



An Coimisiún  
um Rialáil Fónas  
**Commission for  
Regulation of Utilities**

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# Decision Paper

## Regulation of Non-Domestic Gas Works

### Information Paper

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# Executive Summary

The CRU is responsible for the regulation of safety in domestic gas works through the Registered Gas Installer (RGI) scheme. The CRU appoints a Gas Safety Supervisory Body (GSSB) to operate the RGI scheme on its behalf.

Following consultation, in 2009 the CRU published a Decision Paper on the Regulation of Gas Installers with Respect to Safety<sup>1</sup>. This paper defined Gas Works as those on natural gas fittings for domestic customers. It also indicated that the definition would be extended to cover natural gas fittings for non-domestic (i.e. industrial and commercial) gas customers at some point in the future.

In 2015 the CRU published a Decision Paper<sup>2</sup>, followed in 2016 by an Information Note<sup>3</sup>, which confirmed the CRU's intention to extend the RGI scheme to include the regulation of Non-Domestic Gas works, as prescribed in I.S. 820. These papers also indicated the CRU's intention for additional membership categories to be created for RGIs wishing to carry out Non-Domestic Gas Works.

In 2020, the CRU published an Information Note, stating that due to delays resulting from the Covid-19 pandemic, the CRU was postponing the implementation of Non-Domestic Gas Works regulations until 2023<sup>4</sup>. The new start date of July 2023 has been chosen in part as it broadly coincides with the new designation term for the Gas Safety Supervisory Body<sup>5</sup>. In this paper, the CRU also committed to revisit the proposed arrangements for Non-Domestic Gas Works regulation to determine if any enhancements were needed.

Following this review, the CRU has decided to proceed with the regulation of Non-Domestic Gas Works from 1 July 2023. The CRU will keep industry and stakeholders informed throughout 2022 and 2023 in relation to developments on the implementation date of this regulation.

The CRU has decided to proceed with the implementation of Non-Domestic Gas Works regulation due to the potential safety regulation gap around current non-domestic installations, and their maintenance and modification.

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<sup>1</sup> [CER/09/083](#).

<sup>2</sup> [CER/15/244](#).

<sup>3</sup> [CER/16/373](#).

<sup>4</sup> [CRU/20/141](#).

<sup>5</sup> The new designation term begins in January 2023.

The CRU has also decided that Non-Domestic Gas Works regulation be folded into the existing RGI scheme without the creation of a new membership category. The CRU has made this decision as the core technical similarities of Domestic and Non-Domestic Gas Works allow for the effective and appropriate regulation through the extension of the current model.

## **Public/Customer Impact Statement**

The CRU's regulatory objective for the RGI scheme is to maintain the safety of gas users with respect to gas installations. It is through this scheme that the Gas Safety Supervisory Body (GSSB) can monitor and validate that Gas Works are carried out by competent persons in line with current standards and good practice. In Ireland, it is illegal for anyone not registered with the RGI scheme, to carry out Gas Works on a domestic appliance, apart from specific instances set out in the Energy (Miscellaneous Provisions) Act 2006.

The definition of Gas Works currently relates to the installation, removal, repair, servicing, maintenance, or replacement of domestic natural gas fittings and domestic LPG fittings, This was initially set out in SI No 225 of 2009 and then expanded upon in SI No. 299 of 2011. The CRU has decided to proceed with the implementation of Non-Domestic Gas Works regulation as the proactive regulation will enhance safety outcomes and protection measures for the public. This is a position that is also shared by the three main stakeholders with direct involvement in Non-Domestic Gas Works safety related matters at present.

The implementation of this regulation will be enacted through the extension of the scope of Gas Works to include Non-Domestic Gas Works and will result in proactive inspection and illegal works investigations of Non-Domestic Gas Works as seen with the CRU's current regulation of Domestic Gas Works. This will mean commercial businesses will have to engage with an RGI to carry out any Non-Domestic Gas Works, as prescribed in I.S. 820, on their premises from the implementation of the regulation in 2023. The implementation of Non-Domestic Gas Works regulation will provide a better safety outcome in the public interest.

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## Glossary of Terms and Abbreviations

Abbreviation	Meaning
<b>DGA</b>	Domestic Gas Assessment
<b>DGS</b>	Domestic Gas Safety award
<b>GID</b>	Gas Installer Domestic
<b>GIS</b>	Gas Installer Safety
<b>GNI</b>	Gas Networks Ireland
<b>HSA</b>	Health and Safety Authority
<b>IRP</b>	Installer Representative Panel
<b>LGI</b>	Liquid Gas Ireland
<b>LPG</b>	Liquefied Petroleum Gas
<b>NDGS</b>	Non-Domestic Gas Safety
<b>NFQ</b>	National Framework of Qualifications
<b>QQI</b>	Quality & Qualifications Ireland
<b>RPL</b>	Recognition of Prior Learning
<b>SI</b>	Statutory Instrument

# 1. Introduction

## 1.1 The Commission for Regulation of Utilities

The CRU's mission is to protect the public interest in Water, Energy and Energy Safety.

The CRU is guided by four strategic priorities that sit alongside the core activities we undertake to deliver in the public interest. These are:

- Deliver sustainable low-carbon solutions with well-regulated markets and networks
- Ensure compliance and accountability through best regulatory practice
- Develop effective communications to support customers and the regulatory process.
- Foster and maintain a high-performance culture and organisation to achieve our vision

## 1.2 Purpose of this Document

This paper details the CRU's decision in relation to the implementation of Non-Domestic Gas Works regulation.

## 1.3 Structure of Paper

This Decision Paper is structured as follows:

- **Section 2: Background:** Details background in relation to the CRU's policy decision on the regulation of Non-Domestic Gas Works.
- **Section 3: Regulation of Non-Domestic Gas Works:** Provides detail of Non-Domestic Gas Works regulation developments to date, discusses the impact that this regulation will have on the industry and provides an outline of the proposed legislation.
- **Section 4: Implementation Steps:** Details an outline of the implementation steps involved in introducing this regulation
- **Section 5: Next Steps.** Discusses the next steps in relation to this policy decision.

## 1.4 Related Documents

- [CRU/20/088](#): Gas Safety Supervisory Criteria Document (Version 1.7 published on 13 August 2020).
- [CER/15/224](#): Extension of Registered Gas Installer Scheme to Include Non-Domestic Gas Works – Decision Paper.

- [CER/16/373](#): Extension of Registered Gas Installer Scheme to include Non-Domestic Gas Works – Information Note.
- [CRU/20/141](#): Regulation of Non-Domestic Gas Works - Information Note.

## 2. Background

The CRU regulates installers who carry out domestic gas work through the Registered Gas Installer (RGI) scheme. In the CRU's 2020 Information Note<sup>6</sup>, the CRU detailed its decision to postpone the implementation of Non-Domestic Gas Works regulation. Within that Information Note, the CRU also committed to reviewing existing arrangements for non-domestic gas works with a view to improving safety, where needed. The CRU also committed to revisiting the proposed arrangements for Non-Domestic Gas Works regulation to determine if any enhancements are needed.

The CRU has now completed this review and has decided to proceed with the regulation of Non-Domestic Gas Works from 2023. The CRU has decided to proceed as there is a need to introduce formalised and proactive regulation of Non-Domestic Gas Works, replacing the current oversight offered by Gas Networks Ireland and LPG Undertakings. It will also complement HSA's activities in enforcing occupational health and safety legislation in relation to Non-Domestic Gas Works covering both natural gas and LPG, through the specification of regulation in the sector. The CRU has also decided that this regulation will be implemented by extending the RGI scheme to cover Domestic and Non-Domestic RGIs in one membership category. The CRU has made this decision as the core technical similarities of Domestic Gas Works and Non-Domestic Gas Works allow for the effective and appropriate regulation through the extension of the current model.

This decision will involve extending the definition of Gas Works to include Non-Domestic installations, through the publication of an updated Statutory Instrument (S.I.).

The CRU is required under legislation to develop a Criteria Document which sets out how the RGI Scheme operates and is governed. This Criteria Document relates to gas safety supervision, safety standards to be achieved and maintained by RGIs, and the procedures to be operated by the GSSB. This document is maintained by the Criteria Document Modification Committee. Prior to the implementation of this regulation, the CRU will engage with the Criteria Document Modification Committee to finalise the changes required to the Criteria Document to account for this new regulation. An updated Criteria Document will be published alongside the updated S.I.

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<sup>6</sup> CRU/20/141

## **3. Regulation of Non-Domestic Gas Works**

### **3.1 Current Non-Domestic Installers.**

A Provisional Non-Domestic Register was opened in September 2018. The purpose of this register has been to allow people who currently work in the non-domestic gas sector, to indicate their interest in becoming registered to carry out Non-Domestic Gas Works once regulation of this sector has commenced. Currently there are approximately 800 people on this provisional register, around two thirds of whom are already registered as RGIs.

In 2018, a Non-Domestic Recognition of Prior Learning (RPL) Board was established by the CRU and RGII, to enable experienced commercial gas installers who do not hold relevant formal qualifications to access the Non-Domestic Gas Safety (NDGS) course.

As part of the implementation of this regulation, the CRU will utilise this RPL Board to assess on a case-by-case basis whether current Non-Domestic installers, through their experience and prior qualifications, may be eligible to apply directly to the RGI register or whether an installer may join the scheme subject to the completion of training measures. The CRU will review the composition and operation of the RPL and consider the necessary updates that are required.

Table 1 details a summary of the actions required by industry stakeholders to continue carrying out Gas Works, upon the implementation of Non-Domestic Gas Works regulation.

**Table 1.** A summary of the actions required by industry stakeholders to continue carrying out Gas Works, upon the implementation of Non-Domestic Gas Works regulation.

Industry Cohort	Actions Required upon Implementation of Regulation.
<p>A current RGI working in the domestic sector only, that intends to continue working in the domestic sector only, post implementation of this regulation.</p>	<p>No action required from RGI.</p> <p>The CRU will at some point, in conjunction with the DGA scheme committee, review the existing DGA award criteria to determine any updates that may be merited in light of this new regulation.</p> <p>This may result in the five yearly DGA assessment being amended to include Non-Domestic elements. A timeline for this process has not been finalised. The CRU will review this in 2022 and 2023 and keep stakeholders informed.</p> <p>The RGI will continue to be required to complete the DGA every five years as is currently required.</p>
<p>A current RGI working in both the domestic and non-domestic sector.</p>	<p>No action required from RGI.</p> <p>RGIs can continue to carry out Non-Domestic Gas Works, provided they are satisfied that it is within their competency to do so.</p> <p>As is currently the case, existing RGIs will be subject to an annual inspection by the GSSB. This annual inspection will also potentially be on Non-Domestic Gas Works.</p> <p>Completion Certificates will be required to be issued for all Non-Domestic Gas Works carried out, post the implementation of this regulation.</p> <p>The RGI will continue to be required to complete the DGA every five years as is currently required.</p>
<p>A non-registered gas installer, currently working in the non-domestic gas sector that does not hold the relevant entry requirements to join the RGI scheme, as set out in the Criteria Document.</p>	<p>In order to continue carrying out Non-Domestic Gas Works, they must apply to the RPL Board to determine if they are eligible to register as an RGI.</p> <p>The RPL board will determine the suitability/competency of such application on a case-by-case basis.</p> <p>It is currently the CRU’s intention to implement this policy change in full in mid-2023 however the CRU may consider implementing certain aspect on a phased basis, where</p>

	<p>through its engagement with stakeholders, it is deemed that this could be more practical.</p> <p>Non-Domestic installers that are accepted on to the scheme, will be subject to audits and inspections by the GSSB.</p> <p>Completion Certificates will be required to be issued for all Non-Domestic Gas Works carried out, post the implementation of this regulation.</p> <p>The RGI will be required to complete the DGA every five years as is currently required.</p>
<p>A person with no prior experience as a gas installer, seeking to join the RGI scheme.</p>	<p>Must apply to join the RGI scheme having completed one of the relevant Advanced Craft Certificates as set out in the Criteria Document while also completing the other entry requirements detailed in the Criteria Document.</p>

## 3.2 Training

As per Section B 2.1.3 of the Criteria Document Version 1.7<sup>7</sup>, Full Membership of the RGI Scheme is currently open to individuals who hold:

One of:

- (i) A Domestic Gas Safety award (DGS);  
*or*
- (ii) A Gas Installer Safety (GIS) award obtained prior to the 1st January 2017 and a Gas Installer Domestic (GID) award obtained prior to the 1<sup>st</sup> January 2017, or equivalent.  
*or*
- (iii) Confirmation as a competent gas installer by the Panel of Experts as part of the Recognition of International Professional Qualifications for Gas Installers

And either:

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<sup>7</sup> [Criteria Document Version 1.7](#)

a) An Irish Advanced Craft Certificate in Gas Fitting, Electrical, Plumbing, or Pipefitting or Refrigeration

*or*

b) Confirmation as a competent gas installer by the Panel of Experts as part of the Recognition of International Professional Qualifications for Gas Installers

Over the coming months, the CRU will engage with Quality & Qualifications Ireland (QQI) and the key industry stakeholders, including training providers to amend the current Domestic Gas Safety (DGS) award, incorporating the non-domestic elements that are required and which currently aren't reflected in the award. The DGS award will continue to form part of the requirements for individuals applying to join the scheme post the implementation of this regulation in 2023.

Additionally, the CRU will engage with relevant stakeholders to review the current Domestic Gas Assessment (DGA) in order to determine if any updates to the DGA award criteria are merited following the implementation of this regulation. A timeline for this review, and the proposed implementation dates of any updates have not yet been determined and may not occur until after the implementation of this regulation.

Following extensive stakeholder consultation and engagement, Quality and Qualifications Ireland (QQI) published the Non-Domestic Gas Safety (NDGS) award in 2017 as a Special Purpose Specification National Framework of Qualifications (NFQ) Level 6 Award. Post the implementation of this regulation, the NDGS award will be accepted as an entry requirement to the RGI scheme alongside the DGS award.

The CRU understands that a number of existing RGIs have completed the first module of the Non-Domestic Gas Safety award with the expectation that this would be a requirement to carry out Non-Domestic Gas Works, post the implementation of Non-Domestic Gas Works regulation. The CRU is currently considering this matter and will seek to discuss potential compensation measures with the impacted individuals in due course.

If compensation is deemed to be appropriate, they will apply to existing RGIs that have completed the first module of the Non-Domestic Gas Safety, or existing RGIs that can demonstrate that they registered and paid for the Non-Domestic Gas Safety award, prior to this decision being published.

### 3.3 Certification

Working with RGII, Gas Networks Ireland (GNI), LPG undertakings (Liquid Gas Ireland) and the Installer Representative Panel (IRP) among other stakeholders, the CRU has developed three draft Completion Certificates for Non-Domestic Gas works.

For the ease of both customers and gas installers the Non-Domestic certificates have been modelled on the existing Domestic certificates, however there are certain differences. Under Non-Domestic Gas works regulation, there will be three certificates:

- **Certificate A:** Declaration of conformance for new gas installations or new meter fit. This is the equivalent of Cert 1 for Domestic Gas Works and similar to the current GNI Declaration of Conformance.
- **Certificate B:** Declaration of conformance for appliance installation / replacement where a meter/gas is already supplied. Unlike the Domestic Cert 2, Cert B will be for all new or replacement installations of Non-Domestic appliances, not just boilers.
- **Certificate C:** Declaration of conformance for existing installations with a gas supply/gas meter for repair, safety check and/or service.

### 3.4 Legislation

The CRU has drafted an S.I. which will give legal affect to the change in regulation. This new S.I. will replace the existing two (S.I. 225 Gas Works and S.I. 299 Liquid Petroleum Gas Works) with one. The new S.I. will be a consolidated piece of secondary legislation designating all works on domestic or non-domestic appliances (natural gas or LPG) as Gas Works under the Electricity Regulation Act 1999.

Closer to the time of implementing Non-Domestic Gas Works regulation the new draft SI will be forwarded to the Minister for Environment, Climate Change and Communications for approval. Prior to this, the CRU will also engage with the Criteria Document Modification Committee to finalise the changes required to the Criteria Document to account for this new regulation.

## 4. Implementation Steps

The CRU will proceed with the implementation of Non-Domestic Gas Works regulation in 2023. The new start date of July 2023 has been chosen in part as it broadly coincides with the new designation term for the Gas Safety Supervisory Body. The new designation term begins in January 2023. Throughout 2022, the CRU will engage further with relevant stakeholders, including the GSSB, in relation to the development of an implementation plan for this regulation.

Prior to implementation of this regulation, the CRU will also work with the GSSB to set the dates in relation to key implementation milestones as information relating to training and qualifications and other practical items needed for implementation. At a high level some of the key implementation tasks relevant to the GSSB are detailed in table 2 below.

**Table 2.** Some of the key implementation tasks required to be completed by the GSSB, prior to the implementation of this regulation.

Task	Description
RPL Board	<ul style="list-style-type: none"> <li>Updating of the RPL Board to enable it to assess, on a case-by-case base, applications from current non-domestic installers to determine whether they are eligible to apply to join the scheme.</li> <li>It is expected this panel will commence accepting applications from January 2023. The process for accepting such applications will be developed and available on the website prior to this.</li> </ul>
Completion Certificates	<ul style="list-style-type: none"> <li>The GSSB will be required to make available to RGIs, Non-Domestic Completion Certificates, prior to the “go-live” of this regulation. This will ensure that RGIs will be able to commence carrying out and certifying Non-Domestic Gas Works from the effective date of the regulation.</li> </ul>

<p>Inspection and Audit Programme</p>	<p>The GSSB will be required to develop an Audit and Inspection Programme which accounts for the increased scheme membership that will be occur due to the implementation of this regulation.</p>
<p>Communication Plan</p>	<p>The GSSB will be required to provide the rollout of timely and specific communications and information for customers and RGIs in relation to this regulation. Specifically, the GSSB will be required to do the following:</p> <ul style="list-style-type: none"> <li>• Engage with RGIs through technical bulletins, seminars etc. to ensure that they are adequately informed of the new scope of Gas Works that will be in place following the implementation of this regulation.</li> <li>• In addition to promotional work led by the CRU, the GSSB will also provide information to the public and raising public awareness in relation to this new regulation.</li> <li>• Respond to technical queries in relation to this new regulation. Provide information on a planned and timely basis to RGIs on how this regulation affects them.</li> <li>• Provide ongoing clarifications in relation to the qualification and competency requirements for persons seeking to join the scheme, post implementation of this regulation. This will be required throughout 2023 and beyond.</li> </ul>

The CRU will engage closely with the GSSB as the effective date of this regulation approaches. It is expected that a Non-Domestic Gas Works regulation implementation plan will be produced by the GSSB, in relation to its relevant implementation tasks in Q4 2022. This will be expected from the GSSB that will be in operation in 2023.

Post implementation, the Health and Safety Authority (HSA) will continue its role in enforcing occupational health and safety legislation in relation to Non-Domestic Gas Works covering both natural gas and LPG. In particular, the Safety, Health and Welfare at Work Act (2005) and the associated regulations place certain responsibilities upon employers with respect to the installation, commissioning, maintenance, repair or removal of non-domestic gas fittings.

The CRU maintains a Memorandum of Understanding (MoU) with the HSA, whereby the two agencies acknowledge the responsibilities of each other and commit to working with each other in prescribed circumstances.

## 5. Next Steps

This paper sets out the CRU's high level policy decision in relation to the regulation of Non-Domestic Gas Works. Throughout 2022 and into 2023, the CRU will engage with key stakeholders as it further develops and implements Non-Domestic Gas Works regulation. The CRU will continue to engage with stakeholders in relation to various key issues such as the updating of scheme entry requirements as discussed in this paper, the progressing of an updated SI., the modification of the Criteria Document to account for the implementation of Non-Domestic Gas Works regulation and the updating of the RPL Board.