



With flammable refrigerants more widespread, is it time for industry to undertake licensing reforms?

Licensing reforms needed to cover flammable refrigerants

THERE IS A HUGE AND COMPLEX REGULATORY BURDEN ON THE HVACR INDUSTRY WHEN IT COMES TO LICENSING AND REGISTRATION, YET NOT ONE OF THESE LAWS DEALS SPECIFICALLY WITH FLAMMABLE REFRIGERANTS.

SPEAKING AT CCN Live 2020, Weir Legal & Consulting special counsel Krista Weymouth said there is a hydrocarbon specific licence registration scheme that applies in Queensland as well as occupation specific licences and dangerous goods permits but nothing for flammable refrigerants.

"There is the ARC licence of course but none of these have a focus on flammables," she said.

It raises the question: Is a flammable licence required to ensure technicians using refrigerants have the right competencies?

With a flammable licence, Weymouth said industry can be sure that those with a ticket to play are competent.

She said a licence allows industry to undertake enforcement and it makes technicians accountable.

"This industry needs to give serious consideration to a licensing regime that covers flammables," Weymouth said.

As the lead researcher on the Flammable Refrigerants Review Project, Weymouth was involved in a stock-take of all standards and regulations that relate to HVACR across every state and territory in Australia.

She said there were plenty of licensing and reg-

istration requirements already in place but flammables was the only area where she identified a legislative gap.

Overall there is no shortage of regulations for his industry which is covered in the Flammable Refrigerants Review project which is a guide to Australia's legal landscape.

"THERE IS A NEED FOR A MORE SPECIFIC APPLICATION OF FLAMMABLE LAWS."

**- WEIR LEGAL & CONSULTING
MANAGING DIRECTOR,
BRONWYN WEIR.**

It covers laws and regulations for every state and territory in Australia and was created to provide industry with a navigational tool to help make the transition to low GWP refrigerants.

When preparing the guide Weir Legal & Consulting did a stock-take of standards, regulations and laws that relate to flammable refrigerants and found 143 different instruments.

Weir Legal & Consulting managing director, Bronwyn Weir, said that during the project the research team found plenty of duplication.

"And duplication brings inconsistencies but this is bound to happen because we operate across a lot of different jurisdictions," Weir said.

"We looked at how the laws apply across the supply chain from automotive to recovery. We broke it down to six groups including three main areas of law."

The main groups covered Workplace Health & Safety (WH&S), dangerous goods legislation and electrical safety.

The second group covered licensing controls, consumer law obligations and building regulations.

"There are a lot of licences making it confusing and inefficient for compliance," she said.

"We don't need more licensing but it could be more effective if consolidated. Of course we can use what we have.

"The reason licensing is a good opportunity is because it is a nice vehicle for regulators, it gives you an idea who is operating which makes it ideal for compliance.

"If there is any room for reform there is a need for a more specific application of flammable laws.



Weir Legal & Consulting managing director, Bronwyn Weir.