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**To: The Natural Gas Industry**

**Attention: End Users of Gas, Suppliers of Gas and Equipment, Service Providers, Gas Practitioners**

**Natural Gas Safety Compliance Directive 1/2008** (*Issue 4, as amended*)

## **Background**

Safety has always been integral to the agenda's of Companies, Government, Conferences and training programs. When accidents occur safety is placed first on the agenda. Rightfully so, human lives could be at stake. Sometimes, too little too late one needs to ask? Unfortunately lip service on safety does occur and could end with disastrous results. And yes, there are businesses excelling in walking the [safety] talk and achieving sustainable results.

With the natural gas conversion in 2004 the product changed from Hydrogen Rich Gas to Natural Gas which brought about new challenges being the lack of standards, technical and safety training and skilled persons. The need to overcome these challenges became more apparent. For this reason, Sapga started playing a major role in the development of regulations and standards, training programs and learnerships which needed to be realised to support the gas industry with safety compliance aspects and to provide a platform to ensure competent gas practitioners.

A gas practitioner registration process as mandated by the Department of Labour ensures that practitioners, within their own fields of application, are formally registered to work in their respective gas industries. Sapga needs to inform the natural gas industry of legal and safety compliance aspects pertaining to natural gas practitioners but also concerning appliances, equipment or gas fuel systems which in future need to be certified fit for use.

## **Understanding the legal compliance route**

The requirements of the "**Occupational Safety and Hazards Act - No. 85 of 1993**" - Sections 43 and 44, **Regulation R1591 of October 1996**, and the "**Pressure Equipment Regulations (PER), R 734, 15 Jul 09**" as follows state that

*Quote...*

**Regulation 1: (Def) "Authorised Person"** means...

*'a person who is registered as competent within the scope of work for which an organisation [South African Qualifications and Certification Committee for Gas (SAQCC-Gas)] approved by the chief inspector has registered that person'*

**Regulation 17: Gas reticulation equipment and systems**

*'(1)No person shall*

*(a) handle, store or distribute any gas in any manner which includes the filling of a container, other than in accordance with the relevant health and safety standard incorporated into these Regulations under section 44 of the Act;*

*(b) install or remove an appliance, pressure equipment or system for gas in any manner other than in accordance with the relevant safety standard incorporated into these Regulations under section 44 of the Act;*

*c) install or remove a gas appliance, or a gas system or a gas reticulation system, unless such person is an authorised person; or*

*(d) use pressure equipment or systems for gas in a manner other than in accordance with the relevant safety standard incorporated into these regulations under section 44 of the Act*

(2) *After installation or re-installation, and before commissioning a gas system, the user shall ensure that an external inspection and a leak test are performed by an authorised person or an approved inspection authority as applicable in terms of sub regulation (1 )(c).*

(3) *An authorised person or an approved inspection authority shall issue a certificate of conformity after completion of a gas installation, modification, alteration or change of user or ownership in the form of Annexure 1.'*

The need to ensure compliance to these regulations is of utmost importance in ensuring safe gas practices. Also, gas practitioners need to be competent and registered as authorised persons to be able to legally work in the natural gas industry. This regulation also impacts on those businesses that have internal practitioners who install, maintain and or commission the businesses equipment and/or gas systems.

### **Starting at the beginning – what needs to be done?**

First of all, a pre-requisite qualification program has been developed for practitioners. All [practitioners](#) [definition] need to be trained and proven competent prior to formal registration. The training programs currently agreed on by the Natural Gas Industry to ensure practitioners are all on the required competency levels are:

- [SANS329:2008 Industrial thermo processing equipment \(Safety requirements for combustion and fuel-handling systems\)](#) course for all practitioners working in the natural gas *industrial* environment.
- [Natural Gas Conversion course for LPG registered gas practitioners](#) to work in the natural gas *domestic/commercial* environment. A new standard for natural gas practitioners working in the domestic/commercial environment is in final stage of been gazetted namely SANS 827. Date for publication is set for 21 Jan 11.

**The above courses are a pre-requisite for registration of gas practitioners. These courses are duly recognised by the industry and only presented through SAPGA.**

Secondly, qualified and competent practitioners need to be formally registered. This process of registration as a compliance requirement is not negotiable by law. Non registered practitioners create inadvertent problems for themselves never mind the end user. *What does all this mean to you as a customer or end user?* SAPGA, as a member of the SAQCC-Gas, has, on behalf of the gas industry, put mechanisms in place to assist and support gas practitioners to become competent, compliant and legally registered to carry out work in the natural gas industry.

This in itself establishes a climate conducive to safer practices which provides a feeling of confidence in using the services of a registered gas practitioner. For this reason, suppliers, customers and end users need to ensure that **the services of non registered practitioners are not accommodated to avoid direct contradiction with the OHS Act** and implications rising from policies and procedures of insurance and compliance bodies.

All practitioners had the opportunity to re-licence themselves prior to 31 May 08 but unfortunately there are those who have not adhered to this call and as such are operating illegally, are not up to date with current technical requirements, standards or regulations and most probably doing work of sub standard quality. *A recent request from the Department of Labour is that they be informed of all non registered practitioners and/or of work of sub standard quality.*

What is of importance here is that the practitioners, on registration as competent gas practitioners, are supplied with a unique registration number as issued by the SAQCC Gas - an association formally mandated by the Department of Labour to act on its behalf. This unique number needs to be reflected on an official SAPGA - Certificate of Conformance (COC) - and to be handed over to the customer/end user on completion of any practitioner work done. If this is not ensured the work done is by nature of the regulation deemed to be unauthorised and illegal of nature.

All other 'types' of COC's originated from other associations, councils and personally developed by businesses currently in practice within the natural gas environment will forthright be regarded as null and void from a legal, financial and insurance perspective. The COC for domestic, commercial and industrial gas practitioners as issued by SAPGA remains the only valid one for use in the natural gas industry.

With the publication of the PER and specifically Regulation 17(3) thereof, in itself creates an even greater dilemma for work of an unauthorised nature. The PER clearly stipulates that *all buildings where gas has been installed and commissioned needs to be officially certified via an official COC* as proof of any type of *gas installation, modification, alteration or change of user or ownership*.

The PER also has a defined challenge to it...*all equipment installed at customer and end user premises needs to be certified as safe for application and use*. Last mentioned requires an equipment registration and certification scheme. This scheme aptly named the Safe Gas Equipment Scheme (SGES) will on behalf of the Department of labour be managed by SAPGA. To this extent the gas industry has agreed that for any installation to be fully compliant to regulations and safe application, the certified equipment needs to be noted on the COC by an authorised practitioner as being registered on the SGES and safe and fit for use. Subsequently the customer or end user in conjunction with the authorised practitioner needs to both confirm and acknowledge this practice on the COC.

Taking all the above into account is absolutely imperative to ensure the safe and efficient installation and use of gas equipment and systems by an authorised gas practitioner.

What about those businesses that are already compliant and toeing the line? They need to be congratulated and elevated for all their efforts in ensuring the gas industry is and remains conducive to safety requirements.

On the other hand the opposite is also true. What should be the next step concerning businesses or persons that do not comply...*inform Local Authorities, Department of Labour and the Gas Industry in this regard?*

### ***Safety Is Not Negotiable***

The support from all stakeholders within the natural gas industry is required to achieve optimum safety levels by enforcing these compliance issues within the industry. The hard fact is that the OHS Act and the PER just cannot be ignored anymore and as such compliance thereto is not negotiable and further actions will be taken in this regard.

To ensure compliance to the OHS Act and PER the following needs to be instituted immediately by businesses:

1. Practitioners to ensure they are in possession of an authorised licence (credit card type) issued by SAQCC (Gas) to carry out work in the natural gas environment.
2. Customers/End Users to ensure that any work undertaken is only ensured by an authorised gas practitioner. If the person is not an authorised practitioner he/she needs to be referred to SAPGA for remedial and or further corrective action.

3. Practitioners and Customers/End Users together need to fulfil the requirements of the respective COC and both parties to sign off the work as being safe and in compliance to respective regulations and standards. Inclusive is the registration of equipment on the SGES confirmed via a SAPGA stamp of approval.
4. A list of registered gas practitioners is available on the website at [www.saqccgas.co.za](http://www.saqccgas.co.za)

*This regulation is also fully supported by the gas suppliers of product and equipment including persons working on gas system in the natural gas industry and henceforth to be duly enforced.*

Lastly, all stakeholders in the natural gas industry need to be more vigilant when it comes to safety and compliance issues. The need to eradicate illegal practices and sub-standard work is now more than ever of critical importance.

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## **Notes**

1. This regulation's purpose and intent is solely directed at persons working in the natural gas environment.
2. After robust discussions with industry members, government and the other gas associations it became apparent that the need for a formalised safety network to ensure sustainable safety practices is now more than ever required.
3. SAPGA took the initiative to compile such a framework in support of the pipeline (natural) gas industry for immediate attention. This framework is fully supported by the Industry Members and Gas Suppliers and henceforth to be duly enforced.
4. *What really materialised within this framework is purely a cumulative result of legislation and best fit practices to support and assist industry members to comply and making South Africa a safer place.*
5. What is a Gas Practitioner? A Gas Practitioner is a person registered with SAPGA and authorised (licenced) by the SAQCC Gas to conduct work in one or more the following designated areas of the pipeline (natural) gas industry:
  - Design
  - Maintenance
  - Construction
  - Installation
  - Instrumentation
  - Commissioning
  - Inspection