**Greenhouse and Energy Minimum Standards (Exemption) Instrument (No. 3) 2014**

*Greenhouse and Energy Minimum Standards Act 2012*

I, David Walker, being the person occupying the position of GEMS Regulator, make this instrument under subsection 37(1) and (2) of the *Greenhouse and Energy Minimum Standards Act 2012.*

Dated 1 October 2014

David Walker

GEMS Regulator

1 Name of Determination

This instrument is the *Greenhouse and Energy Minimum Standards (Exemption) Instrument (No.3) 2014*.

2 Commencement

This instrument comes into force on the day after it is registered.

*Note 1:* The GEMS Regulator may repeal, rescind, revoke, amend or vary this instrument – see s 33(3) of the *Acts Interpretation Act 1901*.

*Note 2:* For sunsetting of legislative instruments see Part 6 of the *Legislative Instrument Act 2003*.

3 Definitions

In this instrument:

***Act*** means the *Greenhouse and energy Minimum Standards Act 2012*.

***exempt models***: see section 4.

*Note:* Several other words and expressions used in this instrument have the meaning given by section 5 of the Act. For example:

* GEMS
* GEMS determination
* GEMS labelling requirements
* GEMS level requirements
* model
* model identifier
* product classes
* supply

4 Exemption of model of a GEMS product from requirements of GEMS determination

The models specified at clause 1 of the Schedule (the ***exempt models***) are exempt from the requirements of the GEMS determination as described at clause 2 of the Schedule.

5 Conditions of exemption

The conditions (if any) at clause 3 of the Schedule are specified for the purposes of subsection 37(2) of the Act.

*Note:* Subsection 37(2) of the Act provides that the exemption may specify conditions to which the exemption is subject. Subsection 37(3) provides that a person must comply with a condition of an exemption to the extent that it applies to the person.

Schedule Exemption and conditions of exemption

Part 1 Exemption

1 Specification of exempt models

| **Product Class** | **Brand** | **Model No.** | **Registration No.** |
| --- | --- | --- | --- |
| Product class 11 | Airskill Pty Ltd | SF-1800H(S) | N/A |
| Product class 11 | Airskill Pty Ltd | SF-2000H(S) | N/A |

2 Requirements from which model is exempt

Requirements of the *Greenhouse and Energy Minimum Standards (Air Conditioners and Heat Pumps) Determination 2013* as follows:

|  |  |
| --- | --- |
| GEMS level requirements (section 6) | The model is exempted from the requirements mentioned in section 6 of the Determination in relation to the specified energy use requirements for products covered by this Determination. |

3 Specification of conditions of exemption

The exempt models are supplied only for use in the apartment complex located at 60-68 Terrace Road, East Perth WA 6004.