

Our ref: gsa/idhee

Your ref:

14 September 2007



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Mr Eamonn Murtagh,
Gas Safety Manager,
Commission for Energy Regulation,
The Exchange,
Belgard North,
Tallaght,
Dublin 4.

WITHOUT PREJUDICE

RE: IDHE Response to Consultation Documents:

- A Natural Gas Safety Frame Work for Ireland. Dated 27 July 2007
- The Regulation of the Gas Installer Industry with Respect to Safety. Dated 10 August 2007

Dear Sirs

We refer to the above consultation documents issued by Commission for Energy Regulation (CER).

It is our view that these documents are lengthy (103 pages) and light on detail and it is our view that insufficient time has been allotted to industry to make any worthwhile reply to deal with the issues that currently effect gas safety in the Republic of Ireland.

We draw your attention to on-going issues that are not adequately addressed in the above documentation.

We question the alleged number of installer engaged (5000) or wishing to be engaged in the gas industry. We recommend that an external audit take place to determine the level of personnel who will be involved in gas works.

Does the current consultation forum have written Terms of Reference? The consultation forum appears to have members from:

- External Registration Body (CORGI)
- LPG Organisations
- Natural Gas Shippers (Sales Organisation)
- Non-FETAC affiliated training organisations
- Installer Representation may not hold a current mandate possibly in contravention of your own Register of Gas Installers (RGI) Terms of Reference.

In our view this membership profile represents a serious conflict of interest.

The National Standards Association of Ireland (NSAI) Gas Technical Committee 2 (GTC2) appears to have no written Terms of Reference and appears to have members from:

- Natural Gas Shippers (Sales Organisation)
- Installer Representation may not hold a current mandate possibly in contravention of your own Register of Gas Installers (RGI) Terms of Reference.
- Non-Affiliated members

In our view this membership profile also represents a conflict of interest.

Funding for the "Safety Regime" (CER wording) will be levied against industry participants. Our view is that this is a commercial decision by CER yet installers will have no recourse except at the discretion of the CER.

We note that you use two other Gas Safety Regulatory Jurisdictions as presumably models of good governance:

- UK: The UK HSE say they have 30 Deaths a year from gas installations and have gone to tender to change regulatory regime as they appear not to be satisfied with this level of fatalities.
- State of Victoria, Australia. Its common knowledge in international gas circles that there was a major problem with networks failure with cost insurance companies in the order of 1.3 Billion AU Dollars

We believe that the Republic of Ireland could not sustain this type of governance. We suggest you look to Europe Energy Commission for advice on possible safer models of governance.

Gas Training Development Group (GTDG) does not appear to be currently active and what are its written Terms of Reference and Membership structure.

Gas Installers may be obtaining RGI Status by holding a Gas Installer Domestic (GI D) Certificate only. It is our view that this is a "Supplementary Certificate" and should be used in conjunction with a Craft Certificate. We recommend that an external audit take place to determine the level of this problem.

There does not appear to be a clear distinction between Company Registration and Individual Registration. It is our view that there shall be an "Individual Identity Scheme" to allow end users to determine the bona fides of installers on the "Door Step".

There appears to be no regulation or tracking of gas equipment or suppliers via the supply chain. It is our view that product currently entering the marker place should be strictly controlled for compliance with CE Mark and the Gas Appliance Directive (GAD). We recommend that an external audit take place to determine the level of this problem.

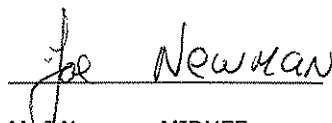
The issue of Gas Works are as yet not determined. It is not possible to comment without this vital piece of information

The issue of Declarations of Conformity and costs associated should be determined by an independent professional body with expertise in this area.

We are of the view that imposing an external supervisory will lead to gas safety problems. It is always prudent to solve the current structural first before entering a new and untested safety framework.

We earnestly hope that the above issues can be resolved to ensure that a fair and effective regime can be implemented without having to resort to other avenues or forums.

Yours sincerely on behalf of the IDHEE Ireland

A handwritten signature in black ink that reads "Joe Newman". The signature is written in a cursive style with a horizontal line underneath the name.

Mr J Newman MIDHEE
Chairman IDHEE Ireland