



GEMS Act Compliance

SUPPLY OF THREE PHASE CAGE INDUCTION MOTORS GUIDANCE FOR LICENSED CUSTOMS BROKERS

Background

As licensed customs brokers acting on behalf of clients you may receive information relating to, for example, equipment or machines containing three phase cage induction motors (motors):

YOUR PRODUCT MAY CONTAIN A THREE PHASE ELECTRIC MOTOR. MOTORS RATED FROM 0.73 KW TO LESS THAN 185 KW, INCLUDING THOSE ENCLOSED IN MACHINES, MUST MEET MANDATORY MINIMUM ENERGY PERFORMANCE STANDARDS (MEPS). THESE GOODS MUST BE REGISTERED THROUGH THE ENERGY RATING WEBSITE

[HTTP://WWW.ENERGYRATING.GOV.AU/REGISTRATION/PRODUCT-REGISTRATION/](http://www.energyrating.gov.au/registration/product-registration/) BEFORE BEING USED COMMERCIALY OR OFFERED FOR SALE IN AUSTRALIA. REQUIREMENTS AND PENALTIES ARE SPECIFIED IN THE GREENHOUSE AND ENERGY MINIMUM STANDARDS LEGISLATION.

It is important this information is provided to your clients because they may have obligations under the [Greenhouse and Energy Minimum Standards Act 2012](#) (GEMS Act) relating to the supply of motors contained in the equipment or machines being imported. The following information will help you help your clients comply with these obligations.

What motors are covered?

Under the GEMS Act, models of [motors](#):

- with a rating greater than or equal to 0.73 kilowatts but less than 185 kilowatts, and
- with a rated voltage of up to 1100 volts alternating current,

supplied, offered for supply¹, or used for a commercial purpose in Australia, must be registered against, and comply with, the requirements of the [GEMS \(Three Phase Cage Induction Motors\) Determination 2019](#) (Determination).

What about motors incorporated into equipment or machines?

In relation to motors incorporated into equipment or machines, for example, but not limited to, those used in industrial applications to power pumps, compressors, and fans, if the motor can be separated from the driven

¹ The GEMS Act defines “supply” to include sale, exchange, gift, lease, loan, hire, and hire purchase. Offering to supply includes make available, expose, or advertise the product for supply.

unit and operated as a motor, then it is covered by the Determination and must be registered and comply with its requirements.

What motors aren't covered?

Section 12 of the Determination lists those motors not covered by the Determination:

- a) submersible (sealed) motors specifically designed to operate wholly immersed in a liquid
- b) motors that cannot operate as a motor if separated from the driven unit; for example a motor constructed on the same shaft as a compressor for an air-conditioning unit
- c) multi-speed motors
- d) motors to be used only for short-time duty cycle applications which have a duty type rating of S2 – short-time duty; for example motors used for hoists, roller doors, and cranes
- e) rewind motors in respect of which the supplier has not made any claim that the rewind motor meets a GEMS level requirement
- f) motors that are supplied exclusively to third parties who will incorporate the motors into equipment that will be exported to a country other than Australia or New Zealand
- g) torque motors.

What are the requirements?

With reference to the relevant Australian, Australian/New Zealand, or international standards, Parts 3, 4, and 5 of the Determination specify:

- GEMS level requirements, also known as minimum energy performance standards or MEPS
- GEMS labelling requirements relating to information marked on rating plates
- Other GEMS requirements.

Who is responsible?

Under the GEMS Act, all persons supplying, offering to supply, or using for a commercial purpose these motors, either as discrete units or incorporated into equipment or machines, must ensure any models they supply, offer to supply, or use for a commercial purpose are registered against, and compliant with, the Determination.

How do I comply?

Is the model registered?

To determine if the model of the motor is registered against the Determination and therefore registered as compliant with the requirements you can:

- [Search the Registration Database](#)
- ask the manufacturer or importer of the motor, or equipment or machines incorporating such motors, for the *Approval Certificate*, also known as the *Notice of Registration under the GEMS Act*, or the GEMS registration number.

If the model of the motor is registered there is nothing further you need do. If the model is not registered you must not supply, offer to supply, or use it for a commercial purpose until it is registered.

How do I register the model?

Any person in the supply chain may be the registrant; be they manufacturer, importer, retailer, or other entity with an appropriate connection to the supply of the model in Australia. It is up to these persons to decide who the most appropriate registrant is. However, the GEMS Regulator recognises manufacturers and importers are more likely to be responsible for the initial supply of a model in Australia and therefore more likely to be the registrant. In relation to motors used for a commercial purpose, the manufacturer or importer will likely be the registrant.

The [Registration Process](#) pages provide information on the steps required to register a model of a motor. If you need further registration assistance please email energyrating@industry.gov.au

What about motors incorporated into equipment or machines?

If you supply, offer to supply, or use for a commercial purpose relevant motors incorporated into equipment or machines you will need to:

- determine if the model of the motor is registered
- if not, register the model or make arrangements for it to be registered
- if registration cannot be achieved, either:
 - cease the supply, offer to supply, or use for commercial purposes, or
 - source and install registered and compliant models of motors prior to the supply of the equipment or machines.

GEMS Compliance Monitoring

The GEMS Regulator and GEMS inspectors monitor compliance via a program of check testing, market surveillance, and responding to allegations of non-compliance.

There are penalties under the GEMS Act for suppliers and users for commercial purposes who do not comply.

Further information on GEMS compliance monitoring can be found at the [Compliance](#) pages at energyrating.gov.au, whilst compliance enquiries can be emailed to compliance@gems.gov.au

Other GEMS Products

Electric motors are but one of a number of products covered by the GEMS Act. However, not all generate “customs import alerts”. Further information on the Act and the full list of products can be found at energyrating.gov.au.

References

GEMS Act

<https://www.legislation.gov.au/Details/C2018C00454>

Three phase cage induction motor regulatory requirements

<https://www.energyrating.gov.au/products/electric-motors>

GEMS (Three Phase Cage Induction Motors) Determination 2019

<https://www.legislation.gov.au/Details/F2019L00968>

Search the Registration Database

https://reg.energyrating.gov.au/comparator/product_types/

GEMS Registration Process

<https://www.energyrating.gov.au/suppliers/registration>

GEMS Compliance

<https://www.energyrating.gov.au/suppliers/compliance>

Energy Rating Website

<https://www.energyrating.gov.au/>