

1991—No. 241

**BUILDING SERVICES CORPORATION ACT 1989—  
REGULATION**

(Relating to air-conditioning work and refrigeration work)

NEW SOUTH WALES



*[Published in Gazette No. 82 of 24 May 1991]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Building Services Corporation Act 1989, has been pleased to make the Regulation set forth hereunder.

JOE SCHIPP  
Minister for Housing.

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**Commencement**

1. (1) Clause 2 commences on 31 May 1991.
- (2) Clause 3 commences on 1 October 1991.

**Amendments (air-conditioning in vehicles)**

2. The Building Services Corporation Regulation 1990 is amended:
  - (a) by inserting in clause 9A (1) (a) after the word “or” the word “railway”;
  - (b) by inserting in clause 9A (2) (a) after the word “a” the word “railway”;
  - (c) by omitting clause 9A (2) (b).

**Amendments (use of controlled substances)**

3. The Building Services Corporation Regulation 1990 is further amended:

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- (a) by inserting after clause 9A (1) (d) the following paragraph:
  - (e) associated work involving the use of a controlled substance within the meaning of the Ozone Protection Act 1989.
- (b) by inserting after clause 9A (3) (c) the following paragraph:
  - (d) associated work involving the use of a controlled substance within the meaning of the Ozone Protection Act 1989.
- (c) by inserting after clause 9A (4) the following subclause:
  - (5) In this clause:
    - “associated work”**, in relation to a controlled substance, means work associated with the installation, maintenance, servicing or dismantling of an air-conditioning system or refrigeration system, or the rendering of such a system inoperable, being work that involves any of the following:
      - (a) the charging of the system with a controlled substance;
      - (b) the prevention or minimisation of the emission of a controlled substance from the system;
      - (c) the recovery of a controlled substance from the system.

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**EXPLANATORY NOTE**

The object of this Regulation is to amend the Building Services Corporation Regulation 1990:

- (a) to exclude air-conditioning work on vehicles other than railway vehicles from the definition of air-conditioning work in clause 9A of that Regulation;
- (b) to extend the definitions of air-conditioning work and refrigeration work in that clause so as to include work involving:
  - (i) the charging of air-conditioning or refrigeration systems with ozone depleting substances regulated by the Ozone Protection Act 1989; and
  - (ii) the prevention or minimisation of the emission of such substances from those systems; and
  - (iii) the recovery of such substances from those systems.

The effect of the first amendment is that a person will no longer be required to hold an endorsed licence or appropriate certificate under the Building Services Corporation Act 1989 (or to be supervised by the holder of such a licence or certificate) in order to do air-conditioning work on vehicles other than railway vehicles.

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The effect of the second amendment is that a person will be required to hold an endorsed licence or appropriate certificate under the Building Services Corporation Act 1989 (or to be supervised by the holder of such a licence or certificate) in order to do certain air-conditioning work or refrigeration work involving the use of ozone depleting substances.

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