

# **Section C**

## *The Registered Gas Installer*

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## **SECTION C - TABLE OF CONTENTS**

1	HOW TO BECOME A MEMBER OF THE BODY:.....	1
2	RIGHTS OF AN RGI.....	5
3	RESONSIBILITIES OF AN RGI.....	7
4	CONTINUANCE OF REGISTRATION.....	12
5	CESSATION OF REGISTRATION.....	14
6	RE-INSTATEMENT OF AN RGI TO THE REGISTER.....	15
	GUIDANCE AND CONSULTATION.....	16

# **1 HOW TO BECOME A MEMBER OF THE BODY:**

## **1.1 Who can become a member of the Body**

1.1.1 Each individual who wishes to undertake gas works must be registered. Registration will cover the following types of gas works:

- (i) Domestic gas works – Installation and commissioning; and/or
- (ii) Domestic gas works – Servicing

[Non-domestic membership categories to be included in due course post gas works consultation]

## **1.2 Membership Categories**

1.2.1 There are two (2) membership categories of registration with the Body – Full Membership and Trainee Membership. Each membership category will have the following General Membership conditions:

- a. Hold appropriate commercial insurance.
- b. Pay the appropriate membership fee to the Body (see section B 1.7).
- c. Sign and accept the Rules of Registration (see section B 2.3).

1.2.2 The specific requirements for each membership category are as follows:

1) Full Membership - Domestic

- a. will be open to individuals who hold a GID award or equivalent or have been a member of the Bord Gáis Register of Gas Installers on [1<sup>st</sup> January 2009].

2) Trainee membership - Domestic

- a. will be open to individuals who are undertaking or have completed a plumbing apprenticeship (or a similar such craft certificate) and are working towards full membership; and
- b. who, while holding trainee membership, have their work supervised by an individual granted Full Membership of the Body; and
- c. who will ensure that an individual granted Full Membership of the Body certifies their gas work.

### 1.2.3 Company Registration

The Regulatory System provides for individually registered gas installers to operate under company registration. The specific requirements of such registration are as follows:

- a. Each RGI who will undertake gas works on behalf of the company must have full, trainee or provisional membership of the Body as outlined in section C 1.2.2.
- b. The General Membership conditions set out in section C 1.2.1 can be met at a company level.
- c. Those RGI's operating under the company registration can only carry out gas works to which the company registration pertains.
- d. Those RGI's operating under the company registration can not operate outside of company membership unless they can satisfy the General Membership conditions set out in section C 1.2.1 on an individual registration basis.

### 1.2.4 Provisional Membership

There will be allowance for the Body to provide Provisional Membership of the Body for a strictly limited time period at the commencement of the new regulatory regime. This membership category is for individuals who meet the General Membership conditions but do not meet the specified qualification requirements for Full Membership. The Body will have the authority to grant Provisional Membership on a case by case basis subject to the following conditions being met:

- a. Any installer wishing to apply for Provisional Membership must be able to demonstrate that they are active and have experience within the industry for a time period of four (4) years or over.
- b. Any installer who applies for Provisional Membership will only be allowed to remain on Provisional Membership for a strictly limited time period as determined by the Body. Within that time period, the installer must obtain the necessary requirements for Full Membership. If an installer fails to achieve these requirements, their Provisional Membership will lapse and the installer will be required to apply for full membership.

- c. A suitable assessment process for Provisional Membership as deemed appropriate by the Body will apply and such criteria will be clearly outlined to the applicant.
  - d. Examples of potential applicant's that the Body may deem worthy to qualify for Provisional Membership include a gas installer with significant previous experience in carrying out gas works in another jurisdiction or a gas installer who is seeking to re-enter the industry after a period of absence.
  - e. Upon granting of Provisional Membership, the installer will have full membership rights for the timeframe specified by the Body.
- 1.2.5 Any individual who provides GID or equivalent training must meet the Full Membership requirements as set out in section C 1.2.2.
- 1.2.6 Any company or RGI who engages a sub contractor to carry out gas works is responsible for ensuring that the sub contractor is an RGI. If a company or RGI fails to comply with such a requirement, he/she will be subject to disciplinary procedures as set out in section D.

### **1.3 Application for Registration**

- 1.3.1 For any Application for Registration with the Body to be valid (an Application), it must be made, and completed, in accordance with the Application Procedure published by the Body.
- 1.3.2 The person making the Application (the Applicant) is required to ensure that all information provided is accurate and correct as at the time of submission of the application and is required to provide a declaration to that effect.
- 1.3.3 Any (material) changes to the accuracy of the information submitted as part of the application are required to be notified to the Body immediately. In the case of company registration, the company must notify the Body immediately of any RGI no longer operating under company registration and of any new RGI who has been granted their status under company registration.
- 1.3.4 Any material information provided that is subsequently discovered to be false or misleading will result in the cancellation of the application for registration, or where registration has taken place on the basis of such false or misleading information, cancellation of registration will take place with immediate effect.
- 1.3.5 The Body has the right to inspect and/or seek evidence of compliance with all of its requirements for registration in its Application Procedure as part of the assessment for registration.

- 1.3.6 The Applicant is required to comply with the Body's appeal procedure if he/she wishes to appeal the decision of the Body with respect to the rejection of the Application.
- 1.3.7 Where the original decision to reject the Application is upheld by the Body upon appeal, the Applicant may appeal the decision to the Commission.
- 1.3.8 Such appeals are to be in accordance with the procedure to be specified by the Commission and the Commission's determination on this matter will be final and the Body and Applicant are to be bound by same.

#### **1.4 Granting of Registration**

- 1.4.1 The Applicant shall be conferred with RGI status if all requirements within the application are formally accepted by the Body and the Rules of Registration are signed by the Applicant.
- 1.4.2 Registration will take effect from the date confirmed in writing by the Body.
- 1.4.3 If registration has been granted by the Body, the RGI's name will be added to the Register of Gas Installers published by the Body ("the Register").
- 1.4.4 When granted registration, the RGI shall receive documentation to act as confirmation of its registered status. The Body shall provide, to each RGI, formal registration documents such as a letter, an identification card or a certificate of registration. In instances where an RGI is covered under company registration, such documentation will stress that the RGI's registration is only valid when undertaking gas works on the company's behalf. These formal registration documents shall permit identification of the following:
  - (i) the name and address of the RGI;
  - (ii) the membership category of registration granted;
  - (iii) the effective date of registration;
  - (iv) the year when the RGI's competency will be reassessed; and
  - (v) where applicable, the registration details of the company on whose behalf the RGI is undertaking gas works.
- 1.4.5 If registration is granted to an RGI under company registration, each individual RGI will be added to the Register of Gas Installers published by the Body ("the Register") under the company name.
- 1.4.6 An RGI granted company registration status will receive a Company Registration Number that they must quote on all certificates issued for gas works.

## **2 RIGHTS OF AN RGI**

### **2.1 General Rights of an RGI**

- 2.1.1 Only RGIs are entitled to use the title “Registered Gas Installer.
- 2.1.2 The RGI has the right to undertake gas works appropriate to the membership category to which his/her membership pertains.
- 2.1.3 Each RGI who operates under company membership has the right to undertake gas works appropriate to the registration category to which his/her membership pertains on behalf of the company.
- 2.1.4 Each RGI has the right to receive membership information from the Body upon registration. The format of presentation of such information will be set out in the Rules of Registration.
- 2.1.5 In accordance with the Terms & Conditions outlined in the Rules of Registration, an RGI is entitled to use the logo of the Body and the Brand on business documentation and/or vehicles.

### **2.2 Rights with respect to the Body:**

- 2.2.1 The RGI has the right to a reasonable, fair, consistent, timely, efficient and effective service from the Body at all times.

#### **Inspection of RGI’s Work by the Body**

- 2.2.2 The Body will provide each RGI with a copy of its Inspection Procedure as part of the membership information set out in section C 2.1.4.
- 2.2.3 In the case of an *announced* inspection, the RGI is to be given prior notice of the inspection and the timeframe for its occurrence.
- 2.2.4 The RGI is to be provided with a copy of the Inspection Report from the Body’s Inspector once the inspection has been carried out. This Inspection Report will outline any non-conformances that have been identified and the corrective actions that may be required. The Inspection Report will also specify the timeframe in which these must be completed.

#### **Audit of RGI by the Body**

- 2.2.5 The Body will provide each RGI with a copy of its Audit Procedure as part of the start up pack set out in section C 2.1.4.
- 2.2.6 In the case of an *announced* audit, the RGI is to be given prior notice of the inspection and the timeframe for its occurrence.
- 2.2.7 The RGI is to be provided with an Audit Report from the Body’s Auditor once the audit has been carried out. This report will outline any non-conformances that have been identified and the corrective actions that may be required. The Audit Report will also contain the timeframe in which these must be completed.

### **Complaints on the Performance of the Body**

- 2.2.8 After exhausting the Body's appeals process, the RGI will have the right to complain to the Commission on the performance of the Body.
- 2.2.9 The RGI will have the right to refer any unresolved complaints between the RGI and the Body to the Commission regarding any aspect of operation and/or performance of the Body;
- 2.2.10 Such complaints are required to be made in accordance with any requirements specified by the Commission for the making of such a complaint.

### **3 RESONSIBILITIES OF AN RGI**

#### **3.1 Responsibilities in relation to Compliance with Regulatory Arrangements & Legislation**

- 3.1.1 The RGI is required to ensure he/she is in compliance with the 2006 Act, this Criteria Document and all the Rules of Registration.
- 3.1.2 An RGI found to be in breach of any of the provisions/conditions of the Criteria Document or the Rules of Registration may be subject to disciplinary proceedings by the Body under, and in accordance with, the provisions of the Disciplinary Procedure as set out in Section D.
- 3.1.3 The RGI is to comply with the provisions of the Disciplinary Procedure as set out in Section D of the Criteria Document.

#### **3.2 Responsibilities in relation to Domestic Classes of Gas Works:**

##### **Responsibilities in relation to the certification of gas works**

- 3.2.1 An RGI must undertake gas works in accordance with IS 813 and any other relevant industry technical standards. Each RGI is to be conversant with the current edition of IS 813 for the range of gas works being undertaken, including all published amendments to same, and any other relevant standard or publication as may be specified by the Body from time to time.
- 3.2.2 An RGI is required to certify **all** gas works carried out for which it is responsible. An RGI must issue a Completion Certificate for all gas works. An RGI will only issue Certificates provided to it by the Body. The conditions for issuing a Certificate are outlined in the “Agreed Procedure No.1 – Certification”.
- 3.2.3 The RGI is to have the overall responsibility for ensuring that:
  - (i) certificates are only used to certify gas works in accordance with the requirements specified;
  - (ii) certificates are securely stored so as to prevent their loss, theft or misuse;
  - (iii) a copy is properly recorded and maintained of each certificate issued by the RGI;
  - (iv) all such records are kept in an appropriate manner and available for audit and inspection by the Body; and
  - (v) copies of all certificates issued for gas works are returned to the Body within a specified period.

3.2.4 Once a Certificate has been issued for gas works, the person who requested the works to be carried out is to be furnished with the appropriate copy of the certificate.

**Responsibilities in relation to the safety of unfinished gas works**

3.2.5 In accordance with IS 813 and the relevant industry technical standards and the interests of safety, all RGI's are required to ensure that gas works which are in progress but not yet completed by them (unfinished works), are left in such a manner, so as to ensure they do not pose a danger to persons or property.

**Responsibilities with respect to unsafe gas works encountered**

3.2.6 Where an RGI identifies an unsafe situation, the RGI shall apply the appropriate procedure for non conforming installations, as set out in the relevant industry technical standards, to ensure that the installation is left in a safe manner.

**3.3 Responsibilities with respect to the Customer:**

3.3.1 In addition to such other requirements as set out in this Criteria Document, the RGI is responsible for the following with respect to the Customer:

- (i) Providing confirmation of the status of the RGI to the customer, including providing their Registration Number and the details for the customer to independently verify these with the Body. The RGI must satisfy these requirements by presenting their RGI identification card to the customer for inspection;
- (ii) Providing copies of certification for the gas works carried out by the RGI to the customer in accordance with IS 813 and the Agreed Procedure on Certification;
- (iii) Informing the customer of any safety concerns discovered during the course of their work and advising them of the appropriate measures taken.
- (iv) Informing the customer on the safe use and maintenance of the installation concerned and relevant appropriate action that can be undertaken by the customer if the appliance ever poses a safety risk and must be made safe.

### **3.4 Responsibilities with respect to the Body:**

#### **Responsibilities with respect to the requirement to use title of “Registered Gas Installer”, the brand and name/logo/brand of the Body**

- 3.4.1 An RGI is required, at all times, to present/detail its registration number on business documentation where it presents itself as a Registered Gas Installer and/or uses the Name/Logo of the Body or the Brand.
- 3.4.2 An RGI is required to furnish, to any party, confirmation of its registration and registration details upon the request of any such party. Such confirmation is to be in the form specified by the Body.

#### **Unsafe Gas Works/Inappropriate Certification**

- 3.4.3 In addition to such other requirements as set out in this Criteria Document, the RGI is responsible for the following with respect to the Body:
  - (i) Notifying the Body of any unsafe gas works encountered as a result of poor workmanship or negligence, but not as a result of normal appliance operation;
  - (ii) Notifying the Body where certificates are issued by a Non-Registered Person; and
  - (iii) Notifying the Body of any invalid gas works encountered whereby an RGI signs off on a Certificate for gas work in an inappropriate manner in contravention of the safety requirements of IS 813 (the exception here is when an RGI signs off on work completed by a trainee working under the RGIs supervision as set out in clause 1.2.2(2)).

#### **Responsibilities with respect to inspections undertaken by the Body**

- 3.4.4 Inspection refers to the inspection of the gas work carried out to ensure its compliance with IS 813 or any relevant industry technical standards.
- 3.4.5 Any work carried out by an RGI is eligible for inspection by the Body.
- 3.4.6 The RGI is required to comply with any requirements of the Inspector during the carrying out of an inspection and/or audit.

- 3.4.7 This includes being present if requested during an inspection/audit, answering any questions posed by the Inspector relating to the work and/or the provision of relevant documentation and/or records of relevant documentation.
- 3.4.8 In the case of an *unannounced* inspection, the RGI is to fully comply with the conditions of the Body with regard to the inspection and/or audit to be carried out.
- 3.4.9 The RGI is required to carry out all corrective actions that have been identified in the course of an inspection by the Body and as outlined in the Inspection Report. The Body may carry out a follow up inspection to ensure that corrective actions have been carried out. The RGI will be obliged to comply with the conditions for that inspection as would be the case for any other inspection.

#### **Responsibilities with respect to audits undertaken by the Body**

- 3.4.10 The RGI is required to comply with any requirements of the Body in carrying out an audit, including:
- (i) providing copies and/or originals, if appropriate, of requested documentation;
  - (ii) making an appropriate person from the organisation available to answer any questions in relation to the documentation; and,
  - (iii) giving details of third parties who may need to be contacted to verify relevant information.
- 3.4.11 The RGI is required to carry out all corrective actions that have been identified in the course of an audit by the Body and as may be specified in the Audit Report.
- 3.4.12 The Body may carry out a follow-up audit to ensure that all necessary corrective actions have been completed. The RGI will be obliged to comply with the conditions for that audit as would be the case for any other audit.
- 3.4.13 Disciplinary action may result where corrective actions have not been carried out within the specified timeframe.

### **Responsibilities in relation to qualification & competency assessment records**

3.4.14 The RGI is to ensure that evidence of his/her qualifications and competency assessment records, as required under clause 1.2.1 of this section, are held at all times.

3.4.15 An RGI is to undertake any course/training/instruction as specified by the Body (which may be deemed necessary in response to an inspection, audit, a change in relevant industry technical standards, etc.).

### **3.5 Responsibilities in relation to Interaction with the Network Operator**

3.5.1 An RGI must report to the Network Operator any gas escapes/emergencies encountered.

3.5.2 The RGI will operate in line with the Network Operator's procedures in instances where the RGI requires interaction with the Network Operators processes in dispatching his/her duties.

### **3.6 Responsibilities in relation to compliance with requirements of Authorised Officers**

3.6.1 An RGI is required to give all reasonable assistance to an Authorised Officer in the exercise of his/her powers as prescribed under this Criteria Document (Section F) and/or pursuant to the provisions of the Act.

### **3.7 Responsibilities in relation to compliance with requirements of Appeals Officers**

3.7.1 An RGI is required to comply with any request from an Appeals Officer in accordance with the provisions set out under Section F and/or pursuant to the provisions of the Act.

## **4 CONTINUANCE OF REGISTRATION**

### **4.1 Renewal of Registration**

4.1.1 An RGI will be eligible to renew its registration by the Body, provided that the Rules of Registration continue to be met and the Body's annual Registration Renewal Procedure requirements adhered to. These requirements include:

- a. Ensuring that his/her personal Competence Certificate, issued by an INAB accredited body, in accordance with centralised criteria approved by the Commission with respect to I.S. 813, is up to date.
- b. Renewing appropriate commercial insurance.
- c. Paying the appropriate membership fee to the Body.
- d. Ensuring that his/her membership is not suspended or revoked as set out in section B 4.

4.1.2 The initial date of the individual RGI's first Competency Assessment will be determined by the Body based upon a risk assessment of the RGI in question. At a minimum, it will be a condition of membership that the RGI undertakes re-assessment of competency every 5 years thereafter.

### **4.2 Insurance**

4.2.1 The RGI, is required to have in place and maintain the following insurance cover:

- (i) public liability insurance to a minimum level of indemnity specified by the Body, the Network Operator and/or the Commission;
- (ii) appropriate employer's liability insurance (if applicable).

- 4.2.2 The onus to hold insurance cover over and above the specified minimum rests with the RGI in such cases where it is appropriate to the work being carried out.
- 4.2.3 Such insurance policies will, as appropriate, indemnify (jointly and separately) the Body, the Commission, or any party acting on either's behalf.
- 4.2.4 The specified levels of insurance cover will be subject to review from time to time, as appropriate.
- 4.2.5 Failure to maintain insurance and/or provide the Body with proof of such when requested to do so will result in automatic suspension of registration, and, for the avoidance of doubt, this will result in the automatic and immediate suspension of the entitlement to undertake gas works.
- 4.2.6 Such suspension and withdrawal of the entitlement to undertake gas works will continue in force until appropriate insurance is put in place, confirmed to the Body and same is acknowledged and the Body confirms suspension is lifted and full entitlement to undertake gas works rights are resumed.

### **4.3 Change in Registration Details**

- 4.3.1 Any changes required to be notified to the Body shall be done in accordance with its procedure for notification of change in particulars of an RGI and on the "Change in Particulars Notification Form" as published by the Body. In the event that an RGI changes any particulars upon which its original Application for Registration was approved, it is required to inform the Body immediately by way of written notice.
- 4.3.2 Any changes required to be notified to the Body regarding company registration shall be completed by the company in accordance with its procedure for notification of change in particulars of an RGI and on the "Change in Particulars Notification Form" as published by the Body. In the event that a company changes any particulars upon which its original Application for Registration was approved, it is required to inform the Body immediately by way of written notice.
- 4.3.3 The RGI will be responsible for updating the Body when his/her Competency has been reassessed in accordance with the timeframe criteria set out in section C 4.1.2.
- 4.3.4 Following any change, continued registration will be at the discretion of the Body, in accordance with its procedures for the evaluation of Applicants.

## **5 CESSATION OF REGISTRATION**

### **5.1 De-Registration**

- 5.1.1 Where the RGI is de-registered, either voluntarily or further to a decision by the Body or the Commission, the RGI is required to return all outstanding certificates and all documentation pertaining to the RGI brand. For the avoidance of doubt, this will include those certificates issued but not yet remitted to the Body. The RGI must also cease to display any logos on vehicles or letterheads pertaining to the RGI brand.
- 5.1.2 Where the RGI is de-registered from performing gas works on behalf of a company, it is the responsibility of the company to satisfy the criteria set out in clause 5.1.1.
- 5.1.3 The RGI is required to also return the form of confirmation of registration issued to it by the Body.
- 5.1.4 Further clarification regarding the de-registration process will be set out in the Body's Rules of Registration and in section D of this Criteria Document, the Disciplinary Process.

## **6 RE-INSTATEMENT OF AN RGI TO THE REGISTER**

- 6.1.1 When an RGI's suspension period is completed, the Body shall re-instate his/her Registration and restore and all rights pertaining to his/her membership category.
- 6.1.2 Re-instatement of an RGI who has had their membership revoked shall be at the behest of the Body as outlined below:
- (i) The RGI will have recourse to reapply for membership of the Body but he/she must follow in full the Body's application procedure as set out in section B 2.1.4 of this Criteria Document.
  - (ii) The Body will then decide upon the RGI's instatement based upon its Registration & Evaluation Decision procedure as set out in section B 2.3 of this Criteria Document.

## **GUIDANCE AND CONSULTATION**

*The Commission now sets out the areas, relating to its proposals as set out in Section C, on which it invites specific comment:*

- 1. The requirements placed upon the Gas Installer in obtaining RGI status;*
- 2. The rights of an RGI;*
- 3. The responsibilities of an RGI; and*
- 4. The requirements placed upon the RGI in relation to the maintenance and cessation of registration.*