioned in paragraph 8.3.2, and is able to achieve that qualification within a period of 12 months after the granting of a Provisional LPG Motor Vehicle Certificate of Competency; and
- (d) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

8.5 Restricted LPG Motor Vehicle Certificate of Competency

8.5.1 Scope of Work

The holder of a Restricted LPG Motor Vehicle Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to service and repair LPG-fuelled motor vehicles.

8.5.2 In accordance with regulation 40 of the Regulations, an application for a Restricted LPG Motor Vehicle Certificate of Competency may be made by a person who -

- (a) holds –
 - (i) any of the qualifications set out in paragraph 8.1 above, issued by a RTO; or
 - (ii) an equivalent qualification approved by the Director; and
- (b) has completed any gap training identified by a RTO and been issued a document by a RTO stating the person has satisfied the requirements of such gap training; and
- (c) has completed the LPG units of competence, set out in paragraph 8.2.1(b) above; and
 - (i) undergone an assessment of current competence by a RTO in the units of competence set out in paragraph 8.2.1(b); and
 - (ii) upon such an assessment being conducted by a RTO, satisfies the requirements of the units of competence set out in paragraph 8.2.1(b); and
 - (iii) been issued with a document by a RTO stating the person has the current competencies required of this sub-paragraph (c); and
- (d) satisfies the Director that he or she has maintained the knowledge and skills set out in this paragraph; and
- (e) pays the application fee prescribed in Part 1 of Schedule 12 of the Regulations.

8.5.3 In accordance with regulation 40 of the Regulations, an application for a LPG Motor Vehicle Certificate of Competency to service and repair LPG-fuelled motor vehicles may be made by a person who has been issued a Provisional Restricted LPG Motor Vehicle Certificate of Competency and -

- (a) has satisfied the requirements of paragraph 8.6.2 below; and
- (b) pays the application fee prescribed in Part 1 of Schedule 12 of the Regulations.

8.6 Provisional Restricted LPG Motor Vehicle Certificate of Competency

8.6.1 Scope of Work

The holder of a Provisional Restricted LPG Motor Vehicle Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to service and repair LPG-fuelled motor vehicles.

8.6.2 In accordance with regulation 40 of the Regulations, an application for a Provisional Restricted LPG Motor Vehicle Certificate of Competency may be made by a person -

- (a) who has been issued with –
 - (i) an Australian Recognised Trade Certificate, issued by Trades Recognition Australia, recognising the person as having a qualification similar to the qualifications set out in paragraph 8.1 above; or
 - (ii) an Off-Shore Technical Skills Record Certificate, issued by an organisation approved by the Commonwealth, recognising the person as having a qualification similar to the qualifications set out in paragraph 8.1 above; and

- (b) who has undergone an assessment of current competence set out in paragraph 8.5.2(b) and (c), conducted by a RTO, and been issued with a document by a RTO stating the person has satisfied the requirements of paragraph 8.5.2(b) and (c); and
- (c) if the Director can be satisfied that the person has made substantial progress, before or after 1 July 2009, towards being eligible to be granted a LPG Motor Vehicle Certificate of Competency, as mentioned in paragraph 8.5.2, and is able to achieve that qualification within a period of 12 months after the granting of a Provisional Restricted LPG Motor Vehicle Certificate of Competency; and
- (d) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

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CNG

8.7 CNG Motor Vehicle Certificate of Competency

8.7.1 Scope of Work

The holder of a CNG Motor Vehicle Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to install, service and repair CNG-fuelled motor vehicles.

8.7.2 In accordance with regulation 40 of the Regulations, an application for a CNG Motor Vehicle Certificate of Competency may be made by a person who -

- (a) holds –
 - (i) any of the qualifications set out in paragraph 8.1 above, issued by a RTO; or
 - (ii) an equivalent qualification approved by the Director; and
- (b) has completed any gap training identified by a RTO and been issued a document by a RTO stating the person has satisfied the requirements of such gap training; and
- (c) has completed the CNG units of competence, set out in paragraph 8.2.2(a) above; and
 - (i) undergone an assessment of current competence by a RTO in the units of competence set out in paragraph 8.2.2(a); and
 - (ii) upon such an assessment being conducted by a RTO, satisfied the requirements of the units of competence set out in paragraph 8.2.2(a); and
 - (iii) been issued with a document by a RTO stating the person has the current competencies required of this sub-paragraph (c); and
- (d) satisfies the Director that he or she has maintained the knowledge and skills set out in this paragraph; and
- (e) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

8.7.3 In accordance with regulation 40 of the Regulations, an application for a CNG Motor Vehicle Certificate of Competency to install, service and repair CNG-fuelled motor vehicles may be made by a person who has been issued a Provisional CNG Motor Vehicle Certificate of Competency and -

- (a) has satisfied the requirements of paragraph 8.8.2 below.; and
- (b) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

8.8 Provisional CNG Motor Vehicle Certificate of Competency

8.8.1 Scope of Work

The holder of a Provisional CNG Motor Vehicle Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to install, service and repair CNG-fuelled motor vehicles.

8.8.2 In accordance with regulation 40 of the Regulations, an application for a Provisional CNG Motor Vehicle Certificate of Competency may be made by a person -

- (a) who has been issued with –
 - (i) an Australian Recognised Trade Certificate, issued by Trades Recognition Australia, recognising the person as having a qualification similar to the qualifications set out in paragraphs 8.1 above; or
 - (ii) an Off-Shore Technical Skills Record Certificate, issued by an organisation approved by the Commonwealth, recognising the person as having a qualification similar to the qualifications set out in paragraph 8.1 above; and
- (b) who has undergone an assessment of current competence set out in paragraph 8.7.2(b) and (c), conducted by a RTO, and been issued with a document by a RTO stating the person has satisfied the requirements of paragraphs 8.7.2(b) and (c).
- (c) if the Director can be satisfied that the person has made substantial progress, before or after 1 July 2009, towards being eligible to be granted a CNG Motor Vehicle Certificate of Competency, as mentioned in paragraph 8.7.2, and is able to achieve that qualification within a period of 12 months after the granting of a Provisional CNG Motor Vehicle Certificate of Competency; and
- (d) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

8.9 Restricted CNG Motor Vehicle Certificate of Competency

8.9.1 Scope of Work

The holder of a Restricted CNG Motor Vehicle Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to service and repair CNG-fuelled motor vehicles.

8.9.2 In accordance with regulation 40 of the Regulations, an application for a Restricted CNG Motor Vehicle Certificate of Competency may be made by a person who -

- (a) holds –
 - (i) any of the qualifications set out in paragraph 8.1 above, issued by a RTO; or
 - (ii) an equivalent qualification approved by the Director; or

- (b) has completed any gap training identified by a RTO and been issued a document by a RTO stating the person has satisfied the requirements of such gap training; and
- (c) has completed the CNG units of competence, set out in paragraph 8.2.2(b) above; and
 - (i) undergone an assessment of current competence by a RTO in the units of competence set out in paragraph 8.2.2(b); and
 - (ii) upon such an assessment being conducted by a RTO, satisfied the requirements of the units of competence set out in paragraph 8.2.2(b); and
 - (iii) been issued with a document by a RTO stating the person has the current competencies required of this sub-paragraph (c); and
- (d) satisfies the Director that he or she has maintained the knowledge and skills set out in this paragraph; and
- (e) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

8.9.3 In accordance with regulation 40 of the Regulations, an application for a Restricted CNG Motor Vehicle Certificate of Competency to service and repair CNG-fuelled motor vehicles may be made by a person who has been issued a Provisional Restricted CNG Motor Vehicle Certificate of Competency and -

- (a) has satisfied the requirements of paragraph 8.10.2 below.; and
- (b) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

8.10 Provisional Restricted LPG Motor Vehicle Certificate of Competency

8.10.1 Scope of Work

The holder of a Provisional Restricted CNG Motor Vehicle Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to service and repair CNG-fuelled motor vehicles.

8.10.2 In accordance with regulation 40 of the Regulations, an application for a Provisional Restricted CNG Motor Vehicle Certificate of Competency may be made by a person -

- (a) who has been issued with –
 - (i) an Australian Recognised Trade Certificate, issued by Trades Recognition Australia, recognising the person as having a qualification similar to the qualifications set out in paragraphs 8.1 above; or
 - (ii) an Off-Shore Technical Skills Record Certificate, issued by an organisation approved by the Commonwealth, recognising the person as having a qualification similar to the qualifications set out in paragraph 8.1 above; and
- (b) who has undergone an assessment of current competence, set out in paragraphs 8.9.2 (b) and (c), conducted by a RTO, and been issued with a document by a RTO stating the person has satisfied the requirements of paragraphs 8.9.2(b) and (c); and

- (c) if the Director can be satisfied that the person has made substantial progress, before or after 1 July 2009, towards being eligible for a CNG Provisional Restricted Certificate of Competency, as mentioned in paragraph 8.9.2, and is able to achieve that certificate within a period of 12 months after the granting of a Provisional Restricted CNG Motor Vehicle Certificate of Competency; and
- (d) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

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LNG

8.11 LNG Motor Vehicle Certificate of Competency

8.11.1 Scope of Work

The holder of a LNG Motor Vehicle Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to install, service and repair LNG-fuelled motor vehicles.

8.11.2 In accordance with regulation 40 of the Regulations, an application for a LNG Motor Vehicle Certificate of Competency may be made by a person who -

- (a) holds –
 - (i) any of the trade qualifications set out in paragraph 8.1 above, issued by a RTO; or
 - (ii) an equivalent qualification approved by the Director; and
- (b) has completed any gap training identified by a RTO, and been issued a document by a RTO stating the person has satisfied the requirements of such gap training; and
- (c) has completed the LNG units of competence, set out in paragraph 8.2.3(a) above; and
 - (i) undergone an assessment by a RTO of current competence in the units of competence set out in paragraph 8.2.3(a); and
 - (ii) upon such an assessment being conducted by a RTO, satisfied the requirements of the units of competence set out in paragraph 8.2.3(a); and
 - (iii) been issued with a document by a RTO stating the person has the current competencies required of this sub-paragraph (c); and
- (d) satisfies the Director that he or she has maintained the knowledge and skills set out in this paragraph; and
- (e) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

8.11.3 In accordance with regulation 40 of the Regulations, an application for a LNG Motor Vehicle Certificate to install, service and repair LNG-fuelled motor vehicles may be made by a person who has been issued a Provisional LNG Motor Vehicle Certificate of Competency and -

- (a) has satisfied the requirements of paragraph 8.12.2 below.; and
- (b) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

8.12 Provisional LNG Motor Vehicle Certificate of Competency

8.12.1 Scope of Work

The holder of a Provisional LNG Motor Vehicle Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to install, service and repair LNG-fuelled motor vehicles.

8.12.2 In accordance with regulation 40 of the Regulations, an application for a Provisional LNG Motor Vehicle Certificate of Competency may be made by a person -

- (a) who has been issued with –
 - (i) an Australian Recognised Trade Certificate, issued by Trades Recognition Australia, recognising the person as having a qualification similar to the qualifications set out in paragraphs 8.1 above; or
 - (ii) an Off-Shore Technical Skills Record Certificate, issued by an organisation approved by the Commonwealth, recognising the person as having a qualification similar to the qualifications set out in paragraph 8.1 above; and
- (b) who has undergone an assessment of current competence, set out in paragraphs 8.11.2 (b) and (c), conducted by a RTO and been issued with a document by a RTO stating the applicant has satisfied the requirements of paragraphs 8.11.2(b) and (c); and
- (c) if the Director can be satisfied that the person has made substantial progress, before or after 1 July 2009, towards being eligible to be granted a LNG Motor Vehicle Certificate of Competency, as mentioned in paragraph 8.11.2 and is able to achieve that certificate within a period of 12 months after the granting of a Provisional LNG Motor Vehicle Certificate of Competency; and
- (d) pays the application fee prescribed in Part 1 of Schedule 12 of the Regulations.

8.13 Restricted LNG Motor Vehicle Certificate of Competency

8.13.1 Scope of Work

The holder of a Restricted LNG Motor Vehicle Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to service and repair LNG-fuelled motor vehicles.

8.13.2 In accordance with regulation 40 of the Regulations, an application for a Restricted LNG Motor Vehicle Certificate of Competency may be made by a person who -

- (a) holds –
 - (i) any of the qualifications set out in paragraph 8.1 above, issued by a RTO; or
 - (ii) an equivalent qualification approved by the Director; and
- (b) has completed any gap training identified by a RTO and been issued a document by a RTO stating the person has satisfied the requirements of such gap training; and
- (c) has completed the LNG units of competence, set out in paragraph 8.2.3(b) above; and

- (i) undergone an assessment of current competence by a RTO in the units of competence set out in paragraph 8.2.3(b); and
- (ii) upon such an assessment being conducted by a RTO, satisfies the requirements of the units of competence set out in paragraph 8.2.3(b); and
- (iii) been issued with a document by a RTO stating the person has the current competencies required of this sub-paragraph (c); and
- (d) satisfies the Director that he or she has maintained the knowledge and skills set out in this paragraph; and
- (e) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

8.13.3 In accordance with regulation 40 of the Regulations, an application for a LNG Motor Vehicle Certificate of Competency to service and repair LNG-fuelled motor vehicles may be made by a person who has been issued a Provisional Restricted LNG Motor Vehicle Certificate of Competency and -

- (a) has satisfied the requirements of paragraph 8.14.2 below.; and
- (b) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

8.14 Provisional Restricted LNG Motor Vehicle Certificate of Competency

8.14.1 Scope of Work

The holder of a Provisional Restricted LNG Motor Vehicle Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to service and repair LNG-fuelled motor vehicles.

8.14.2 In accordance with regulation 40 of the Regulations, an application for a Provisional Restricted LNG Motor Vehicle Certificate of Competency may be made by a person -

- (a) who has been issued with –
 - (i) an Australian Recognised Trade Certificate, issued by Trades Recognition Australia, recognising the person as having a qualification similar to the qualifications set out in paragraphs 8.1 above; or
 - (ii) an Off-Shore Technical Skills Record Certificate, issued by an organisation approved by the Commonwealth, recognising the person as having a qualification similar to the qualifications set out in paragraph 8.1 above; and
- (b) who has undergone an assessment of current competence, set out in paragraph 8.13.2(b) and (c), conducted by a RTO, and been issued with a document by a RTO stating the applicant has satisfied the requirements of paragraphs 8.13.2(b) and (c); and
- (c) if the Director can be satisfied that the person has made substantial progress, before or after 1 July 2009, towards being eligible to be granted a Restricted LNG Motor Vehicle Certificate of Competency, as mentioned in paragraph 8.13.2, and is able to achieve that certificate within a period of 12 months after the granting of a Provisional Restricted LNG Motor Vehicle Certificate of Competency; and
- (d) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

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9. FORKLIFT CLASS OF CERTIFICATE OF COMPETENCY

9.1 ELIGIBILITY

Entry Level Qualification for LPG or CNG Forklift Certificate of Competency (from the AUR05 – Automotive Industry Training Package Retail Service and Repair)

- (a) AUR30405 Certificate 3 in Automotive, Automotive Mechanical Technologist (Heavy Vehicle Mobile); or
- (b) AUR30405 Certificate 3 in Automotive, Automotive Mechanical Technologist (Heavy Vehicle Road Transport); or
- (c) AUR30405 Certificate 3 in Automotive, Automotive Mechanical Technologist (Agricultural Mechanical); or
- (d) AUR30405 Certificate 3 in Automotive, Automotive Mechanical Technologist (Light Vehicle); or
- (e) AUR30308 Certificate 3 in Automotive Electrical Technology; or
- (f) AUR30605 Certificate 3 in Automotive Specialist (Diesel Fitter); or
- (g) AUR30605 Certificate 3 in Automotive Specialist (Diesel Fuel); or
- (h) AUR30605 Certificate 3 in Automotive Specialist (Forklift Mechanical); or
- (i) AUR30605 Certificate 3 in Automotive Specialist (Gas Vehicle); or
- (j) AUR40208 Certificate 4 in Automotive Technology (Electrical); or
- (k) AUR40208 Certificate 4 in Automotive Technology (Mechanical); or
- (l) AUR30705 Certificate 3 in Outdoor Power Equipment.

9.2. Additional Units of Competence Required (from the AUR05 – Automotive Industry Training Package Retail Service and Repair)

9.2.1 LPG

- (a) *Certificate /Provisional Certificate*
 - (i) AURT304231A – Install LPG;
 - (ii) AURT304266A – Repair LPG; and
 - (iii) AURT304270A – Service LPG; or
- (b) *Restricted Certificate/Provisional Restricted Certificate*
 - (i) AURT304266A – Repair LPG; and
 - (ii) AURT304270A – Service LPG.

9.2.2 CNG

- (a) *Certificate/Provisional Certificate*
 - (i) AURT304331A – Install CNG
 - (ii) AURT304366A – Repair CNG
 - (iii) AURT304370A – Service CNG
- (b) *Restricted Certificate/Provisional Restricted Certificate*
 - (i) AURT304366A – Repair CNG
 - (ii) AURT304370A – Service CNG

9.3 LPG Forklift Certificate of Competency

9.3.1 Scope of Work

The holder of a LPG Forklift Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to install, service and repair LPG-fuelled forklifts.

9.3.2 In accordance with regulation 40 of the Regulations, an application for a LPG Forklift Certificate of Competency may be made by a person who -

- (a) holds –
 - (i) any of the qualifications set out in paragraph 9.1 above, issued by a RTO; or
 - (ii) an equivalent qualification approved by the Director; and
- (b) has completed any gap training identified by a RTO and been issued a document by a RTO stating the person has satisfied the requirements of such gap training; and
- (c) has completed the relevant LPG units of competence, set out in paragraph 9.2.1(a) above; and
 - (i) undergone an assessment of current competence by a RTO in the units of competence set out in paragraph 9.2.1(a); and
 - (ii) upon such an assessment being conducted by a RTO, satisfies the requirements of the units of competence set out in paragraph 9.2.1(a); and
 - (iii) been issued with a document by a RTO stating the person has the current competencies required of this sub-paragraph (c); and
- (d) satisfies the Director that he or she has maintained the knowledge and skills set out in this paragraph; and
- (e) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

9.3.3 In accordance with regulation 40 of the Regulations, an application for a LPG Forklift Certificate of Competency to install, service and repair LPG-fuelled forklifts may be made by a person who has been issued a Provisional LPG Forklift Certificate of Competency and -

- (a) satisfied the requirements of paragraph 9.4.2 below.; and
- (b) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

9.4 Provisional LPG Forklift Certificate of Competency

9.4.1 Scope of Work

The holder of a Provisional LPG Forklift Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to install, service and repair LPG-fuelled forklifts.

9.4.2 In accordance with regulation 40 of the Regulations, an application for a Provisional LPG Forklift Certificate of Competency may be made by a person -

- (a) who has been issued with –
 - (i) an Australian Recognised Trade Certificate, issued by Trades Recognition Australia, recognising the person as having a qualification similar to the qualifications set out in paragraphs 9.1 above; or
 - (ii) an Off-Shore Technical Skills Record Certificate, issued by an organisation approved by the Commonwealth, recognising the person as having a qualification similar to the qualifications set out in paragraph 9.1 above; and
- (b) who has undergone an assessment of current competence, set out in paragraph 9.3.2(b) and (c), conducted by a RTO, and been issued with a document by a RTO stating the applicant has satisfied the requirements of paragraph 9.3.2(b) and (c); and
- (c) if the Director can be satisfied that the person has made substantial progress, before or after 1 July 2009, towards being eligible for a LPG Forklift Certificate of Competency, as mentioned in paragraph 9.3.2, and is able to achieve that certificate within a period of 12 months after the granting of a Provisional LPG Forklift Certificate of Competency; and
- (d) pays the application fee prescribed in Part 1 of Schedule 12 of the Regulations.

9.5 Restricted LPG Forklift Certificate of Competency

9.5.1 Scope of Work

The holder of a Restricted LPG Forklift Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to service and repair LPG-fuelled forklifts.

- 9.5.2 In accordance with regulation 40 of the Regulations, an application for a Restricted LPG Forklift Certificate of Competency may be made by a person who -
- (a) holds –
 - (i) any of the qualifications set out in paragraph 9.1 above, issued by a RTO; or
 - (ii) an equivalent qualification approved by the Director; or
 - (b) has completed any gap training identified by a RTO and been issued a document by a RTO stating the person has satisfied the requirements of such gap training; and
 - (c) has completed the LPG units of competence, set out in paragraph 9.2.1(b) above; and
 - (i) undergone an assessment of current competence by a RTO in the units of competence set out in paragraph 9.2.1(b); and
 - (ii) upon such an assessment being conducted by a RTO, satisfied the requirements of the units of competence set out in paragraph 9.2.1(b); and
 - (iii) been issued with a document by a RTO stating the person has the current competencies required of this sub-paragraph (c); and
 - (d) satisfies the Director that he or she has maintained the knowledge and skills set out in paragraphs 9.1 and 9.2.1(b) above; and

(e) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

9.5.3 In accordance with regulation 40 of the Regulations, an application for a LPG Forklift Certificate of Competency to service and repair LPG-fuelled forklifts may be made by a person who has been issued a Provisional Restricted LPG Forklift Certificate of Competency and -

(a) satisfied the requirements of paragraph 9.6.2 below.; and

(b) paid the application fee prescribed in Part I of Schedule 12 of the Regulations.

9.6 Provisional Restricted LPG Forklift Certificate of Competency

9.6.1 Scope of Work

The holder of a Provisional Restricted LPG Forklift Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to install, service and repair LPG-fuelled forklifts.

9.6.2 In accordance with regulation 40 of the Regulations, an application for a Provisional Restricted LPG Forklift Certificate of Competency may be made by a person -

(a) who has been issued with –

(i) an Australian Recognised Trade Certificate, issued by Trades Recognition Australia, recognising the person as having a qualification similar to the qualifications set out in paragraphs 9.1 above; or

(ii) an Off-Shore Technical Skills Record Certificate, issued by an organisation approved by the Commonwealth, recognising the person as having a qualification similar to the qualifications set out in paragraph 9.1 above; and

(b) who has undergone an assessment of current competence set out in paragraph 9.5.2(b) and (c), conducted by a RTO and been issued with a document by a RTO stating the person has satisfied the requirements of paragraph 9.5.2(b) and (c); and

(c) if the Director can be satisfied that the person has made substantial progress, before or after 1 July 2009, towards being eligible to be granted a Restricted LPG Forklift Certificate of Competency, as mentioned in paragraph 9.5.2 and is able to achieve that certificate within a period of 12 months after the granting of a Provisional Restricted LPG Forklift Certificate of Competency; and

(d) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

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CNG

9.7 CNG Forklift Certificate of Competency

9.7.1 Scope of Work

The holder of a CNG Forklift Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to install, service and repair CNG-fuelled forklifts.

- 9.7.2 In accordance with regulation 40 of the Regulations, an application for a CNG Forklift Certificate of Competency may be made by a person who -
- (a) holds –
 - (i) any of the qualifications set out in paragraph 9.1 above, issued by a RTO; or
 - (ii) an equivalent qualification approved by the Director; and
 - (b) has completed any gap training identified by a RTO and has been issued a document by a RTO stating the person has satisfied the requirements of such gap training; and
 - (c) has completed the CNG units of competence, set out in paragraph 9.2.2(a) above; and
 - (i) undergone an assessment of current competence by a RTO in the units of competence set out in paragraph 9.2.2(a); and
 - (ii) upon such an assessment being conducted by a RTO, satisfied the requirements of the units of competence set out in paragraph 9.2.2(a); and
 - (iii) been issued with a document by a RTO stating the person has the current competencies required of this sub-paragraph (c); and
 - (d) satisfies the Director that he or she has maintained the knowledge and skills set out in this paragraph; and
 - (e) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.
- 9.7.3 In accordance with regulation 40 of the Regulations, an application for a CNG Forklift Certificate of Competency to install, service and repair CNG-fuelled forklifts may be made by a person who has been issued a Provisional CNG Forklift Certificate of Competency and -
- (a) has satisfied the requirements of paragraph 9.8.2 below; and
 - (b) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

9.8 Provisional CNG Forklift Certificate of Competency

9.8.1 Scope of Work

The holder of a Provisional CNG Forklift Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to install, service and repair CNG-fuelled forklifts.

- 9.8.2 In accordance with regulation 40 of the Regulations, an application for a Provisional CNG Forklift Certificate of Competency may be made by a person who -
- (a) has been issued with –
 - (i) an Australian Recognised Trade Certificate, issued by Trades Recognition Australia, recognising the person as having a qualification similar to the qualifications set out in paragraphs 9.1 above; or

- (ii) an Off-Shore Technical Skills Record Certificate, issued by an organisation approved by the Commonwealth, recognising the person as having a qualification similar to the qualifications set out in paragraph 9.1 above; and
- (b) has undergone an assessment of current competence set out in paragraphs 9.7.2(b) and (c), conducted by a RTO, and been issued with a document by a RTO stating the person has satisfied the requirements of paragraph 9.7.2(b) and (c); and
- (c) if the Director can be satisfied that the person has made substantial progress, before or after 1 July 2009, towards being eligible to be granted a CNG Forklift Certificate of Competency, as mentioned in paragraph 9.7.2, and is able to achieve that certificate within a period of 12 months after the granting of a Provisional CNG Forklift Certificate of Competency; and
- (d) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

9.9 Restricted CNG Forklift Certificate of Competency

9.9.1 Scope of Work

The holder of a Restricted CNG Forklift Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to service and repair CNG-fuelled forklifts.

- 9.9.2 In accordance with regulation 40 of the Regulations, an application for a Restricted CNG Forklift Certificate of Competency may be made by a person who -
- (a) holds –
 - (i) any of the qualifications set out in paragraph 9.1 above, issued by a RTO; or
 - (ii) an equivalent qualification approved by the Director; or
 - (b) has completed any gap training identified by a RTO and been issued a document by a RTO stating the person has satisfied the requirements of such gap training; and
 - (c) has completed the CNG units of competence, set out in paragraph 9.2.2(b) above; and
 - (i) undergone an assessment of current competence by a RTO in the units of competence set out in paragraph 9.2.2(b); and
 - (ii) upon such an assessment being conducted by a RTO, satisfied the requirements of the units of competence set out in paragraph 9.2.2(b); and
 - (iii) been issued with a document by a RTO stating that the person has the current competencies required of this sub-paragraph (c); and
 - (d) satisfies the Director that he or she has maintained the knowledge and skills set out in this paragraph; and
 - (e) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

9.9.3 In accordance with regulation 40 of the Regulations, an application for a Restricted CNG Forklift Certificate of Competency to service and repair CNG-fuelled forklifts may be made by a person who has been issued a Provisional Restricted CNG Forklift Certificate of Competency and -

- (a) has satisfied the requirements of paragraph 9.10.2 below; and
- (b) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

9.10 Provisional Restricted CNG Forklift Certificate of Competency

9.10.1 Scope of Work

The holder of a Provisional Restricted CNG Forklift Certificate of Competency is, by virtue of being the holder of such a certificate, entitled to service and repair CNG-fuelled forklifts.

9.10.2 In accordance with regulation 40 of the Regulations, an application for a Provisional Restricted CNG Forklift Certificate of Competency may be made by a person -

- (a) who has been issued with –
 - (i) an Australian Recognised Trade Certificate, issued by Trades Recognition Australia, recognising the person as having a qualification similar to the qualifications set out in paragraphs 9.1 above; or
 - (ii) an Off-Shore Technical Skills Record Certificate, issued by an organisation approved by the Commonwealth, recognising the person as having a qualification similar to the qualifications set out in paragraph 9.1 above; and
- (b) who has undergone an assessment of current competence set out in paragraph 9.9.2(b) and (c), conducted by a RTO, and been issued with a document by a RTO stating the applicant has satisfied the requirements of paragraph 9.9.2(b) and (c); and
- (c) if the Director can be satisfied that the person has made substantial progress, before or after 1 July 2009, towards being eligible to be granted a Restricted CNG Forklift Certificate of Competency, as mentioned in paragraph 9.9.2, and is able to achieve that certificate within a period of 12 months after the granting of a Provisional Restricted CNG Forklift Certificate of Competency; and
- (d) pays the application fee prescribed in Part I of Schedule 12 of the Regulations.

Note:**Conditions that may be imposed on Certificates of Competency**

Under regulation 41 of the *Workplace Health and Safety Regulations 1998*, the Director may impose conditions on certificates granted. Conditions that could be applied to the classes and types of certificates of compliance may include - but are not limited to – those set out in Tables 1 and 2 below.

Table 1: Conditions that may imposed on Motor Vehicle Certificates of Competency

Condition	Certificate of Competency	Provisional Certificate of Competency	Restricted Certificate of Competency	Provisional Restricted Certificate of Competency
Must perform the work in compliance with the appropriate Australian Standard (either AS/NZS1425 or AS/NZS2739)	Yes	Yes	Yes	Yes
Must perform the work only in the area of the certificate holder's competence.	Yes	Yes	Yes	Yes
At the completion of the work –				
(i) must securely attach a compliance plate as specified in the appropriate Australian Standard (either AS/NZS1425 or AS/NZS2739);	Yes	No	No	No
(ii) must keep records of all work performed for a period of ten years, and lodge returns to the Director;	Yes	Yes	Yes	Yes
(iii) must certify all new installations to the owner of the vehicle and the Director, on a form provided by the Director, that all work carried out complies with the appropriate Australian Standard (either AS/NZS1425 or AS/NZS2739);	Yes	No	No	No
(iv) where a container is changed or re-tested, must ensure the appropriate parts of the compliance plates are reinscribed.	Yes	No	No	No
Must work under the *supervision of a competent person.	No	Yes	No	Yes
May supervise the work of apprentices or trainees, and provisional certificate holders, in the relevant gas.	Yes	No	Yes	No
Must ensure that the work performed by supervised persons complies with the appropriate Australian Standard (either AS/NZS1425 or AS/NZS2739).	Yes	N/A	Yes	N/A
Must lodge returns on behalf of supervised persons.	Yes	N/A	Yes	N/A

Table 2: Conditions that may be imposed on Forklift Certificates of Competency

Condition	Certificate of Competency	Provisional Certificate of Competency	Restricted Certificate of Competency	Provisional Restricted Certificate of Competency
Must perform the work in compliance with AS4983	Yes	Yes	Yes	Yes
Must perform the work only in the area of the certificate holder's competence.	Yes	Yes	Yes	Yes
At the completion of the work –				
(i) must securely attach a compliance plate as specified in AS4983;	Yes	No	No	No
(ii) must keep records of all work performed for a period of ten years, and lodge returns to the Director; and	Yes	Yes	Yes	Yes
(iii) must certify all new installations to the owner of the vehicle and the Director, on a form provided by the Director, that all work carried out complies with AS4983.	Yes	No	No	No
Must work under the *supervision of a competent person.	No	Yes	No	Yes
May supervise the work of apprentices or trainees, and provisional certificate holders, in the relevant gas.	Yes	No	Yes	No
Must ensure that the work performed by supervised persons complies with AS4983.	Yes	N/A	Yes	N/A
Must lodge returns on behalf of supervised persons.	Yes	N/A	Yes	N/A

***Supervision**

In future, it is intended that gasfitting work will be regulated under the *Occupational Licensing Act 2005*. A Code of Practice has been developed under this Act for the supervision of persons such as apprentices and trainees. When gasfitting regulations under the Act have been implemented, the document – the Occupational Licensing (Supervision of Prescribed Work) Code of Practice 2008 (COP016) - will be modified to apply to the gasfitting industry, including automotive gasfitters.

In the meantime, those who employ or supervise persons being trained in automotive gasfitting “specified tasks” covered by this Determination, are encouraged to apply the supervision principles set down in the Occupational Licensing (Supervision of Prescribed Work) Code of Practice 2008 (COP016). The document can be downloaded from www.wst.tas.gov.au/ola