

PART V

CERTIFICATE OF COMPETENCY AND REGISTRATION

Certificate of Competency

81. Competent person to carry out work on gas pipeline, etc.

No person shall engage in or employed in any work on a gas pipeline or gas installation unless he holds a Certificate of Competency issued under these Regulations or he works under the control of a competent person.

82. Competent person shall possess a valid Certificate of Competency.

A competent person referred to in these Regulations shall hold a valid Certificate of Competency according to the appropriate category, with or without restriction, issued by the Director General under these Regulations.

83. Certificate of Competency and scope of work of competent person.

(1) The Certificate of Competency as a Gas Engineer, Gas Engineering Supervisor and Gas Fitter of Class I, Class II and Class III, shall be signed by the Director General and shall be as prescribed in Forms F and G of the First Schedule, as the case may be.

(2) A Certificate of Competency shall entitle the holder to-

(a) carry out work on a gas pipeline or gas installation in any premises;
and

(b) personally supervise a gas installation work.

(3) The scope of work of a competent person is as prescribed in Table 2 of the Second Schedule.

84. Medical evidence of fitness.

The Director General may require medical evidence of physical and mental fitness, Certified by a registered medical practitioner, to be produced by a person before a Certificate of Competency is issued or before registration or renewal of registration is made.

85. Power of Director General to modify, suspend or cancel a Certificate of Competency.

The Director General may, if it thinks fit, modify, suspend or cancel a Certificate of Competency issued under these Regulations if the holder of the Certificate obtains the Certificate by making or causing to be made a false or fraudulent declaration, certification or representation, either in writing or otherwise.

86. Modification, suspension or cancellation of Certificate of Competency.

(1) Notwithstanding regulation 85, the Director General may, in its discretion, modify, suspend or cancel Certificate of Competency issued under these Regulations in the case of serious misconduct by the holder of the Certificate of Competency or where an offence has been committed under the Act or these Regulations.

(2) For the purpose of subregulation (1), "serious misconduct" means one or more of the following:

- (a) sleeping while on duty;
- (b) causing damage to equipment by careless operation;
- (c) causing danger to life by careless operation
- (d) causing damage to equipment by neglecting to use safety devices provided;
- (e) causing danger to life by neglecting to use safety devices provided;
- (f) being under the influence of alcohol or drugs or both whilst on duty;
- (g) making or causing to be made a false or fraudulent declaration, certification or representation, either in writing or otherwise; and
- (h) failing to carry out diligently the duties as prescribed in these Regulations.

(3) When an authorized officer has reason to believe that a person who holds a Certificate of Competency has committed an offence under the Act or these Regulations or any serious misconduct under these regulations and is no longer fit to hold the Certificate of Competency, he shall forthwith suspend the Certificate and shall refer the matter within seven days from the date of suspension to the Director General.

(4) Upon receipt of the matter referred to the Director General under subregulation 3, the Director General shall, within seven days, appoint a Committee consisting of the Chairman as his representative and two other authorized officers to be nominated by the Director General referred by the authorised officer.

(5) The alleged offender shall be given the opportunity to defend himself against such alleged offence before the Committee.

(6) The Committee shall, within fourteen days, forward its findings and recommendations to the Director General who shall decide whether to modify or to suspend for any period of time to cancel the Certificate of Competency.

(7) A person who is aggrieved by the decision of the Director General under subregulation (6) may apply to the Minister for a reconsideration of the matter.

(8) The application under subregulation (7) shall be made in writing within twenty-one days from the date of the decision of the Director General and shall contain the grounds of grievance.

(9) The decision of the Minister on the matter referred to him under subregulation (7) shall be final.

87. Person not to work, etc., when Certificate of Competency is suspended or cancelled.

A person, whose Certificate of Competency has been suspended or cancelled, as the case may be, shall not, during the period of the suspension or upon cancellation, do any work or act which a holder of a Certificate of Competency is allowed to do.

88. Loss of damage of Certificate of Competency.

(1) If a Certificate of Competency issued by the Director General is lost, stolen, destroyed, mutilated or defaced, a replacement of the Certificate may be issued by the Director General on production of a statutory declaration by the holder that the original Certificate has been lost, stolen or destroyed or upon surrender of the mutilated or defaced original Certificate.

(2) The fee for replacement of Certificate of Competency is as prescribed in Part II of the Third Schedule.