

FACT SHEET



Extinguishing Agent Trading Authorisations: How they Work

Reference:

Division 6A.4 - Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995

The fire protection industry regulations were introduced to improve the management of ozone depleting substances (ODS) and synthetic greenhouse gas (SGG) based fire extinguishing agents.

The measures contained in the regulations are aimed at avoiding preventable emissions of ODS & SGG extinguishing agents contained in fire protection equipment. The handling and trade of these substances is controlled under the regulations.

- **Regulation 302** makes it an offence to handle an extinguishing agent without an appropriate licence or permit. The regulation provides a definition of handling as any activity that carries a risk of emission.
- **Regulation 303** makes it an offence to possess or trade in bulk extinguishing agent without a Trading Authorisation.

Bulk extinguishing agents are defined as extinguishing agents not contained in fire protection equipment. (This allows the owners of the equipment to legally possess their systems).

The use of a system cylinder or an extinguisher bottle to store an extinguishing agent for future use, or for later installation in the equipment does not exempt the holder from his or her obligation to hold a Trading Authorisation. The Trading Authorisation is generally held by the technician's employer.

The purpose of the Trading Authorisation is to restrict access to extinguishing agents to those with a legitimate need for the agent such as licensed technicians. The Trading Authorisation restricts access to extinguishing agents to businesses that can demonstrate all of the following:

- that the extinguishing agents will only be handled by licensed technicians;
- that the appropriate equipment is available; and that the relevant standards will be followed.



Handling ODS & SGG extinguishing agents without a licence is illegal



The handling and trade of ODS & SGG extinguishing agents is controlled under the regulations



A trading authorisation is required to store an extinguishing agent for future use.



You must have an extinguishing agent handling licence if you are testing a cylinder containing ODS & SGG agents.



Handling ODS & SGG extinguishing agents without a licence is illegal

Notes on the interpretation of the regulations

Who needs a Trading Authorisation?

Any company that buys, sells, stores or disposes of an extinguishing agent, must hold an authorisation. This is an enterprise [business] level permit. A technician uses the company's authorisation to acquire the extinguishing agent required for a particular task.

If a company or technician is engaged to maintain a fire protection system, they will only require a Trading Authorisation if they purchase extinguishing agent to fill, refill or top-up an existing system, or to install a new system. This requirement applies even where the company subcontracts the filling, refilling or topping up of the cylinder.

Holding or warehousing of spare charged system cylinders for use at a future date constitutes possessing the extinguishing agent and as such requires a Trading Authorisation. This applies to the situation where the owner of a system warehouse has spare cylinders which are not connected to the fire protection system.

If a cylinder is simply removed and replaced after specialised maintenance on the cylinder then a Trading Authorisation is not required. However, where an extinguishing agent is purchased by a person to fill, re-fill or top up the cylinder then a Trading Authorisation is required. A test of this is "who receives & pays the invoice for the supply of agent".

For example: if the supplier invoices the system owner directly for the gas, then the maintenance technician has not possessed the gas and does not require a Trading Authorisation. The question of whether the system owner requires a Trading Authorisation will depend on the nature of the operation, but this would be a rare occurrence. For example: fitting of an extinguisher bottle in an aircraft.

Importantly, there is still an obligation for the maintenance technician to be licensed.

Who needs an extinguishing agent handling licence?

Any technician maintaining, checking, installing or otherwise handling a fire extinguisher, or fire protection system in a manner that could result in a discharge or release of an ODS & SGG extinguishing agent.

This does not include such activities as liquid level testing, or moving cylinders from one location to another – i.e. warehouse staff, truck drivers etc who move packaged materials. Note that a warehousing operation must hold a Trading Authorisation and must use licensed people to ensure that the goods are correctly prepared for transport.