

## Rules of Registration (LNG)

### Definitions

1. The following definitions apply to these rules:
  - (a) **AS 2746** means the Australian Standard entitled 'Working areas for gas fuelled vehicles' as modified from time to time and any replacement of that standard
  - (b) **AS/NZS 2739** means the Australian and New Zealand Standard entitled 'Natural gas (NG) fuel systems for vehicle engines' as modified from time to time and any replacement of that standard
  - (c) **AAFRB** means Automotive Alternative Fuels Association Inc (trading as the Automotive Alternative Fuels Registration Board)
  - (d) **Applicant** means a person applying for registration or registered with the AAFRB
  - (e) **Application** means an application form signed for or on behalf of the Applicant for registration of a business with the AAFRB for the purposes of undertaking LNG conversions or repairs in Victoria
  - (f) **Application Fee** means a one-off fee payable to the AAFRB in relation to an Application
  - (g) **Business premises** means the premises identified in an Application from which a Registered Business is or is proposed to be conducted
  - (h) **Debt due** means any amount owed by an Applicant or Related Body Corporate or Related Entity (each as defined in the *Corporations Act 2001* (Cth)) to the AAFRB
  - (i) **Justified complaint** means in respect of a conversion or repair the identification of a conversion, repair or Business premises failing to comply with these Rules, including without limitation a conversion or repair failing to comply with AS/NZS 2739 or the Business premises failing to comply with AS 2746
  - (j) **LNG** means liquefied natural gas
  - (k) **Registration** refers to a registration with the AAFRB of a business which is carried on by the Applicant and which conducts LNG conversions or repairs in Victoria
  - (l) **Registered Business** means a business conducted by an Applicant and registered with the AAFRB
  - (m) **Renewal** means an application for renewal of an existing Registration
  - (n) **Renewal Fee** means an annual fee payable to the AAFRB
  - (o) **repair** means a repair to a vehicle involving opening a high pressure LNG line to the atmosphere
  - (p) **Rules** means the rules for registration of a business with the AAFRB for the purposes of undertaking LNG conversions or repairs in Victoria as set out in this document and amended from time to time by the AAFRB.

## **Applications and Renewals**

2. By making an Application or Renewal, the Applicant agrees, for the whole of the calendar year in which the Application or Renewal relates and ending on 31 December of that year, to:
  - (a) comply with and be bound by these Rules, even if it is granted Registration which is subsequently cancelled or not renewed
  - (b) comply with all reasonable directions of the AAFRB
  - (c) ensure that its employees and representatives will comply with these Rules and reasonable directions of the AAFRB.
3. The AAFRB may register businesses to undertake LNG conversions or repairs in Victoria.
4. The submission of an Application or Renewal does not oblige the AAFRB to grant a Registration.
5. The AAFRB may request further information in relation to any Application or Renewal, including from the Applicant or third parties.
6. The AAFRB will notify the Applicant in writing of its decision to approve or reject an Application or Renewal.
7. Failure to pay the Application Fee and any Debt due may result in an Application being rejected.
8. Failure to pay the Renewal Fee and any Debt due may result in a Renewal being rejected.
9. A Registration expires at midnight on 31 December of the year in which it was granted or renewed unless renewed prior to 31 December of that year.
10. The Applicant is responsible for ensuring that it applies for Renewal and must pay the Renewal Fee and any Debt due by the due date specified on the Renewal form or other date agreed to in writing by the AAFRB.
11. The Applicant will permit any representative of the AAFRB (including any third party or parties nominated by the AAFRB) to conduct an initial inspection of the Applicant's Business premises to ascertain whether the premises and the equipment of the proposed Registered Business comply with AS 2746 and AS/NZS 2739.
12. Approval of an Application or Renewal will not result in the Applicant becoming a member of the AAFRB.
13. All Applications or Renewals approved by the AAFRB are approved on the express condition that the Applicant must:
  - (a) comply with and be bound by these Rules, even if it is granted Registration which is subsequently cancelled or not renewed
  - (b) comply with all reasonable directions of the AAFRB
  - (c) ensure that its employees and representatives comply with these Rules and reasonable directions of the AAFRB.
14. The AAFRB may approve an Application or Renewal subject to whatever other conditions it considers necessary or reasonable.

## **Conduct of a Registered Business**

15. An Applicant can conduct more than one Registered Business.

16. Unless otherwise approved in writing by the AAFRB, each Registration will apply to a single Business premises, such premises to be identified in the Application.
17. Unless otherwise approved in writing by the AAFRB, the Registered business must ensure that at all times during the period of its Registration at least 50% of its employees are accredited with the AAFRB to undertake LNG conversions and repairs.
18. All LNG conversions or repairs undertaken by the Registered Business during the period of its Registration will:
  - (a) be carried out in a proper and workmanlike manner
  - (b) be of merchantable quality and fit for purpose according to the meaning of those terms for the purposes of the *Goods Act 1958* (Vic)
  - (c) comply with the current version of Vehicle Standards Information No 27, 'LPG/CNG Conversions', which VicRoads has published under regulation 257 of the *Road Safety (Vehicles) Regulations 2009* (Vic)
  - (d) comply with the version of AS/NZS 2739 current at the time of conversion or repair
  - (e) be carried out by a person who is accredited with the AAFRB to undertake LNG conversions and repairs, or, if not carried out by such a person, be supervised and checked by such a person who is employed by the Registered business and who, unless otherwise provided in writing by the AAFRB, at the time of the conversion has had at least 3 years continuous accreditation with the AAFRB to undertake LNG conversions and repairs
  - (f) meet the emission standards specified in the current version of the EPA's 'Modified Vehicle Guidelines' (any reference in that document to the AAFRB 'Code of Practice' should be taken to be a reference to these Rules)
  - (g) affix to the relevant vehicle a correctly stamped and fully completed AAFRB compliance plate
  - (h) be carried out in premises that comply with the version of AS 2746 current at the time of conversion or repair (except in the case of industrial mobile equipment where it is not practicable to conduct the LNG conversion or repair in such premises).
19. During the period of its Registration, upon payment by the Applicant of a fee for compliance plates in an amount determined by the AAFRB, the Applicant is entitled to receive AAFRB compliance plates from the AAFRB.
20. If the Applicant's Registration is cancelled or not renewed, within 7 days of notification of cancellation or by 21 January of the relevant year, the Applicant must return to the AAFRB:
  - (a) all compliance plates not already fitted to vehicles, in return for a full refund of any amount paid for those compliance plates
  - (b) all registers of vehicles converted to LNG by the Registered Business
  - (c) all signage, promotional material, brochures or other materials provided to the Registered Business by the AAFRB.
21. During the period of its Registration, the Applicant will:
  - (a) display a sign in the workshop of its Business premises stating 'No Smoking Flammable Gas'

- (b) ensure that it has in place a valid public liability insurance policy covering conversion and repair claims
  - (c) immediately notify the AAFRB of any change of the Business premises or change of ownership of the Applicant or the Registered business
  - (d) permit any representative of the AAFRB (including any third party or parties nominated by the AAFRB) to audit the records of the Applicant and/or to enter the Business premises at any reasonable time to carry out an inspection of the Business premises, and provide all reasonable assistance in relation to such audit or inspection
  - (e) display a AAFRB supplied metal sign in a prominent location.
22. During the period of its Registration, in respect of each conversion or repair undertaken by the business, the Applicant will keep records, for 7 years from the date of each conversion or repair, of:
- (a) the make, model, year, VIN, engine number and registration of the vehicle
  - (b) the date of the conversion or repair
  - (c) the name of the person accredited with the AAFRB who carried out the conversion or repair
  - (d) any equipment fitted to the vehicle as part of the conversion or repair
  - (e) the vehicle's owner details.

### **Suspension or cancellation**

23. Subject to clause 26 below, if:
- (a) the Applicant (or any of its employees or representatives) breaches or fails to comply with any of these Rules and in the reasonable opinion of the AAFRB the breach or failure cannot be remedied, or
  - (b) the Applicant (or any of its employees or representatives) breaches or fails to comply with any of these Rules, and in the reasonable opinion of the AAFRB the breach or failure can be remedied but has not been remedied by the Applicant (or its employees or representatives) within 10 business days of the Applicant being given written notice of the breach or failure by the AAFRB, or
  - (c) the AAFRB identifies 3 or more Justified Complaints in relation to the Applicant, the Registered Business or any of its employees or representatives, in any 12 month period,
- the AAFRB may issue a written notice to the Applicant requiring the Applicant to show cause why its Registration should not be suspended or cancelled. However, this clause does not limit the ways in which the AAFRB may enforce its rights under these Rules.
24. The Applicant may, within 10 business days of receipt of the show cause notice, make submissions in writing to the AAFRB providing reasons as to why its Registration should not be suspended or cancelled.
25. Within a reasonable time after the expiration of the 10 business day period, the AAFRB will consider the submissions made by the Applicant (if any), will determine whether the Applicant's Registration should be suspended or cancelled, and will notify the Applicant in writing of its decision.

26. Despite any other clause of these Rules, the AAFRB may immediately suspend or cancel the Applicant's Registration if in the opinion of the AAFRB there is a risk of injury or death to any person arising from any of:
- (a) the conduct of the Applicant or its employees or representatives
  - (b) any conversion or repair carried out by the Registered Business
  - (c) the state or the condition of the Business premises or equipment located in or on the Business premises.
27. In the event of a suspension or cancellation under clause 26:
- (a) the AAFRB will notify the Applicant in writing of any decision to suspend or cancel the Applicant's Registration
  - (b) the Applicant may, after receiving notification of the suspension or cancellation, make written submissions to the AAFRB seeking to have the suspension lifted or to have its Registration renewed
  - (c) within a reasonable time after receipt of any such submissions from the Applicant, the AAFRB will consider the submissions and determine whether to lift the suspension or renew the Registration of the Applicant
  - (d) the AAFRB will notify the Applicant in writing of its decision.
28. Upon receipt of notification of its suspension, the Applicant:
- (a) will immediately cease conducting any LNG conversions or repairs
  - (b) will not conduct any further LNG conversions or repairs during the period of its suspension
  - (c) may continue to receive and book orders for future conversions or repairs to be conducted by another Registered Business or to take place after its suspension has expired.
29. If the AAFRB receives a Justified Complaint in relation to a Registered Business, the AAFRB may impose a fee of \$250 (plus GST) for each inspection of the relevant vehicle that the AAFRB undertakes.

### **Miscellaneous**

30. Any waiver by the AAFRB of any right arising from a breach of or failure to comply with these Rules is of no effect unless it is in writing and signed by an authorised representative of the AAFRB.
31. A failure to exercise, delay in exercising, or a partial exercise of, a right created under or arising from a breach of or failure to comply with these Rules does not result in a waiver by the AAFRB of that right.
32. If any term or provision of these Rules is declared invalid or void, that term or provision will be severed from these Rules and will not affect the remaining terms or provisions which will continue to be binding on the Applicant subject to clause 2 above.
33. The Applicant must not assign, create an interest in, or otherwise deal with, its Registration.
34. If there is a change in the ownership of the Applicant or a change in the ownership of the Registered Business, the Registration will automatically terminate (unless the AAFRB notifies otherwise in writing).

35. These Rules override and prevail over any agreement between the Applicant and the AAFRB in relation to the Applicant's Registration and supersede any prior agreements and understandings between the parties.
36. These Rules are governed by the laws of Victoria.