

Greenhouse and Energy Minimum Standards (Authorisation Requirements for Testing GEMS Products) Instrument 2021

I, Penelope Sirault, GEMS Regulator, make the following instrument.

GEMS Regulator

Dated this12th day of May 2021

**Part 1 Preliminary**

1. Name of Instrument

This instrument is the *Greenhouse and Energy Minimum Standards (Authorisation Requirements for Testing GEMS Products) Instrument 2021*.

1. Commencement

This instrument commences on the day after it is registered.

1. Revocation

This instrument revokes the *Greenhouse and Energy Minimum Standards (Authorisation Requirements for Testing GEMS Products) Instrument 2013.*

1. Authority

This instrument is made under section 125 of the *Greenhouse and Energy Minimum Standards Act 2012* (the Act)*.*

**Part 2 Requirements**

1. Requirements for GEMS products in all product classes

         (1)   This section applies in relation to a test that:

1. is included in the requirements specified in a GEMS determination for conducting tests in relation to products in a product class; and
2. is to be conducted on a product in the product class.

         (2)   For section 125 of the Act, the requirement for a person to be authorised to conduct the test is that the person is accredited for the test by:

1. the National Association of Testing Authorities, Australia; or
2. another body that is a signatory to either:
3. the Asia Pacific Accreditation Cooperation (APAC) Mutual Recognition Arrangement; or
4. the International Laboratory Accreditation Cooperation (ILAC) Mutual Recognition Arrangement.

Note: This section has the effect that a person is authorised to test a GEMS product in all product classes if the person is accredited for the test by a specified accreditation body. A person is authorised to conduct those tests for which they are accredited, but not those tests for which they are not accredited. The tests for which a person is accredited can generally be ascertained by referring to a document produced by the relevant accreditation body, such as the ‘scope of accreditation’ document produced by the National Association of Testing Authorities, Australia.