



Queensland

Electrical Safety Act 2002

Electrical Safety Regulation 2002

Current as at 1 March 2013

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Electrical Safety Regulation 2002

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Electrical Safety Regulation 2002

[as amended by all amendments that commenced on or before 1 March 2013]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Electrical Safety Regulation 2002*.

2 Commencement

This regulation commences on 1 October 2002.

3 Purposes

The purposes of this regulation include the following—

- (a) ensuring the electrical safety of licensed electrical workers, other workers, licensed electrical contractors, consumers and the general public;
- (b) enhancing consumer protection in relation to electrical work;
- (c) stopping cathodic protection systems from damaging or interfering with the property of others;
- (d) ensuring a safe supply of electricity;
- (e) ensuring electrical equipment hired or sold is electrically safe.

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4 How purposes are to be achieved

The ways adopted by this regulation for the achievement of its purposes include the following—

- (a) prescribing matters in support of the electrical licensing arrangements established under the Act;
- (b) prescribing requirements for working around exposed parts;
- (c) prescribing requirements for electrical installations;
- (d) prescribing matters about electrical equipment, including—
 - (i) requirements for electrical equipment; and
 - (ii) requirements relating to the registration and certification of particular electrical equipment; and
 - (iii) requirements about the hiring, selling, testing and using of electrical equipment; and
 - (iv) requiring particular electrical equipment to be marked for compliance with relevant standards; and
 - (v) requirements for the testing of electrical equipment;
- (e) prescribing requirements and procedures for the design, building and maintenance of electric lines and the works of electricity entities;
- (f) prescribing requirements for the performance of electrical work;
- (g) providing for the preparation, lodging and auditing of safety management plans;
- (h) prescribing requirements for the operation of cathodic protection systems and requirements for particular systems to be registered by the chief executive;
- (i) prescribing notification and reporting requirements for serious electrical incidents and dangerous electrical events.

5 Definitions

- (1) The dictionary in schedule 9 defines particular words used in this regulation.
- (2) If a word used in this regulation is not defined in the dictionary, and is not defined in the Act, but is used in the wiring rules, it must, to the greatest practicable extent, be taken to have the same meaning in this regulation as it has in the wiring rules.

6 References to standards and other documents

- (1) In this regulation, unless otherwise stated—
 - (a) a reference to a standard using the designation made up of ‘AS’ and a number is a reference to the standard as in force from time to time under that designation; and

Example—

‘AS 3127’ is a reference to the standard that is currently in force under that designation.

- (b) a reference to a joint standard using the designation made up of ‘AS/NZS’ and a number is a reference to the joint standard as in force from time to time under that designation; and

Example—

‘AS/NZS 3350.2.11’ is a reference to the joint standard that is currently in force under that designation.

- (c) a reference to a standard or other document using ‘ENA’ as part of its name is a reference to the standard or other document as first published under the name quoted; and

Example—

A reference to the document known as the ENA LLM 01-2006 (Guidelines for live line barehand work) is a reference to that guideline as first published under that name.

- (d) subject to paragraphs (a) to (c), a reference to a standard or other document is a reference to the standard or other document as in force from time to time.

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- (2) Subsection (1)(a), (b) and (d) applies regardless of the edition or year of the standard, joint standard or other document.

Example of operation of subsection (2)—

In this regulation, a reference to AS/NZS 3000 is a reference to that standard as amended from time to time, and as remade from time to time.

- (3) Bracketed words appearing after a standard's designation are included for information purposes only.

7 **Meaning of *qualified business person* and *qualified technical person***

- (1) A ***qualified business person***, for an individual, partnership or corporation, is an individual who satisfies the chief executive that he or she—
- (a) is a fit and proper person; and
 - (b) is competent to perform the business aspects of performing electrical work as, or for, a licensed electrical contractor; and
 - (c) either—
 - (i) has satisfactorily finished a course of instruction, or an examination required by the chief executive, on business aspects of performing electrical work; or
 - (ii) has been operating a business for a period of, or periods totalling, 5 years.
- (2) A ***qualified technical person***, for an individual, partnership or corporation, is an individual who satisfies the chief executive that he or she—
- (a) is a fit and proper person; and
 - (b) either—
 - (i) if the electrical work to be performed by the licensed electrical contractor may be performed only by the holder of an electrical work licence—has held for at least a year, or a shorter

-
- period considered acceptable by the chief executive, and still holds, an electrical work licence; or
- (ii) has held for at least a year, or a shorter period considered acceptable by the chief executive, and still holds, an external contracting authority; and
 - (c) is competent to perform electrical work as, or for, a licensed electrical contractor; and
 - (d) has satisfactorily finished a course of instruction, or an examination required by the chief executive, on technical aspects of performing electrical work.
- (3) Despite subsections (1) and (2), for a person who is an individual to be a qualified business person or qualified technical person—
- (a) for an individual who holds, or has applied for, an electrical contractor licence, the person must also be, or be an employee of, the individual; or
 - (b) for a partnership that holds, or has applied for, an electrical contractor licence, the person must also be a member or an employee of the partnership; or
 - (c) for a corporation that holds, or has applied for, an electrical contractor licence, the person must also be an executive officer, a member or an employee of the corporation.
- (4) In deciding whether a person who is an individual is a fit and proper person, the chief executive may only consider—
- (a) the standard of honesty and integrity demonstrated by the person in commercial and other activities in which the person has been involved; and
 - (b) any failure by the person to perform commercial or statutory obligations and the reasons for the failure.
- (5) Despite subsection (4), a person who is an individual is not a fit and proper person to be a qualified technical person if the individual is disqualified from being a qualified technical person for the holder of an electrical contractor licence,

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because of disciplinary action taken by the licensing committee.

Part 2 Electrical work

Division 1 Preliminary

8 Purpose of divs 2 to 5

Divisions 2 to 5 each prescribe a way of discharging the electrical safety obligation of an employer or self-employed person to ensure the person's business or undertaking is conducted in a way that is electrically safe.

Division 2 Basic requirements for electrical work

9 Definition for div 2

In this division—

electrical work does not include high voltage live line work.

10 Application of div 2

This division applies to the performance of electrical work for the purposes of the business or undertaking of an employer or self-employed person.

11 Requirements for electrical work

- (1) An employer or self-employed person must ensure that, unless the circumstances required under this division for the performance of live work apply, live work is not performed.

Maximum penalty—40 penalty units.

- (2) Without limiting what the employer or self-employed person must do to ensure compliance with subsection (1), the employer or self-employed person must ensure that—
- (a) each exposed part is treated as if it is energised until it is isolated and proved not to be energised; and
 - (b) each high voltage exposed part is earthed.

12 Requirements for performance of live work

- (1) The following circumstances are required for the performance of live work—

- (a) it is not practicable to perform the electrical work other than by live work because of 1 or more of the following—
 - (i) it is necessary in the interests of safety, whether or not electrical safety, for the work to be performed while the electrical equipment the subject of the electrical work is energised;

Example for subparagraph (i)—

It may be necessary in the interests of road safety for a set of traffic lights to remain operating while electrical work is performed on the lights.

- (ii) a supply of electricity is necessary for the proper performance of the electrical work;
 - (iii) there is no reasonable alternative to performing the electrical work by live work;

Example for subparagraph (iii)—

It may be necessary, to avoid widespread outages, to perform electrical work on works of an electricity entity by live work.

- (b) the employer or self-employed person has prepared, in a document, a risk assessment of the performance of the live work;

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- (c) the performance of the electrical work is in accordance with a safe system of work;

Example—

A safe system could include preventing persons from accessing the area where live work is being performed if the persons are not needed for the performance of the work.

- (d) the employer or self-employed person authorises the performance of the live work only after consultation with the person in control of the electrical equipment the subject of the electrical work;
- (e) the person who performs the live work has appropriate training for the performance of the live work;
- (f) testing equipment appropriate to the performance of the live work has been given to the person performing the electrical work, the testing equipment has been properly maintained, and the person performing the electrical work makes proper use of the testing equipment in performing the work;
- (g) clothing and personal protective equipment appropriate to the performance of the live work has been given to the person performing the electrical work and the person performing the electrical work makes proper use of the clothing and equipment in performing the work;
- (h) other than for exempt electrical work, the isolation point of the electricity supply for the electrical equipment the subject of the electrical work—
 - (i) has been clearly identified; and
 - (ii) is able to be reached quickly without the need to climb over or shift obstructions;
- (i) the area where the electrical work is performed is clear of obstructions to the extent necessary for easy access to and from the area;
- (j) there is a safety observer observing the performance of the electrical work unless—
 - (i) the work involves testing electrical equipment; and

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- (ii) the risk assessment prepared under paragraph (b) does not show there is a high risk to electrical safety in performing the testing of the electrical equipment.

Example for subparagraph (ii)—

If a risk assessment does not show there is a high risk to electrical safety in performing the testing of the polarity of an installed outlet, a safety observer is not required to observe the performance of the work.

- (2) In this section—

exempt electrical work means—

- (a) electric line work; or
- (b) electrical work on a consumer's electrical installation carried out on the supply side of the main switch on the main switchboard for the installation, if the isolation point of the electrical supply for the installation is not reasonably accessible from the area where the electrical work is carried out.

Example of when isolation point is not reasonably accessible from the area where electrical work is being carried out—

The electrical work is carried out at a place and the isolation point is at a substation located at another place.

safe system of work, for live work on a low voltage electrical installation, includes, but is not limited to, a system of work that complies with the provisions of AS/NZS 4836 (Safe working on low-voltage electrical installations) about ensuring the safety of persons while performing live work.

safety observer means a person who—

- (a) observes the performance of electrical work; and
- (b) is competent to help a person performing the electrical work; and
- (c) has been assessed in the last 6 months to be competent to rescue a person performing electrical work and provide resuscitation.

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Division 3 High voltage live line work

13 Performance of high voltage live line work

- (1) A person must not perform high voltage live line work unless the person's performance of the work—
- (a) is authorised in writing by the person in control of the electrical equipment the subject of the work; and
 - (b) is in accordance with a high voltage live line work management plan.

Maximum penalty—40 penalty units.

- (2) A person in control of electrical equipment may authorise a person's performance of high voltage live line work in relation to the electrical equipment only if—
- (a) the person in control is satisfied the person—
 - (i) has successfully finished an appropriate course of training; and
 - (ii) has been assessed by the provider of the course as competent to perform the work; and
 - (b) the written authorisation states the voltages of the electrical equipment on which the high voltage live line work may be performed.

- (3) If the written authorisation provides for the performance of work on more than 1 occasion, the entity that gives the authorisation must, while the authorisation is in force, cause the person authorised to perform the high voltage live line work to be regularly assessed to ensure the person remains competent to perform the work.

Maximum penalty—40 penalty units.

- (4) In this section—

high voltage live line work management plan means a plan for the performance of high voltage live line work that—

- (a) includes procedures developed in accordance with each of the following guidelines—
 - (i) ENA LLM 01-2006 (Guidelines for live line barehand work);
 - (ii) ENA LLM 02-2006 (Guidelines for live line stick work);
 - (iii) ENA LLM 03-2006 (Guidelines for live line glove and barrier work); and
- (b) is developed in conjunction with all of the following—
 - (i) representatives of workers who are to perform high voltage live line work in accordance with the plan;
 - (ii) if the high voltage live line work involves the works of an electricity entity—the electricity entity;
 - (iii) other persons who might reasonably be expected to have an interest in the performance of the high voltage live line work; and
- (c) has been approved by a person who—
 - (i) is an electrical engineer who has expertise as a professional engineer in the performance of high voltage live line work; or
 - (ii) has expertise the person in control of the electrical equipment the subject of the high voltage live line work decides is equivalent to the expertise mentioned in subparagraph (i).

Division 4 Testing of work

14 Testing of electrical equipment after electrical work

- (1) This section applies if electrical work is performed on electrical equipment.

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- (2) A person who performs part or all of the electrical work, and is responsible for bringing the electrical equipment to a state of readiness for connection to a source of electricity for use for its intended purpose, must ensure the electrical equipment is tested, as required under subsections (5) and (6).

Maximum penalty—40 penalty units.

- (2A) However, if subsection (2) applies to a training person who is being supervised by a licensed electrical worker who is licensed to perform the work, subsection (2) applies to the licensed electrical worker and not the training person.

- (3) A licensed electrical contractor or electricity entity who performs the electrical work of connecting the electrical equipment to a source of electricity for use for its intended purpose must ensure the electrical equipment is tested as required under subsections (5) and (6).

Maximum penalty—40 penalty units.

- (4) Subsection (3) does not require a distribution entity to ensure the testing of the electrical equipment if—

- (a) the electrical work is, or is part of, electrical work performed on an electrical installation; and
- (b) a licensed electrical contractor has given the distribution entity a notice under section 158 about the testing of the electrical work performed on the electrical installation.

- (5) The testing of the electrical equipment must be directed at ensuring that the electrical equipment, to the extent it is affected by the electrical work, is electrically safe.

- (6) If the electrical equipment is energised for testing, the person who performs the test must ensure persons not necessary for the testing are electrically safe.

15 Certificate of testing and safety

- (1) This section applies if a licensed electrical contractor performs electrical work that must be tested under this division.

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- (2) The contractor must, as soon as practicable after the testing, ensure that the person for whom the electrical work was performed is given a certificate complying with this section.

Maximum penalty—40 penalty units.

- (3) The certificate must state the following—
- (a) the name and address of the person for whom the work was performed;
 - (b) the electrical equipment tested;
 - (c) the day the electrical equipment was tested;
 - (d) the number of the electrical contractor licence under which the electrical equipment was tested.
- (4) The certificate must certify that the electrical equipment, to the extent it is affected by the electrical work, is electrically safe.
- (5) A licensed electrical contractor must keep a copy of a certificate given under this section for at least 5 years after the certificate is given.

Maximum penalty for subsection (5)—20 penalty units.

Division 5 Requirements applying to employers and self-employed persons

16 Application of div 5

This division applies to the performance of electrical work for the purposes of the business or undertaking of an employer or self-employed person.

17 Testing and maintenance of safety equipment

- (1) An employer or self-employed person must ensure that—

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- (a) safety equipment is used in the performance of electrical work; and
- (b) the safety equipment is—
 - (i) a suitable type for the electrical work being performed; and
 - (ii) maintained so that it is suitable for use in the electrical work being performed; and
 - (iii) if it is safety equipment that can not be visually confirmed as being correctly functioning and safe—tested at least every 6 months to ensure it provides the protection it is intended to provide; and
 - (iv) labelled to state the day on or before which it is next due for testing; and
 - (v) in good repair and condition.

Maximum penalty—40 penalty units.

- (2) The employer or self-employed person must keep records of the tests performed under subsection (1)(b)(iii) for at least 5 years.

Maximum penalty for subsection (2)—20 penalty units.

18 Employer or self-employed person to ensure suitability of testing instruments

- (1) This section applies to the following—
 - (a) an employer of a person required to perform tests on electrical work or safety equipment;
 - (b) a self-employed person required to perform tests on electrical work or safety equipment.
- (2) The employer or self-employed person must ensure—
 - (a) the test instruments used for the testing are designed for, and capable of correctly performing, the required tests; and

- (b) if a testing instrument can not be visually confirmed as being correctly functioning and safe—that the instrument is tested at least every 6 months to ensure it is in proper working order; and
- (c) records of tests performed under paragraph (b) are kept for at least 5 years.

Maximum penalty—40 penalty units.

Division 6 Other requirements

19 Electrical equipment with serious defect not to be connected to electricity source

If an item of electrical equipment has a serious defect, a licensed electrical worker must not connect the equipment to a source of electricity for use for its intended purpose.

Maximum penalty—40 penalty units.

20 Signs on switches and disconnection points

- (1) This section applies if—
 - (a) a licensed electrical worker is performing electrical work; and
 - (b) to perform the work, the worker has de-energised, or otherwise isolated from electricity, an item of electrical equipment that is the subject of the electrical work or that is near where the electrical work is being performed; and
 - (c) to de-energise, or otherwise isolate, the item of electrical equipment, the licensed electrical worker has operated a device; and
 - (d) while the worker is performing the work, the worker does not have the device under the worker's sole effective control.

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- (2) The licensed electrical worker must ensure that there is attached to the device, in a prominent position, a warning sign that is suitable in the circumstances, having regard to AS 1319 (Safety signs for the occupational environment).

Maximum penalty—40 penalty units.

- (3) The electrical worker must also ensure that—

- (a) the device, when in the open position, is locked; or

Examples for paragraph (a)—

- using a personal lock to lock an air conditioner isolator in the open position
- using a locking device that stops a miniature circuit breaker from being closed
- placing a lockable shroud on the male inlet plug of electrical equipment

- (b) other precautions are taken to stop the device being accidentally closed.

Examples for paragraph (b)—

- disengaging a circuit breaker so that the circuit breaker is separated from the busbars
- removing circuit cables from the fuse or circuit breaker
- insertion of a mechanical restriction

Maximum penalty—40 penalty units.

- (4) If the electrical work is being performed for the purposes of the business or undertaking of an employer or self-employed person, the employer or self-employed person must ensure that—

- (a) the licensed electrical worker has all the signs and equipment necessary for the worker to comply with subsections (2) and (3); and

- (b) the signs and equipment are used in the way required under the subsections.

Maximum penalty—40 penalty units.

- (5) In this section—

device means a circuit-breaker, disconnection point, fuse or switch.

21 Rescue and resuscitation training

- (1) An employer must ensure workers who are required to perform, or help in performing, electrical work are competent in rescue and resuscitation in accordance with recognised practices in the electricity industry.
- (2) Subsection (1) does not apply in relation to a worker if it is a condition of the worker's electrical work licence that the person must not act in a role for which it is a requirement that the worker be competent in rescue and resuscitation, including as a safety observer.

Maximum penalty—40 penalty units.

Division 7 Documents about electrical work

22 Application of div 7

This division applies to the performance of electrical work as part of the business or undertaking of a licensed electrical contractor.

23 Who may sign documents about electrical work

A person must not sign a document required under the Act, or by an electricity entity, about the performance of electrical work unless the person is—

- (a) if the electrical work was performed as part of the business or undertaking of a licensed electrical contractor who is an individual—a qualified technical person for the individual; or
- (b) if the electrical work was performed as part of the business or undertaking of a licensed electrical

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contractor that is a partnership—a qualified technical person for the partnership; or

- (c) if the electrical work was performed as part of the business or undertaking of a licensed electrical contractor that is a corporation—a qualified technical person for the corporation.

Maximum penalty—20 penalty units.

Division 8 General provisions

24 Misrepresentations about electrical equipment or work

- (1) A person must not, in trade or commerce, represent that someone who is not a licensed electrical worker may lawfully—
- (a) connect to a source of electricity an item of electrical equipment that may only be connected to a source of electricity by a licensed electrical worker; or
- (b) do electrical work that may only be done by a licensed electrical worker.

Maximum penalty—40 penalty units.

- (2) An employer must take all reasonable steps to ensure the employer's workers do not contravene subsection (1).

Maximum penalty—40 penalty units.

24A Misrepresentations about lawful authority to contract for the performance of electrical work

- (1) A person must not, in trade or commerce, represent that someone who is not a licensed electrical contractor may lawfully contract for the performance of electrical work the person may not otherwise perform under the Act.

Example of electrical work that may be performed under the Act by someone who is not a licensed electrical contractor—

minor emergency repairs to make electrical equipment electrically safe performed by a licensed electrical mechanic

Maximum penalty—40 penalty units.

- (2) An employer must take all reasonable steps to ensure the employer's workers do not contravene subsection (1).

Maximum penalty—40 penalty units.

Part 3 Licensing

Division 1 Electrical work licences

25 Classes of electrical work licences

The following classes of electrical work licences may be issued—

- (a) electrical mechanic licence;
- (b) electrical linesperson licence;
- (c) electrical fitter licence;
- (d) electrical jointer licence;
- (e) restricted electrical work licence;
- (f) electrical work training permit.

26 What electrical mechanic licence authorises

Subject to particular conditions or restrictions included in the licence, an electrical mechanic licence authorises the holder to perform all electrical work.

Examples of what the holder of an electrical mechanic licence may do—

- installing or changing an electrical installation or electric line

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- maintaining, repairing, or connecting to a source of electricity, an item of electrical equipment

27 What electrical linesperson licence authorises

Subject to particular conditions or restrictions included in the licence, an electrical linesperson licence authorises the holder to perform all electric line work.

Examples of what the holder of an electrical linesperson licence may do—

- electrical work in the building or maintenance of an overhead electric line
- electrical work in the building or maintenance of street lighting connected to an overhead or underground electric line
- tests to ensure overhead electric lines are correctly connected

28 What electrical fitter licence authorises

Subject to particular conditions or restrictions included in the licence, an electrical fitter licence authorises the holder to perform all electrical equipment work.

Example of what the holder of an electrical fitter licence may do—

electrical work, whether in a workshop or on site, of building, manufacturing, fitting, assembling, erecting, operating, testing or repairing electrical equipment

29 What electrical jointer licence authorises

Subject to particular conditions or restrictions included in the licence, an electrical jointer licence authorises the holder to perform electrical work to the extent of the following—

- (a) installing, jointing and terminating cables to the extent the work requires specialised knowledge or skill;
- (b) electrical equipment work necessary for the work mentioned in paragraph (a).

30 What restricted electrical work licence authorises

- (1) A restricted electrical work licence authorises the holder to perform electrical work only of a particular type stated in the licence.

Example of what the holder of a restricted electrical work licence may do—

A restricted electrical work licence may restrict the holder to the performance of electrical work incidental or special to a particular calling.

- (2) A restricted electrical work licence—
- (a) does not entitle the holder to another electrical licence; and
 - (b) must not be taken into account in deciding whether the holder is qualified to obtain or hold another electrical licence.

31 What electrical work training permit authorises

- (1) An electrical work training permit authorises the holder to perform electrical work stated in the permit in accordance with the conditions about training stated in the permit.

- (2) An electrical work training permit—
- (a) does not entitle the holder to another electrical licence; and
 - (b) must not be taken into account in deciding whether the holder is qualified to obtain or hold another electrical licence.

32 External licence equivalents

An external licence mentioned in schedule 1 is equivalent to the electrical work licence stated in the schedule for the external licence.

Division 2 Electrical work licence requirements

33 General requirements

- (1) This section states requirements that apply generally for the issue of an electrical work licence, other than an electrical work training permit, to an applicant for the licence.
- (2) The chief executive must be satisfied that—
 - (a) the applicant satisfies the eligibility requirements stated for the licence in this division; and
 - (b) the applicant is adequately able to understand, and read and write in, the English language without the aid of an interpreter.
- (3) The chief executive may consider the following about the applicant’s activities, whether before or after the commencement of this section, as a licensed electrical worker—
 - (a) disciplinary action taken against the applicant under a law regulating the activities of licensed electrical workers;
 - (b) the applicant’s nonperformance of an obligation under a law about electrical work and the reasons for the nonperformance.
- (4) The chief executive must be satisfied the applicant has been trained in, and is competent to carry out, resuscitation on an individual who has stopped breathing or is unconscious because of electric shock.
- (5) For an application for an electrical linesperson licence, the chief executive must also be satisfied the applicant has been trained in, and is competent to carry out, resuscitation and rescue at a pole-top or transmission tower on an individual who has stopped breathing or is unconscious because of electric shock.

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- (6) Subsection (4) does not prevent the chief executive renewing or reinstating an electrical work licence if the chief executive is satisfied—
- (a) the applicant has a medical condition that prevents the applicant carrying out the resuscitation but does not otherwise affect the applicant's ability to perform electrical work under the licence; and
 - (b) in the particular circumstances, it is reasonable to allow the applicant to carry out electrical work under the licence subject to a condition that the applicant must not act in a role for which it is a requirement that the applicant be competent in resuscitation, including as a safety observer.
- (7) Subsection (5) does not prevent the chief executive renewing or reinstating an electrical linesperson licence if the chief executive is satisfied—
- (a) the applicant has a medical condition that prevents the applicant carrying out the resuscitation but does not otherwise affect the applicant's ability to perform electrical work under the licence; and
 - (b) in the particular circumstances, it is reasonable to allow the applicant to carry out electrical work under the licence subject to a condition that the applicant must not act in a role for which it is a requirement that the applicant be competent in rescue at a pole top or transmission tower and in resuscitation, including as a safety observer.

34 Eligibility requirements for electrical mechanic licence

- (1) To be issued an electrical mechanic licence, an applicant must comply with subsection (2), (3) or (4).
- (2) The applicant must have—
 - (a) satisfactorily finished an apprenticeship under the *Vocational Education, Training and Employment Act*

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- 2000 to achieve competence in the trade work of an electrical mechanic; and
- (b) satisfactorily finished a course of instruction decided by the chief executive; and
 - (c) produced to the chief executive a written statement that—
 - (i) states that the applicant is competent in the trade work of an electrical mechanic; and
 - (ii) is verified by the registered training organisation that issues a qualification or statement of attainment for training delivered to the applicant under the apprenticeship; and
 - (d) produced to the chief executive a written statement that—
 - (i) states that the applicant has satisfactorily finished the training to be delivered under the training plan or training plans for the apprenticeship; and
 - (ii) is verified by the person who as an employer is a party to the training plan under which the applicant finished the apprenticeship; and
 - (e) satisfied the chief executive the applicant is competent in the trade work of an electrical mechanic.
- (3) The applicant must have—
- (a) satisfactorily finished an apprenticeship outside Queensland that is, in the chief executive's opinion, at least equivalent to an apprenticeship mentioned in subsection (2)(a); and
 - (b) satisfactorily finished a course of instruction related to the apprenticeship that is, in the chief executive's opinion, at least equivalent to the course of instruction mentioned in subsection (2)(b); and
 - (c) produced to the chief executive a written statement that—

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- (i) states that the applicant is competent in the trade work of an electrical mechanic; and
 - (ii) is verified by the equivalent non-Queensland training organisation that issues a qualification or statement of attainment for training delivered to the applicant under the apprenticeship; and
- (d) produced to the chief executive a written statement that—
- (i) states that the applicant has satisfactorily finished the training to be delivered to the applicant under the apprenticeship; and
 - (ii) is verified by the employer under whom the applicant finished the apprenticeship; and
- (e) satisfied the chief executive the applicant is competent in the trade work of an electrical mechanic.
- (4) The applicant must satisfy the chief executive that the applicant—
- (a) has a relevant qualification; and
 - (b) has complied with the chief executive's examination requirements; and
 - (c) is competent in the trade work of an electrical mechanic.
- (5) An applicant who satisfies the chief executive that the applicant held an electrical mechanic licence that was issued under the Act and has expired is taken to have a relevant qualification for subsection (4)(a).
- (6) In this section—
- relevant qualification***, for an applicant, means that the applicant—
- (a) is the holder of a current electrical fitter licence; or
 - (b) has served an apprenticeship to the calling of electrical mechanic under the *Vocational Education, Training and Employment Act 2000*, but has not satisfactorily finished

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the course of instruction mentioned in subsection (2)(b);
or

- (c) is the holder of a tradesman's certificate within the meaning of the *Tradesmen's Rights Regulation Act 1946* (Cwlth) in the classification of electrical mechanic; or
- (d) is the holder of a certificate or other document issued by a relevant assessing authority stating that the holder's skills are suitable for the occupation of electrical mechanic.

35 Eligibility requirements for electrical linesperson licence

- (1) To be issued an electrical linesperson licence, an applicant must comply with subsection (2), (3) or (4).
- (2) The applicant must have—
 - (a) satisfactorily finished an apprenticeship under the *Vocational Education, Training and Employment Act 2000* to achieve competence in the trade work of an electrical linesperson; and
 - (b) satisfactorily finished a course of instruction decided by the chief executive; and
 - (c) produced to the chief executive a written statement that—
 - (i) states that the applicant is competent in the trade work of an electrical linesperson; and
 - (ii) is verified by the registered training organisation that issues a qualification or statement of attainment for training delivered to the applicant under the apprenticeship; and
 - (d) produced to the chief executive a written statement that—
 - (i) states that the applicant has satisfactorily finished the training to be delivered under the training plan or training plans for the apprenticeship; and

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- (ii) is verified by the person who as an employer is a party to the training plan under which the applicant finished the apprenticeship; and
 - (e) satisfied the chief executive the applicant is competent in the trade work of an electrical linesperson.
 - (3) The applicant must have—
 - (a) satisfactorily finished an apprenticeship outside Queensland that is, in the chief executive's opinion, at least equivalent to an apprenticeship mentioned in subsection (2)(a); and
 - (b) satisfactorily finished a course of instruction related to the apprenticeship that is, in the chief executive's opinion, at least equivalent to the course of instruction mentioned in subsection (2)(b); and
 - (c) produced to the chief executive a written statement that—
 - (i) states that the applicant is competent in the trade work of an electrical linesperson; and
 - (ii) is verified by the equivalent non-Queensland training organisation that issues a qualification or statement of attainment for training delivered to the applicant under the apprenticeship; and
 - (d) produced to the chief executive a written statement that—
 - (i) states that the applicant has satisfactorily finished the training to be delivered to the applicant under the apprenticeship; and
 - (ii) is verified by the employer under whom the applicant finished the apprenticeship; and
 - (e) satisfied the chief executive the applicant is competent in the trade work of an electrical linesperson.
 - (4) The applicant must satisfy the chief executive that the applicant—
 - (a) has a relevant qualification; and

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- (b) has complied with the chief executive's technical and practical requirements, including any examination requirements; and
 - (c) is competent in the trade work of an electrical linesperson.
- (5) An applicant who satisfies the chief executive that the applicant held an electrical linesperson licence that was issued under the Act and has expired is taken to have a relevant qualification for subsection (4)(a).
- (6) In this section—
- relevant qualification***, for an applicant, means that the applicant—
- (a) is the holder of a current electrical mechanic licence; or
 - (b) has served an apprenticeship of electrical linesperson under *Vocational Education, Training and Employment Act 2000*, but has not satisfactorily finished the course of instruction mentioned in subsection (2)(b); or
 - (c) is the holder of a tradesman's certificate within the meaning of the *Tradesmen's Rights Regulation Act 1946* (Cwlth) in the classification of electrical linesperson; or
 - (d) is the holder of a certificate or other document issued by a relevant assessing authority stating that the holder's skills are suitable for the occupation of electrical linesperson.

36 Eligibility requirements for electrical fitter licence

- (1) To be issued an electrical fitter licence, an applicant must comply with subsection (2), (3) or (4).
- (2) The applicant must have—
 - (a) satisfactorily finished an apprenticeship under the *Vocational Education, Training and Employment Act 2000* to achieve competence in the trade work of an electrical fitter; and

- (b) satisfactorily finished a course of instruction decided by the chief executive; and
 - (c) produced to the chief executive a written statement that—
 - (i) states that the applicant is competent in the trade work of an electrical fitter; and
 - (ii) is verified by the registered training organisation that issues a qualification or statement of attainment for training delivered to the applicant under the apprenticeship; and
 - (d) produced to the chief executive a written statement that—
 - (i) states that the applicant has satisfactorily finished the training to be delivered under the training plan or training plans for the apprenticeship; and
 - (ii) is verified by the person who as an employer is a party to the training plan under which the applicant finished the apprenticeship; and
 - (e) satisfied the chief executive the applicant is competent in the trade work of an electrical fitter.
- (3) The applicant must have—
- (a) satisfactorily finished an apprenticeship outside Queensland that is, in the chief executive's opinion, at least equivalent to an apprenticeship mentioned in subsection (2)(a); and
 - (b) satisfactorily finished a course of instruction related to the apprenticeship that is, in the chief executive's opinion, at least equivalent to the course of instruction mentioned in subsection (2)(b); and
 - (c) produced to the chief executive a written statement that—
 - (i) states that the applicant is competent in the trade work of an electrical fitter; and

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- (ii) is verified by the equivalent non-Queensland training organisation that issues a qualification or statement of attainment for training delivered to the applicant under the apprenticeship; and
 - (d) produced to the chief executive a written statement that—
 - (i) states that the applicant has satisfactorily finished the training to be delivered to the applicant under the apprenticeship; and
 - (ii) is verified by the employer under whom the applicant finished the apprenticeship; and
 - (e) satisfied the chief executive the applicant is competent in the trade work of an electrical fitter.
- (4) The applicant must satisfy the chief executive that the applicant—
 - (a) has a relevant qualification; and
 - (b) has complied with the chief executive's examination requirements; and
 - (c) is competent in the trade work of an electrical fitter.
- (5) An applicant who satisfies the chief executive that the applicant held an electrical fitter licence that was issued under the Act and has expired is taken to have a relevant qualification for subsection (4)(a).
- (6) In this section—

relevant qualification, for an applicant, means that the applicant—

 - (a) is the holder of a current electrical mechanic licence; or
 - (b) has served an apprenticeship to the calling of electrical fitter under the *Vocational Education, Training and Employment Act 2000*, but has not satisfactorily finished the course of instruction mentioned in subsection (2)(b);
or

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- (c) is the holder of a tradesman's certificate within the meaning of the *Tradesmen's Rights Regulation Act 1946* (Cwlth) in the classification of electrical fitter; or
 - (d) is the holder of a certificate or other document issued by a relevant assessing authority stating that the holder's skills are suitable for the occupation of electrical fitter.

37 Eligibility requirements for electrical jointer licence

- (1) To be issued an electrical jointer licence, an applicant must comply with subsection (2), (3) or (4).
- (2) The applicant must have—
 - (a) satisfactorily finished an apprenticeship under the *Vocational Education, Training and Employment Act 2000* to achieve competence in the trade work of an electrical jointer; and
 - (b) satisfactorily finished a course of instruction decided by the chief executive; and
 - (c) produced to the chief executive a written statement that—
 - (i) states that the applicant is competent in the trade work of an electrical jointer; and
 - (ii) is verified by the registered training organisation that issues a qualification or statement of attainment for training delivered to the applicant under the apprenticeship; and
 - (d) produced to the chief executive a written statement that—
 - (i) states that the applicant has satisfactorily finished the training to be delivered under the training plan or training plans for the apprenticeship; and
 - (ii) is verified by the person who as an employer is a party to the training plan under which the applicant finished the apprenticeship; and

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- (e) satisfied the chief executive the applicant is competent in the trade work of an electrical joiner.
- (3) The applicant must have—
- (a) satisfactorily finished an apprenticeship outside Queensland that is, in the chief executive's opinion, at least equivalent to an apprenticeship mentioned in subsection (2)(a); and
 - (b) satisfactorily finished a course of instruction related to the apprenticeship that is, in the chief executive's opinion, at least equivalent to the course of instruction mentioned in subsection (2)(b); and
 - (c) produced to the chief executive a written statement that—
 - (i) states that the applicant is competent in the trade work of an electrical joiner; and
 - (ii) is verified by the equivalent non-Queensland training organisation that issues a qualification or statement of attainment for training delivered to the applicant under the apprenticeship; and
 - (d) produced to the chief executive a written statement that—
 - (i) states that the applicant has satisfactorily finished the training to be delivered to the applicant under the apprenticeship; and
 - (ii) is verified by the employer under whom the applicant finished the apprenticeship; and
 - (e) satisfied the chief executive the applicant is competent in the trade work of an electrical joiner.
- (4) The applicant must satisfy the chief executive that the applicant—
- (a) has a relevant qualification; and
 - (b) has complied with the chief executive's technical and practical requirements, including any examination requirements; and

-
- (c) is competent in the trade work of an electrical joiner.
- (5) An applicant who satisfies the chief executive that the applicant held an electrical joiner licence that was issued under the Act and has expired is taken to have a relevant qualification for subsection (4)(a).
- (6) In this section—
- relevant qualification***, for an applicant, means that the applicant—
- (a) is the holder of a current electrical mechanic licence; or
- (b) has served an apprenticeship to the calling of electrical joiner under *Vocational Education, Training and Employment Act 2000*, but has not satisfactorily finished the course of instruction mentioned in subsection (2)(b); or
- (c) is the holder of a tradesman’s certificate within the meaning of the *Tradesmen’s Rights Regulation Act 1946* (Cwlth) in the classification of electrical joiner; or
- (d) is the holder of a certificate or other document issued by a relevant assessing authority stating that the holder’s skills are suitable for the occupation of electrical joiner.

38 Eligibility requirements for restricted electrical work licence

- (1) To be issued a restricted electrical work licence, an applicant must comply with subsection (2), (3), (4) or (5).
- (2) The applicant must have—
- (a) satisfactorily finished a course of training under the *Vocational Education, Training and Employment Act 2000* the chief executive considers to be appropriate; and
- (b) satisfactorily finished a course of instruction decided by the chief executive; and
- (c) produced to the chief executive a written statement that—

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- (i) states that the applicant is competent in performing electrical work the subject of the application; and
 - (ii) is verified by the registered training organisation that delivered training to the applicant to finish the course of training; and
 - (d) if the course is training delivered to the applicant under a training plan—produced to the chief executive a written statement that—
 - (i) states that the applicant has satisfactorily finished the training to be delivered under the training plan; and
 - (ii) is verified by the person who as an employer is a party to the training plan; and
 - (e) satisfied the chief executive the applicant is competent to perform electrical work the subject of the licence.
- (3) The applicant must have—
- (a) satisfactorily finished a course of training outside Queensland that is, in the chief executive’s opinion, at least equivalent to the course of training mentioned in subsection (2)(a); and
 - (b) satisfactorily finished a course of instruction that is, in the chief executive’s opinion, at least equivalent to the course of instruction mentioned in subsection (2)(b); and
 - (c) produced to the chief executive a written statement that—
 - (i) states that the applicant is competent in performing electrical work the subject of the application; and
 - (ii) is verified by the equivalent non-Queensland training organisation that issues a qualification or statement of attainment for the course; and
 - (d) if the course is training delivered to the applicant under an apprenticeship or traineeship—produced to the chief executive a written statement that—

- (i) states that the applicant has satisfactorily finished the training to be delivered to the applicant under the apprenticeship or traineeship; and
 - (ii) is verified by the employer under whom the applicant finished the apprenticeship or traineeship; and
- (e) satisfied the chief executive the applicant is competent to perform electrical work the subject of the licence.
- (4) The applicant must be the holder of a current licence, permit, certificate or other authority issued under a law of the Commonwealth, another State or New Zealand that the chief executive decides is equivalent to the restricted electrical work licence.
- (5) The applicant must have—
 - (a) satisfied the chief executive that the applicant has a relevant qualification; and
 - (b) satisfactorily finished a course of instruction decided by the chief executive; and
 - (c) produced to the chief executive a written statement that—
 - (i) states that the applicant is competent in performing electrical work the subject of the application; and
 - (ii) is verified by the registered training organisation that delivered training to the applicant to finish the course of instruction; and
 - (d) if the course is training delivered to the applicant under a training plan, produced to the chief executive a written statement that—
 - (i) states that the applicant has satisfactorily finished the training to be delivered under the training plan; and
 - (ii) is verified by the person who as an employer is a party to the training plan; and

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- (e) satisfied the chief executive the applicant is competent to perform electrical work the subject of the licence.
- (6) An applicant who satisfies the chief executive that the applicant held a restricted electrical work licence that was issued under the Act and has expired is taken to have a relevant qualification for subsection (5)(a).

(7) In this section—

corresponding training department means a department of government of another State in which a law corresponding to the *Vocational Education, Training and Employment Act 2000* is administered.

relevant qualification, for an applicant, means that the applicant—

- (a) is the holder of a tradesperson's certificate within the meaning of the *Tradesmen's Rights Regulation Act 1946* (Cwlth) in a calling that the chief executive has decided requires the tradesperson to perform electrical work; or
- (b) is the holder of a tradesperson's certificate issued by a corresponding training department in a calling that the chief executive has decided requires the tradesperson to perform electrical work; or
- (c) is the holder of a certificate or other document issued by a relevant assessing authority stating that the holder's skills are suitable for an occupation that is or includes a calling that the chief executive has decided requires the holder to perform electrical work; or
- (d) has equivalent qualifications or experience in a calling that the chief executive decides requires the person to perform electrical work.

38A Eligibility requirements for electrical work training permit

- (1) To be issued an electrical work training permit to perform electrical work stated in the permit, an applicant must satisfy the chief executive that the applicant has a relevant

qualification under section 34(6), 35(6), 36(6), 37(6) or 38(7) for the stated electrical work.

Example—

A person applies for an electrical mechanic licence. The person does not satisfy the eligibility requirements for an electrical mechanic licence under section 34(2), (3) or (4). The person may be issued an electrical work training permit if the person has a relevant qualification under section 34(6).

- (2) The chief executive may also consider the following about the applicant's activities, whether before or after the commencement of this section—
 - (a) disciplinary action taken against the applicant under a law regulating the activities of licensed electrical workers;
 - (b) the applicant's nonperformance of an obligation under a law about electrical work and the reasons for the nonperformance.

39 Term of electrical work licence

- (1) Each of the following may be issued, renewed or reinstated for a maximum of 5 years—
 - (a) electrical mechanic licence;
 - (b) electrical linesperson licence;
 - (c) electrical fitter licence;
 - (d) electrical jointer licence;
 - (e) restricted electrical work licence.
- (2) An electrical work training permit may be issued, renewed or reinstated for a maximum of 1 year.

Division 3 Electrical contractor licence requirements

40 Eligibility requirements for electrical contractor licence for individual

- (1) To be issued an electrical contractor licence, an individual must—
 - (a) have at least 1 qualified business person and 1 qualified technical person; and
 - (b) satisfy the financial and insurance requirements prescribed in this division for an individual for an electrical contractor licence; and
 - (c) satisfy the chief executive electrical work to be performed by the individual as a licensed electrical contractor is proposed to be—
 - (i) performed by a qualified technical person for the individual under the person’s electrical work licence; or
 - (ii) supervised by a qualified technical person for the individual who is authorised to perform the work under the person’s electrical work licence.
- (2) The chief executive must endorse the electrical contractor licence with the name of at least 1 qualified business person and 1 qualified technical person for the individual.
- (3) The individual may, before the issue of the electrical contractor licence, or at any time after its issue but while the electrical contractor licence is in force, apply to the chief executive to have other names endorsed on the electrical contractor licence as the names of qualified business persons or qualified technical persons for the individual.
- (4) The chief executive must endorse a person’s name in accordance with the application if the chief executive is satisfied the person is a qualified business person or qualified technical person for the individual.

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- (5) If a person whose name is endorsed on the electrical contractor licence as a qualified technical person is no longer the holder of an electrical work licence or external contracting authority, or is no longer an employee of the individual—
- (a) the individual must advise the chief executive of the fact within 1 month after the person stops being—
 - (i) the holder of the licence or authority; or
 - (ii) an employee of the individual; and
 - (b) the chief executive must, on receiving the advice, take the endorsement from the electrical contractor licence.
- (6) If a person whose name is endorsed on the electrical contractor licence as a qualified business person is no longer an employee of the individual or a qualified business person—
- (a) the individual must advise the chief executive of the fact within 1 month after the person stops being—
 - (i) an employee of the individual; or
 - (ii) a qualified business person; and
 - (b) the chief executive must, on receiving the advice, take the endorsement from the licence.
- (7) The electrical contractor licence is automatically suspended if, for a period of 1 month, there is no person—
- (a) who is a qualified business person for the individual and whose name is endorsed on the electrical contractor licence as a qualified business person for the individual; or
 - (b) who is a qualified technical person for the individual and whose name is endorsed on the electrical contractor licence as a qualified technical person for the individual.
- (8) If, within 1 month after a licence for an individual is automatically suspended under subsection (7), there is still no person whose name is endorsed on the electrical contractor licence for the individual as mentioned in subsection (7)(a) or (b), the licence is automatically cancelled.

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41 Eligibility requirements for electrical contractor licence for partnership

- (1) To be issued an electrical contractor licence, a partnership must—
 - (a) have at least 1 qualified business person and 1 qualified technical person; and
 - (b) satisfy the financial and insurance requirements prescribed in this division for an applicant for an electrical contractor licence; and
 - (c) satisfy the chief executive electrical work to be performed by the partnership as a licensed electrical contractor is proposed to be—
 - (i) performed by a qualified technical person for the partnership under the person's electrical work licence; or
 - (ii) supervised by a qualified technical person for the partnership who is authorised to perform the work under the person's electrical work licence.
- (2) The chief executive must endorse the electrical contractor licence with the name of at least 1 qualified business person and 1 qualified technical person for the partnership.
- (3) The partnership may, before the issue of the electrical contractor licence, or at any time after its issue but while the electrical contractor licence is in force, apply to the chief executive to have other names endorsed on the electrical contractor licence as the names of qualified business persons or qualified technical persons for the partnership.
- (4) The chief executive must endorse a person's name in accordance with the application if the chief executive is satisfied the person is a qualified business person or qualified technical person for the partnership.
- (5) If a person whose name is endorsed on the electrical contractor licence as a qualified technical person is no longer the holder of an electrical work licence or external contracting authority, or is no longer an employee of the partnership—

- (a) the partnership must advise the chief executive of the fact within 1 month after the person stops being—
 - (i) the holder of the licence or authority; or
 - (ii) an employee of the partnership; and
 - (b) the chief executive must, on receiving the advice, take the endorsement from the electrical contractor licence.
- (6) If a person whose name is endorsed on the electrical contractor licence as a qualified business person is no longer an employee of the partnership or a qualified business person—
- (a) the partnership must advise the chief executive of the fact within 1 month after the person stops being—
 - (i) an employee of the partnership; or
 - (ii) a qualified business person; and
 - (b) the chief executive must, on receiving the advice, take the endorsement from the licence.
- (7) The electrical contractor licence is automatically suspended if, for a period of 1 month, there is no person—
- (a) who is a qualified business person for the partnership and whose name is endorsed on the electrical contractor licence as a qualified business person for the partnership; or
 - (b) who is a qualified technical person for the partnership and whose name is endorsed on the electrical contractor licence as a qualified technical person for the partnership.
- (8) If, within 1 month after a licence for a partnership is automatically suspended under subsection (7), there is still no person whose name is endorsed on the electrical contractor licence for the partnership as mentioned in subsection (7)(a) or (b), the licence is automatically cancelled.

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42 Eligibility requirements for electrical contractor licence for corporation

- (1) To be issued an electrical contractor licence, a corporation must—
 - (a) have at least 1 qualified business person and 1 qualified technical person; and
 - (b) satisfy the financial and insurance requirements prescribed in this division for an applicant for an electrical contractor licence; and
 - (c) satisfy the chief executive electrical work to be performed by the corporation as a licensed electrical contractor is proposed to be—
 - (i) performed by a qualified technical person for the corporation under the person's electrical work licence; or
 - (ii) supervised by a qualified technical person for the corporation who is authorised to perform the work under the person's electrical work licence.
- (2) The chief executive must endorse the electrical contractor licence with the name of at least 1 qualified business person and 1 qualified technical person for the corporation.
- (3) The corporation may, before the issue of the electrical contractor licence, or at any time after its issue but while the electrical contractor licence is in force, apply to the chief executive to have other names endorsed on the electrical contractor licence as the names of qualified business persons or qualified technical persons for the corporation.
- (4) The chief executive must endorse a person's name in accordance with the application if the chief executive is satisfied the person is a qualified business person or qualified technical person for the corporation.
- (5) If a person whose name is endorsed on the electrical contractor licence as a qualified technical person is no longer the holder of an electrical work licence or external contracting authority, or is no longer an employee of the corporation—

- (a) the corporation must advise the chief executive of the fact within 1 month after the person stops being—
 - (i) the holder of the licence or authority; or
 - (ii) an employee of the corporation; and
 - (b) the chief executive must, on receiving the advice, take the endorsement from the electrical contractor licence.
- (6) If a person whose name is endorsed on the electrical contractor licence as a qualified business person is no longer an employee of the corporation or a qualified business person—
- (a) the corporation must advise the chief executive of the fact within 1 month after the person stops being—
 - (i) an employee of the corporation; or
 - (ii) a qualified business person; and
 - (b) the chief executive must, on receiving the advice, take the endorsement from the licence.
- (7) The electrical contractor licence is automatically suspended if, for a period of 1 month, there is no person—
- (a) who is a qualified business person for the corporation and whose name is endorsed on the electrical contractor licence as a qualified business person for the corporation; or
 - (b) who is a qualified technical person for the corporation and whose name is endorsed on the electrical contractor licence as a qualified technical person for the corporation.
- (8) If, within 1 month after a licence for a corporation is automatically suspended under subsection (7), there is still no person whose name is endorsed on the electrical contractor licence for the corporation as mentioned in subsection (7)(a) or (b), the licence is automatically cancelled.

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43 Insurance requirements for applicant for electrical contractor licence

An applicant for an electrical contractor licence must give to the chief executive—

- (a) evidence that the applicant has public and products liability insurance for at least \$5000000, under a contract of insurance approved by the chief executive; and
- (b) evidence that the applicant has consumer protection insurance for at least \$50000, under a contract of insurance approved by the chief executive.

44 Change of name of corporation or partnership

- (1) This section applies if, for a corporation or partnership that is the holder of an electrical contractor licence, there is a change in either of the following—
 - (a) the name of the corporation or partnership;
 - (b) if the corporation or partnership carries on business under a name other than its name—the name (*business name*) under which it carries on business.
- (2) The corporation or partnership must, within 1 month after the change of name or business name, give written notice of the change to the chief executive.

Maximum penalty—20 penalty units.

- (3) The written notice must be accompanied by the electrical contractor licence, and may be accompanied by an application about how the chief executive is to act under subsection (4).
- (4) After receiving the written notice and considering any accompanying application, the chief executive may—
 - (a) endorse the licence with information about the change of name or business name and reissue it to the corporation or partnership; or

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- (b) cancel the licence and issue a new licence; or
 - (c) cancel the licence.
- (5) A licence reissued by the chief executive with an endorsement of the change of the name or business name of the corporation or partnership, subject to the endorsement, has continuing effect as the original electrical contractor licence.
- (6) A new licence issued by the chief executive under this section must be endorsed with a memorandum stating the reasons for the issue of the new licence.
- (7) If the chief executive acts under subsection (4)(c) to cancel the licence, the chief executive must give the corporation or partnership an information notice for the decision to cancel.

45 Change in membership of partnership

- (1) This section applies if—
- (a) a partnership is the holder of an electrical contractor licence; and
 - (b) there is a change in the membership of the partnership, whether by the death or retirement of a member or the admission of a new member.
- (2) The partnership must, within 1 month after the membership change, give written notice of the change to the chief executive.
- Maximum penalty—20 penalty units.
- (3) The written notice must give full information and particulars of the change.
- (4) The written notice must be accompanied by the electrical contractor licence, and may be accompanied by an application about how the chief executive is to act under subsection (5).
- (5) After receiving the written notice and considering any accompanying application, the chief executive may—
- (a) endorse the licence with information about the membership change and reissue it to the partnership; or

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- (b) cancel the licence and issue a new licence; or
 - (c) cancel the licence.
- (6) A licence reissued by the chief executive with an endorsement of the change of the membership of the partnership, subject to the endorsement, has continuing effect as the original electrical contractor licence.
- (7) A new licence issued by the chief executive must be endorsed with a memorandum stating the reasons for its issue.
- (8) The chief executive may issue a new licence to the partnership only if the chief executive is satisfied that—
- (a) the entire business of electrical contracting work carried on by the partnership in Queensland before the membership change is to be carried on by the partnership after the new licence is issued; and
 - (b) the partnership complies with the eligibility requirements for the issue of the licence.
- (9) If the chief executive acts under subsection (5)(c) to cancel the licence, the chief executive must give the partnership an information notice for the decision to cancel.
- (10) Nothing in this section affects the requirement under this division for the endorsement of an electrical contractor licence issued to a partnership.

46 Term of electrical contractor licence

An electrical contractor licence may be issued, renewed or reinstated for a maximum of 1 year.

Division 4 Miscellaneous

47 Eligibility requirements for renewal or reinstatement of electrical licence

To renew or reinstate an electrical licence, the chief executive must be satisfied the applicant for the renewal or

reinstatement continues to satisfy the eligibility requirements applying under this part for the issue of the licence.

48 Application requirements

- (1) An electrical licence application under part 4, division 2 of the Act must be accompanied by the fee for the application.
- (2) An application under this part about an electrical licence must—
 - (a) be made in the approved form; and
 - (b) be accompanied by the fee for the application.

49 Giving chief executive cancelled or suspended licence or licence to be endorsed

The holder of an electrical licence, or other person who has control of the licence, must, if required by the chief executive, give the licence to the chief executive if the licence—

- (a) has been cancelled or suspended; or
- (b) has ended; or
- (c) is required to have anything endorsed on it.

Maximum penalty—20 penalty units.

50 Replacement of electrical licence

- (1) If, on application by the holder of an electrical licence, the chief executive is satisfied that the licence has been lost, damaged or destroyed, the chief executive may issue a replacement licence.
- (2) However, if a fixed fee applies to the application, the application must be accompanied by the fixed fee.

51 Surrender of electrical licence

The holder of an electrical licence may surrender the licence by written notice given to the chief executive.

52 Register of electrical licences

- (1) The chief executive must keep a register containing information about electrical licences, in the form the chief executive considers appropriate to ensure the information in the register can be efficiently recorded and accessed.

Example—

The chief executive may decide to keep the register of electrical licences in electronic form.

- (2) The chief executive may order the information in the register of electrical licences in the way the chief executive considers appropriate.

Example—

The chief executive may decide to separate historical information about electrical licences from current information.

- (3) Without limiting subsections (1) and (2), the register of electrical licences must include, for each electrical licence—
- (a) the full name and address of the holder; and
 - (b) an identifying number; and
 - (c) when the licence was issued; and
 - (d) details of every renewal and reinstatement of the licence, and of any failure to renew the licence; and
 - (e) details of disciplinary action taken by the licensing committee against the holder; and
 - (f) details of anything else the chief executive considers should be included in the register of electrical licences.

Example for paragraph (f)—

the conditions or restrictions on an electrical work licence

- (4) If contact details recorded in the register of electrical licences for the holder of an electrical licence, including the name and address of the holder, are no longer correct, the holder must, within 14 days after the details become incorrect, give the chief executive notice of the correct details.
- (5) Subsection (4) does not apply to—

-
- (a) the change of name of a corporation or partnership that is the holder of an electrical contractor licence; or
 - (b) the change of the membership of a partnership that is the holder of an electrical contractor licence.
- (6) The chief executive may publish some or all of the information included in the register in the way the chief executive considers appropriate.

Example for subsection (6)—

publishing the register on the internet in a database form allowing consumers to obtain licensing details about electrical contractors, or allowing an employer to check the validity of an employee's electrical work licence

53 Examinations

- (1) In deciding examinations for assessing a person's competency, or conditions with which a person must comply under this part, the chief executive may decide that the person must—
- (a) undertake an examination conducted by the chief executive; or
 - (b) satisfactorily finish a course of instruction recognised by the chief executive at which the student's performance is assessed during the course; or
 - (c) undertake 1 or more examinations, oral or written tests, or practical tests.
- (2) The examinations and tests may be conducted by—
- (a) the chief executive; or
 - (b) an examiner approved by the chief executive under section 54; or
 - (c) a registered training organisation under the *Vocational Education, Training and Employment Act 2000*.

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54 Approved examiners

The chief executive may approve examiners to conduct examinations or tests required by the chief executive.

55 Refund of fees

- (1) This section applies if any of the following applications is refused by the chief executive or is withdrawn before it is decided—
 - (a) an application for an electrical licence;
 - (b) an application for renewal or reinstatement of an electrical licence.
- (2) The amount stated in schedule 7 as the administration component of the fee paid for the application must be refunded.

55A Operation of trade contractor's licence

- (1) For the conduct of a business or undertaking that includes the performance of electrical work, a person is taken to be the holder of an electrical contractor licence to the extent that performance of the electrical work is a necessary part of, or is incidental to, the performance of work under a trade contractor's licence.
- (2) In this section—

electrical work does not include electrical installation work.

trade contractor's licence means a trade contractor's licence under the *Queensland Building Services Authority Regulation 2003*.

56 Advertising by licensed electrical contractor

The holder of an electrical contractor licence who publishes an advertisement about the holder's business must ensure the advertisement—

- (a) states—

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- (i) the name under which the holder is licensed; or
 - (ii) if the holder carries on business under a registered business name, the holder's registered business name; and
- (b) states that the holder is licensed under the Act and the identifying number of the holder's electrical contractor licence.

Maximum penalty—40 penalty units.

57 Performing electrical work without electrical licence

For section 55(3)(d) of the Act, the following testing is authorised—

- (a) the testing of electrical equipment by a competent person, if the testing is required under part 5, division 5 or section 126;
- (b) the testing of the works of an electricity entity by a competent person;

Example for paragraph (b)—

a competent person testing protection relay operation that is part of the works of an electricity entity

- (c) the testing of electrical equipment by a person, other than testing mentioned in paragraph (a) or (b), if the testing does not interfere with the integrity of the electrical equipment.

Examples for paragraph (c)—

- a person testing a safety switch in a domestic electrical installation by operating a test button on the safety switch
- a person using an appropriate voltmeter to measure voltage

57A Details to be included in register of workers

The following details are prescribed for the Act, schedule 2, definition *prescribed details* for the holder of an electrical work licence engaged to perform or supervise prescribed

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electrical work—

- (a) the holder's name;
- (b) the following details about the holder's electrical work licence—
 - (i) the number of the licence or, if it is an external licence, the number, code or another way of identifying the licence;
 - (ii) the class of the licence;
 - (iii) if the licence is a restricted electrical work licence—the type of electrical work stated on the licence;
 - (iv) the conditions or restrictions included in the licence;
 - (v) the day the licence expires;
 - (vi) if the licence is an external licence—the jurisdiction in which the external licence was issued.

Part 4 Working around electrical parts

Division 1 Preliminary

58 Purpose of pt 4

- (1) This part prescribes a way of discharging the electrical safety obligation of an employer or self-employed person to ensure that the person's business or undertaking is conducted in a way that is electrically safe.
- (2) In particular, this part prescribes requirements about persons performing work in contact with, or near to, electrical parts.

59 Definitions for pt 4

In this part—

authorised person, for an electrical part, means a person who—

- (a) has enough technical knowledge and experience to do work that involves contact with, or being near to, the electrical part; and
- (b) has been approved by the person in control of the electrical part to do work that involves contact with, or being near to, the electrical part, or is authorised to act for the person in control of the electrical part.

direct contact see section 60.

electrical part means—

- (a) an exposed part; or
- (b) an overhead insulated electric line.

exclusion zone see section 61.

handling includes any of the following—

- (a) carrying;
- (b) connected to, whether or not temporarily;
- (c) controlling;
- (d) holding;
- (e) lifting.

instructed person, for an electrical part, means a person who is acting under the supervision of an authorised person for the electrical part.

operating plant means plant being operated for its intended purpose, unless the operation of the plant can not materially affect the distance between the plant and any electrical part in relation to which there is an exclusion zone under this part.

Examples of operating plant—

- a tip truck tipping a load

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- a fixed crane operating at a building site
- a vehicle that includes an elevated work platform being used for clearing vegetation from around overhead electric lines
- a concrete pumping truck pumping concrete
- a harvester with height changeable attachments being used to transfer grain to a truck

Example of plant that is not operating plant—

a furniture removal van under an electric line raising or lowering the electrically or hydraulically operated platform located at the rear of the van, if neither the platform nor anything on the platform rises above the roof of the van

untrained person, for an electrical part, means a person who is not an authorised person or an instructed person for the electrical part.

work means work of any type, whether or not electrical work, other than live work or electrical welding performed in accordance with a safe system of work.

60 Meaning of ***direct contact***

- (1) A person is in ***direct contact*** with an electrical part if—
 - (a) the person is touching the electrical part with the person's bare hands or another bare part of the person's body; or
 - (b) the person is touching a conductive object with the person's bare hands or another bare part of the person's body, and the conductive object is touching the electrical part; or
 - (c) an article of clothing worn by the person is touching the electrical part; or
 - (d) an article of clothing worn by the person is touching a conductive object, and the conductive object is touching the electrical part.
- (2) Operating plant is in ***direct contact*** with an electrical part if—

-
- (a) any part of the operating plant is touching the electrical part; or
 - (b) anything the operating plant is handling is touching the electrical part.
- (3) A vehicle is in ***direct contact*** with an electrical part if—
- (a) any part of the vehicle is touching the electrical part; or
 - (b) anything being carried or otherwise handled by the vehicle is touching the electrical part.

61 Meaning of ***exclusion zone***

- (1) The ***exclusion zone***, for a person for an electrical part, or for operating plant or a vehicle for an electrical part, means the distance from the part stated for the person, plant or vehicle in schedule 2.
- (2) For applying schedule 2 to a person, the person includes any article of clothing worn by the person, and any conductive object the person is handling.
- (3) For applying schedule 2 to operating plant, the operating plant includes anything the operating plant is handling other than—
 - (a) a person; or
 - (b) a hand-held object the person is handling.
- (4) For applying schedule 2 to a vehicle, the vehicle includes anything the vehicle is carrying or otherwise handling.
- (4A) Despite subsections (2) to (4), the person, operating plant or vehicle does not include an object, for example, a tool, that alone or with another object or objects is an extension from the person, operating plant or vehicle if the object—
 - (a) is an insulated device; and
 - (b) the device has been tested and found to be safe for use on and near the electrical part.
- (5) For applying schedule 2 to operating plant operated by an authorised person or instructed person who does not have a safety observer or another safe system as required under the

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schedule, the authorised person or instructed person must be taken to be an untrained person.

- (6) However, the exclusion zone, for an electrical part, for operating plant operated by an authorised person or instructed person for the electrical part, is taken to be the same as the exclusion zone for an authorised person or instructed person for the electrical part if—
- (a) the operating plant is fitted with a device capable of stopping the operation of the operating plant immediately the operating plant is at the exclusion zone for an authorised person or instructed person for the electrical part; and
 - (b) there is in place a safe system of work for the use of the operating plant; and
 - (c) the safe system of work has been developed in consultation with persons who are broadly representative of industrial organisations of employees whose members commonly operate operating plant of the operating plant's type; and
 - (d) without limiting paragraph (b), the safe system of work ensures the device mentioned in paragraph (a)—
 - (i) is operating properly; and
 - (ii) is set for at least the correct exclusion zone distance.
- (7) A reference in schedule 2 to a vehicle does not include a reference to—
- (a) an aircraft; or
 - (b) a vehicle that is operating plant.

Examples for paragraph (b)—

- A tip truck tipping a load would not be a vehicle for schedule 2. However, a tip truck travelling between sites would be a vehicle for schedule 2.
- A vehicle that includes an elevated work platform being used for clearing vegetation would not be a vehicle for schedule 2. However, when the platform is not being used

for clearing vegetation, the vehicle would be a vehicle for schedule 2.

- (8) For applying schedule 2 to operating plant, a reference to ‘another safe system’ is a reference to a system of work that—
- (a) has been developed in consultation with persons who are broadly representative of industrial organisations of employees whose members commonly operate operating plant of the operating plant’s type; and
 - (b) provides, for persons and property, the same level of electrical safety as, or a greater level of electrical safety than, the level of electrical safety provided with a safety observer.

Division 2 Requirements for working around electrical parts and underground electrical services

62 Employer or self-employed person to ensure work is performed in accordance with requirements

- (1) An employer or self-employed person must ensure that work performed in the conduct of the person’s business or undertaking does not involve, other than in accordance with the requirements of this division—
- (a) a person coming into direct contact with an electrical part; or
 - (b) any operating plant or vehicle coming into direct contact with an electrical part; or
 - (c) a person coming within the exclusion zone for the person for an electrical part; or
 - (d) any operating plant or vehicle coming within the exclusion zone for the operating plant or vehicle for an electrical part; or
 - (e) a person coming into direct contact with an underground electrical service as a result of which—

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- (i) the service is damaged; and
 - (ii) live parts of the service are exposed; or
- (f) any operating plant or vehicle coming into direct contact with an underground electrical service as a result of which—
- (i) the service is damaged; and
 - (ii) live parts of the service are exposed.

Maximum penalty—40 penalty units.

- (2) Subsection (1)(a) and (c) does not apply to a person if—
- (a) the person is an authorised person or instructed person for the electrical part; and
 - (b) the electrical part is a low voltage overhead insulated electric line.
- (3) Subsection (1)(b) and (d) does not apply to operating plant if—
- (a) the operating plant is being operated by an authorised person or instructed person for the electrical part; and
 - (b) a safety observer is being used; and
 - (c) the electrical part is a low voltage overhead insulated electric line.

62A Principal contractor for construction workplace—excavating and underground electrical services

- (1) This section applies to the principal contractor for a construction workplace at which excavation work is to be done.
- (2) Before the work starts, the principal contractor must—
- (a) find out from appropriate sources what underground electrical services are at or near the location where the work is to be done that could create a risk if contacted or damaged; and

-
- (b) obtain prescribed information about each service from an appropriate source; and
 - (c) give the information to each employer or self-employed person who is to do excavation work at or near the location of the service; and
 - (d) ensure the information is recorded in writing.

Maximum penalty—40 penalty units.

- (3) The principal contractor must keep the information recorded until the work ends.

Maximum penalty—20 penalty units.

62C Employer or self-employed person at construction workplace—excavating and underground electrical services

- (1) This section applies if an employer or self-employed person intends to do excavation work at a construction workplace.
- (2) The employer or self-employed person must not start the work unless the principal contractor for the workplace has—
 - (a) advised the employer or self-employed person to the effect that the principal contractor's inquiries have shown that there are no underground electrical services at or near the location where the work is to be done; or
 - (b) given prescribed information about the underground electrical services at the workplace to the employer or self-employed person.
- (3) The employer or self-employed person must—
 - (a) ensure that information obtained under subsection (2) is considered in doing the work; and
 - (b) ensure that any reasonable restrictions contained in the information and to be followed in doing the work are followed in doing the work; and
 - (c) decide on and implement any control measures necessary to prevent a person's exposure to the risk of

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death, illness or injury from contact with, or damage to, the service the information is about.

62D Employer or self-employed person not at construction workplace—excavating and underground electrical services

- (1) An employer or self-employed person who intends to do excavation work other than at a construction workplace must, before the work starts—
 - (a) find out from appropriate sources what underground electrical services are at or near the location where the work is to be done that could create a risk if contacted or damaged; and
 - (b) obtain prescribed information about each service from an appropriate source; and
 - (c) ensure that the information is considered in planning the work; and
 - (d) ensure that the information is recorded in writing.
- (2) The employer or self-employed person must—
 - (a) ensure that information obtained under subsection (1) is considered in doing the work; and
 - (b) ensure that any reasonable restrictions contained in the information and to be followed in doing the work are followed in doing the work; and
 - (c) decide on and implement any control measures necessary to prevent a person's exposure to the risk of death, illness or injury from contact with, or damage to, the service the information is about; and
 - (d) keep the information recorded until the work ends.

63 Work involving direct contact with electrical part

- (1) Work may be performed involving a person coming into direct contact with an electrical part if the electrical part is—

-
- (a) isolated from all sources of electricity; and
 - (b) tested to ensure it is, or otherwise confirmed to be, isolated from all sources of electricity; and
 - (c) if the electrical part is a high voltage electrical part—earthed.
- (2) Subsection (1)(b) does not apply as a requirement if—
- (a) the electrical part can not be directly contacted to prove isolation from all sources of electricity; and
 - (b) there is in place an earthing switch that is able to control the operation of the electrical part and is designed to operate safely if the electrical part has not been isolated from all sources of electricity; and
 - (c) the work is being performed in the business or undertaking of an employer, and the employer has given written instructions to the person performing the work that, if complied with, will be effective to isolate the electrical part from all sources of electricity.

64 Work within exclusion zone for electrical part

- (1) Work may be performed involving a person, operating plant or a vehicle coming within the exclusion zone for the person, operating plant or vehicle for an electrical part, other than by coming into direct contact with the electrical part, if the electrical part is—
- (a) isolated from all sources of electricity; and
 - (b) tested to ensure it is, or otherwise confirmed to be, isolated from all sources of electricity; and
 - (c) if the electrical part is a high voltage electrical part—earthed.
- (2) However, if it is not practicable for subsection (1)(b) to be complied with, the work may nevertheless be performed if—
- (a) the work can be performed safely; and

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- (b) if the work is being performed in the business or undertaking of an employer—the employer has given written instructions, either generally or directed at the particular circumstances, about the work to be performed and the precautions to be complied with; and
- (c) at least 1 of the following applies—
 - (i) suitable barriers or earthed metal shields are installed between the person, operating plant or vehicle and the electrical part;
 - (ii) the work is testing, and the electrical part, or an item of electrical equipment of which the electrical part is a component, is designed in a way requiring the work to be performed while the person, operating plant or vehicle is within the exclusion zone for the person, operating plant or vehicle for the electrical part;
 - (iii) the work is earthing of the electrical part, or an item of electrical equipment of which the electrical part is a component, and is performed after the electrical part or item of electrical equipment has been isolated and proved to be de-energised.
- (3) Work may be performed involving operating plant coming within the exclusion zone for the operating plant for an electrical part, other than by coming into direct contact with the electrical part, if—
 - (a) the operating plant is being used to work on an overhead electric line; and
 - (b) the use of the operating plant is under a documented safe system of work for use of the operating plant within the exclusion zone.

Division 3 Consultation with persons in control of electric lines

64A Requirement to consult

- (1) This section applies if—
- (a) work is to be performed in the conduct of the business or undertaking of an employer or self-employed person; and
 - (b) the work is not low voltage electrical work that is to be performed by an eligible person; and
 - (c) despite the requirements of section 62, there is a reasonable likelihood the performance of the work could involve—
 - (i) a person coming into direct contact with an overhead electric line; or
 - (ii) operating plant or a vehicle coming into direct contact with an overhead electric line; or
 - (iii) a person coming within the exclusion zone for the person for an overhead electric line; or
 - (iv) operating plant or a vehicle coming within the exclusion zone for the operating plant or vehicle for an overhead electric line.

- (2) The employer or self-employed person must give the person in control of the overhead electric line written notice of the employer or self-employed person's intention to perform the work.

Maximum penalty—40 penalty units.

- (3) The person in control of the overhead electric line must, within 7 days after receiving the written notice under subsection (2), give the employer or self-employed person a safety advice about the performance of the work.

Maximum penalty—40 penalty units.

- (4) The employer or self-employed person must not allow the

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work to be started before the employer or self-employed person has received the safety advice from the person in control of the overhead electric line, unless the employer or self-employed person has a reasonable excuse.

Maximum penalty—40 penalty units.

(5) In this section—

safety advice, about the performance of work in the conduct of the business or undertaking of an employer or self-employed person, means a written notice advising how, as well as complying with this regulation, the employer or self-employed person can best ensure the electrical safety of persons and property in the performance of the work.

Examples of what might be included in a safety advice—

- advice recommending de-energising the overhead electric line while the work is being performed, and explaining how this can be arranged
- advice recommending relocating the overhead electric line or replacing the overhead electric line with an underground cable, and explaining how this can be arranged
- advice recommending erecting physical barriers to enclose the overhead electric line, and explaining how this can be arranged

Part 5 Electrical installations

Division 1 Performing electrical work

65 Purpose of div 1

To the extent that this division applies, or is capable of applying, to a person who is an employer or self-employed person, this division prescribes a way of discharging the electrical safety obligation of an employer or self-employed person to ensure that the person's business or undertaking is conducted in a way that is electrically safe.

66 Licensed electrical worker to comply with wiring rules

A licensed electrical worker who performs electrical work on an electrical installation must ensure that the electrical installation, to the extent it is affected by the electrical work, is in accordance with the wiring rules.

Maximum penalty—40 penalty units.

67 Employer to ensure electrical installation complies

An employer who employs a licensed electrical worker to perform electrical work on an electrical installation must ensure that the electrical installation, to the extent it is affected by the electrical work, is in accordance with—

- (a) if the electrical installation is to be used for construction work—the wiring rules and AS/NZS 3012 (Electrical installations—Construction and demolition sites); or
- (b) if the electrical installation is not to be used for construction work—the wiring rules.

Maximum penalty—40 penalty units.

67A Self-employed person to ensure electrical installation complies

A self-employed person who is a licensed electrical worker and who performs electrical work on an electrical installation must ensure that the electrical installation, to the extent it is affected by the electrical work, is in accordance with—

- (a) if the electrical installation is to be used for construction work—the wiring rules and AS/NZS 3012; or
- (b) if the electrical installation is not to be used for construction work—the wiring rules.

Maximum penalty—40 penalty units.

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68 Work involving water equipment

- (1) A person must not perform work on water equipment unless—
- (a) the person is a licensed electrical worker; and
 - (b) the work performed is work that the person would be authorised to perform on the water equipment under the person's electrical work licence if the water equipment were electrical equipment; and
 - (c) the water equipment, to the extent it is affected by the work, is in accordance with the wiring rules.

Maximum penalty—40 penalty units.

- (2) An employer or self-employed person whose business or undertaking includes the performance of work on water equipment must ensure that, in the conduct of the business or undertaking, a person does not perform work in contravention of subsection (1).

Maximum penalty—40 penalty units.

- (3) In this section—

designated equipment means any apparatus, appliance, cable, conductor, fitting, insulator, material, meter or wire—

- (a) used for controlling, generating, supplying, transforming or transmitting electricity at extra low voltage; or
- (b) operated by electricity at extra low voltage.

water equipment means designated equipment that is in, or that surrounds the water container of, a swimming pool, paddling pool, spa pool, water feature or water tub.

work, on water equipment, does not include—

- (a) the plugging in of a pre-packaged water feature; or
- (b) replacing a component forming part of the water equipment if the water equipment has been designed so that the component is readily and safely able to be

replaced by a person without electrical knowledge or skill.

69 Work involving electric motor forming part of vehicle

- (1) A person must not perform work on an electric motor forming part of a vehicle unless—
- (a) the person is a licensed electrical worker; and
 - (b) the work performed is work that the person would be authorised to perform on the electric motor under the person's electrical work licence if the electric motor were electrical equipment.

Maximum penalty—40 penalty units.

- (2) An employer or self-employed person whose business or undertaking includes the performance of work on an electric motor must ensure that, in the conduct of the business or undertaking, a person does not perform work in contravention of subsection (1).

Maximum penalty—40 penalty units.

- (3) In this section—

electric motor means an electric motor that is electrical equipment within the meaning of section 14(1) of the Act, but is not electrical equipment under the Act because of the operation of section 14(2) of the Act.

vehicle does not include a car or motorbike under the *Transport Operations (Road Use Management) Act 1995*.

work, on an electric motor, means work on the electric motor that would be electrical work if the electric motor were electrical equipment.

Division 2 Defects and earthing

70 Requirement on person in control to fix defect

If an inspector or electricity entity gives written notice to the person in control of electrical equipment of any defect affecting the electrical safety of the electrical equipment, whether or not a serious defect, the person in control must take all reasonable steps to ensure the defect is fixed.

Maximum penalty—40 penalty units.

71 Earthing

- (1) This section applies if a low voltage electrical installation receives electricity distributed by an electricity entity.
- (2) The person in control of the low voltage electrical installation must not knowingly allow the earthing for the installation to be inconsistent with the earthing system requirements the electricity entity has under this regulation.

Maximum penalty for subsection (2)—40 penalty units.

Division 3 Electric lines

72 Service line

- (1) This section applies if an electrical installation receives electricity distributed by an electricity entity.
- (2) The person in control of the electrical installation must maintain the person in control's facilities for—
 - (a) attaching an overhead service line to supply electricity to the electrical installation; or
 - (b) the entrance, support, protection and termination of an underground service line to supply electricity to the electrical installation.

Maximum penalty—40 penalty units.

Examples of facilities that may be provided by a person in control—

- a service riser bracket
 - timber backing for the electricity entity's 'J' hook
- (3) However, subsection (2) does not require the person in control of the electrical installation to maintain the insulation of any clamp or apparatus supplied by the person in control for the purposes of any joint needed for consumer terminals.
- (4) The electricity entity must at periodic reasonable intervals inspect and maintain the insulation of the clamp or apparatus mentioned in subsection (3).

Maximum penalty for subsection (4)—40 penalty units.

73 Structure supporting electric line or equipment to comply with wiring rules

- (1) The person in control of an electrical installation must ensure that any structure supporting an electric line or item of electrical equipment forming part of the electrical installation is in accordance with the requirements of—
- (a) the wiring rules; and
 - (b) any direction the chief executive gives for ensuring electrical safety.

Maximum penalty—40 penalty units.

- (2) If there is a conflict between the wiring rules and a direction of the chief executive, the direction prevails.

74 Obligation to preserve insulation of electric line

The person in control of an electrical installation must maintain, to a reasonable extent, the integrity of the insulation of any electric line, or connection to an electric line, that is part of the electrical installation—

- (a) if it is an overhead electric line—near the point of attachment of the electric line to any structure; and

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- (b) whether or not it is an overhead electric line—near roofs or structures where it is likely that persons, including, for example, painters and plumbers, could come into contact with the insulated wires or connectors of the line.

Maximum penalty—40 penalty units.

75 Trimming of trees near overhead electric line

- (1) The person in control of an overhead electric line must ensure that trees and other vegetation are trimmed, and other measures taken, to prevent contact with the line that is likely to cause injury from electric shock to any person or damage to property.

Maximum penalty—40 penalty units.

- (2) In this section—

overhead electric line does not include an overhead electric line owned by an electricity entity.

76 Obligation to ensure safety of disconnected overhead electric line

- (1) The person in control of an overhead electric line must take all reasonable steps to ensure that, if the line is disconnected from its electricity supply, the line is—

- (a) dismantled as soon as practicable after disconnection; or
- (b) maintained so it is electrically and mechanically safe.

Maximum penalty—40 penalty units.

- (2) In this section—

overhead electric line does not include an overhead electric line owned by an electricity entity.

Division 4 Installation of approved safety switches in domestic residences

77 Definitions for div 4

In this division—

chief executive (land) means the chief executive of the department in which the *Land Act 1994* is administered.

combined form means a form that—

- (a) gives transfer and safety switch information and information about a change of ownership required under other Acts; and
- (b) may be given to the chief executive (land) or the registrar.

date of possession, for residential land, means the date the transferee of the land enters into lawful possession of the land.

domestic residence means a building or structure, or a part of a building or structure, that—

- (a) is used, or designed to be used, as a single dwelling; and

Examples for paragraph (a)—

- dwelling house
- flat

- (b) is not used, or designed to be used, for temporary accommodation.

Examples of temporary accommodation for paragraph (b)—

- boarding house
- motel

general purpose socket-outlet means a low voltage socket-outlet that—

- (a) has a rating of 10A; and

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- (b) is designed to fit a three-pin flat-pin plug that complies with the relevant standard under part 6 for the type of plug; and
- (c) is used, or intended to be used, or could at some time reasonably be expected to be used, for more than 1 appliance.

registrar see the *Land Title Act 1994*, schedule 2.

residential land means land on which a domestic residence is constructed, and includes an interest in residential land.

transfer and safety switch information see section 79.

transfer date, for residential land, means the date the transferee of the land is entitled to lawful possession of the land.

transferee, of residential land, means the person who, on becoming entitled to possession of the land, may lodge an application for registration—

- (a) under the *Land Act 1994*, as a lessee, or personal representative of a deceased lessee, of the land; or
- (b) under the *Land Title Act 1994*, as an owner, or the personal representative of an owner, of the land.

transferor, of residential land, means—

- (a) if, immediately before the transfer date for the residential land, a mortgagee in possession under the *Property Law Act 1974* is in lawful possession of the land—the mortgagee in possession; or
- (b) otherwise—the person registered, immediately before the transfer date for the land—
 - (i) under the *Land Act 1994*, as a lessee, or personal representative of a deceased lessee, of the land; or
 - (ii) under the *Land Title Act 1994*, as an owner, or the personal representative of an owner, of the land.

78 Notice to transferee about approved safety switch

- (1) The transferor of residential land must, on or before the date of possession for the land, give the transferee of the land written notice of whether an approved safety switch has been installed for the general purpose socket-outlets installed in the domestic residence on the land.

Maximum penalty—15 penalty units.

- (2) However, subsection (1) does not apply if—
- (a) the transferor became transferor of the residential land under an agreement to transfer the land; and
 - (b) the date of the agreement is before 1 September 2002.
- (3) The transferor must not state anything in the notice that the transferor knows is false or misleading in a material particular.

Maximum penalty for subsection (3)—15 penalty units.

79 Notice to chief executive about approved safety switch and other matters

- (1) The transferor of residential land must, within 90 days after the date of possession for the land, give the chief executive a written notice stating the following information (*transfer and safety switch information*)—

- (a) the full names of the transferor and transferee;
- (b) the addresses of the transferor and transferee immediately after the date of possession for the land;
- (c) the property details of the land;
- (d) the current use of the land;
- (e) if there is an agreement for the transfer of the land—the date of the agreement;
- (f) the date of possession for the land;
- (g) whether an approved safety switch has been installed for the general purpose socket-outlets installed in the domestic residence on the land;

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- (h) whether the transferor has given the transferee written notice of whether an approved safety switch has been installed for the general purpose socket-outlets installed in the domestic residence on the land.

Maximum penalty—15 penalty units.

- (2) However, subsection (1) does not apply if—
 - (a) the transferor became transferor of the residential land under an agreement to transfer the land; and
 - (b) the date of the agreement is before 1 September 2002.
- (3) Also, the transferor is not required to comply with subsection (1) if a properly completed combined form, together with an application for registration is given to—
 - (a) for an application for registration under the *Land Act 1994*—the chief executive (land); or
 - (b) for an application for registration under the *Land Title Act 1994*—the registrar.
- (4) If a combined form is given under subsection (3), the chief executive may use only the transfer and safety switch information on the form.

80 Installation of approved safety switch in particular residences

- (1) This section applies if—
 - (a) the date of possession for residential land is on or after 1 September 2002; and
 - (b) a general purpose socket-outlet was installed in the domestic residence on the land before 1 June 1992; and
 - (c) an approved safety switch has not been installed for the general purpose socket-outlet.
- (2) The owner of the land must, within 3 months after the date of possession, have an approved safety switch installed for the general purpose socket-outlet.

Maximum penalty—15 penalty units.

(3) In this section—

owner, of residential land, means the person registered or entitled to be registered, immediately after the transfer date for the land—

- (a) under the *Land Act 1994*, as a lessee, or personal representative of a deceased lessee, of the land; or
- (b) under the *Land Title Act 1994*, as an owner, or the personal representative of an owner, of the land.

80A Installation of approved safety switch if residential tenancy agreement entered into or to be entered into

(1) Subsection (2) applies if—

- (a) the owner of residential land to which a residential tenancy agreement entered into before 1 March 2006 relates is aware of the residential tenancy agreement; and
- (b) a general purpose socket-outlet was installed in the domestic residence on the residential land before 1 June 1992; and
- (c) an approved safety switch is not installed for the general purpose socket-outlet.

(2) The owner of the residential land must ensure an approved safety switch is installed for the general purpose socket-outlet by the end of 29 February 2008.

Maximum penalty—15 penalty units.

(3) Subsection (4) applies if—

- (a) a residential tenancy agreement is entered into for residential land after 28 February 2006 and before 1 March 2008; and
- (b) the owner of the residential land is aware of the residential tenancy agreement; and

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- (c) a general purpose socket-outlet was installed in the domestic residence on the residential land before 1 June 1992; and
 - (d) when the residential tenancy agreement is entered into an approved safety switch is not installed for the general purpose socket-outlet.
- (4) The owner of the residential land must ensure an approved safety switch is installed for the general purpose socket-outlet by the earlier of the following—
- (a) 6 months after the agreement was entered into;
 - (b) the end of 29 February 2008.
- Maximum penalty—15 penalty units.
- (5) Subsection (6) applies if—
- (a) a residential tenancy agreement for residential land is proposed to be entered into on or after 1 March 2008; and
 - (b) the owner of the residential land is aware of the proposed residential tenancy agreement or that the proposed residential agreement has been entered into; and
 - (c) a general purpose socket-outlet was installed in the domestic residence on the residential land before 1 June 1992; and
 - (d) an approved safety switch is not installed for the general purpose socket-outlet.
- (6) The owner of the residential land must ensure an approved safety switch is installed for the general purpose socket-outlet as soon as practicable after becoming aware of the proposed residential tenancy agreement or that the proposed residential agreement has been entered into.
- Maximum penalty—15 penalty units.
- (7) In this section—

owner, of residential land, means the person registered or entitled to be registered, immediately after the transfer date for the land—

- (a) under the *Land Act 1994*, as a lessee, or personal representative of a deceased lessee, of the land; or
- (b) under the *Land Title Act 1994*, as an owner, or the personal representative of an owner, of the land.

residential tenancy agreement has the meaning given by the *Residential Tenancies and Rooming Accommodation Act 2008*.

81 Performing electrical installation work for domestic residences

A licensed electrical worker or a licensed electrical contractor must not perform electrical installation work on an electrical installation installed in a domestic residence unless—

- (a) an approved safety switch has been installed for the general purpose socket-outlets installed in the residence; or
- (b) if an approved safety switch has not been installed for the general purpose socket-outlets installed in the residence—
 - (i) the work is or includes the installation of an approved safety switch for the general purpose socket-outlets installed in the residence; or
 - (ii) the worker reasonably believes installation of an approved safety switch for the general purpose socket-outlets installed in the residence is not required under this regulation; or
 - (iii) the work is the connection of the residence to a source of electricity; or

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- (iv) the work is needed to be performed without delay in an emergency, to prevent an emergency from happening or for safety reasons.

Maximum penalty—40 penalty units.

Division 4A Installation of ceiling insulation

Subdivision 1 Preliminary

81A Purpose of div 4A

- (1) This division, other than section 81C(2), prescribes a way of discharging the electrical safety obligation of an employer or self-employed person to ensure that the person's business or undertaking is conducted in a way that is electrically safe.
- (2) Section 81C(2) prescribes a way of discharging the electrical safety obligation of a worker not to wilfully place any person, including the worker, at a place where electrical equipment is located, in electrical risk.

Subdivision 2 Installation of all ceiling insulation

81B Application of sdiv 2

- (1) This subdivision, other than section 81C(2), applies to an employer or self-employed person who conducts a business or undertaking that includes the installation of ceiling insulation.
- (2) Section 81C(2) applies to a worker who does work that includes the installation of ceiling insulation.

81C Metal or other conductive fasteners not to be used to install ceiling insulation

- (1) The employer or self-employed person must ensure that ceiling insulation is not fastened to the ceiling structure of a building with metal or any other form of conductive fastener.
- (2) The worker must not fasten ceiling insulation to the ceiling structure of a building with metal or any other form of conductive fastener.

81D Installation must comply with wiring rules, cl 4.5.2.3

The employer or self-employed person must ensure that ceiling insulation is installed in a building in a way that complies with the wiring rules, clause 4.5.2.3 as in force from time to time.

Notes—

- 1 The wiring rules, clause 4.5.2.3 deals with recessed luminaires and their auxiliary equipment.
- 2 Clause 4.5.2.3 is available on the department's website.

81E Training for assessment of electrical risk

The employer or self-employed person must ensure that the employer or self-employed person and all persons employed or engaged by the employer or self-employed person who install ceiling insulation in a building are trained in carrying out an assessment of the electrical risk from the installation of ceiling insulation.

81F Assessment of electrical risk

- (1) The employer or self-employed person must ensure that, before the start of the installation in a building of ceiling insulation—
 - (a) an on-site operational assessment of the electrical risk from the installation of the ceiling insulation is conducted; and

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- (b) any control measures necessary to prevent a person's exposure to the electrical risk are implemented.
- (2) The employer or self-employed person must keep a record of the on-site operational assessment for at least 5 years after the assessment is conducted.

Maximum penalty for subsection (2)—20 penalty units.

Subdivision 3 Installation of electrically conductive ceiling insulation

81G Definitions for sdiv 3

In this subdivision—

capable circuit means an electrical circuit on which an approved safety switch is capable of effective operation.

electrically conductive ceiling insulation—

- (a) means a product used, or to be used, as ceiling insulation that is readily able to conduct electricity; and
- (b) does not include metal foil batts.

non-capable circuit means an electrical circuit on which an approved safety switch is not capable of effective operation.

Examples of non-capable circuits—

- consumer mains
- submains in particular circumstances

81H Application of sdiv 3

This subdivision applies to an employer or self-employed person who conducts a business or undertaking that includes the installation of electrically conductive ceiling insulation.

81I Requirement for electrical safety inspection and test

- (1) The employer or self-employed person must, before the start of the installation in a building of electrically conductive ceiling insulation, obtain a certificate from a licensed electrical contractor stating that—
 - (a) the contractor has inspected and tested the existing electrical installation in the ceiling structure of the building; and
 - (b) the contractor is satisfied that the existing electrical installation in the ceiling structure of the building is electrically safe.
- (2) The employer or self-employed person must keep the certificate mentioned in subsection (1) for at least 5 years after the employer or self-employed person is given the certificate.

Maximum penalty for subsection (2)—20 penalty units.

81J Requirement for approved safety switch or permanent marking for electrical circuits

- (1) The employer or self-employed person must, before the start of the installation in a building of electrically conductive ceiling insulation, obtain a certificate from a licensed electrical contractor stating that—
 - (a) an approved safety switch has been installed on each capable circuit located in the ceiling structure of the building; and
 - (b) each non-capable circuit located in the ceiling structure of the building is identified and clearly marked.
- (2) For subsection (1)(b), a non-capable circuit is clearly marked only if the non-capable circuit is permanently marked—
 - (a) in a way that distinguishes the non-capable circuit from capable circuits located in the ceiling structure; and
 - (b) at intervals of not more than 1m, to the extent that it is reasonably practicable.

[s 81K]

- (3) The certificate mentioned in subsection (1) must explain the way in which non-capable circuits located in the ceiling structure have been permanently marked to distinguish them from capable circuits located in the ceiling structure.

Example—

If a non-capable circuit has been marked with durable high visibility tags, the certificate must explain this.

- (4) The employer or self-employed person must keep the certificate mentioned in subsection (1) for at least 5 years after the employer or self-employed person is given the certificate.

Maximum penalty for subsection (4)—20 penalty units.

81K Installation requirements for non-capable circuits

The employer or self-employed person must ensure that electrically conductive ceiling insulation installed in a building—

- (a) does not cover, in whole or in part, any non-capable circuit located in the ceiling structure of the building; and
- (b) is installed at least 25mm away from any non-capable circuit located in the ceiling structure of the building.

Division 5 Workplace electrical installations

Subdivision 1 Preliminary

82 Purpose of div 5

This division prescribes a way of discharging the electrical safety obligation of an employer or self-employed person to ensure that the person's business or undertaking is conducted in a way that is electrically safe.

83 Definitions for div 5

In this division—

amusement device means an amusement device as defined in AS 3533.3.

amusement ride means an amusement ride as defined in AS 3533.3.

amusement work means work, other than work performed by a non-profit organisation, to assemble, operate or disassemble any of the following on the site on which it is used, intended to be used or has been used—

- (a) an amusement device or amusement ride;
- (b) a thing used to provide amusement activities, including side show activities, associated with—
 - (i) carnivals, fairs or shows; or
 - (ii) amusement arcades or similar places;

Example of side show activities—

providing hamburgers, fairy floss or massages in a side show

- (c) a thing used to provide entertainment or advertising activities, in temporary sites, associated with shows, fairs or carnivals.

construction wiring, for a workplace, means temporary electrical wiring by which electricity is supplied by an electricity entity for use in, and for the period of, construction work, within the meaning of the WHS Act, section 14, at the place.

construction work means—

- (a) construction work within the meaning of the WHS Act, section 14, other than amusement work or rural industry work; or
- (b) work done in conjunction with construction work mentioned in paragraph (a).

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Example of paragraph (b)—

installation of plumbing in a house under construction

cord extension set means an assembly of—

- (a) a plug intended for connection to a socket outlet; and
- (b) a sheathed flexible cord; and
- (c) a cord extension socket.

manufacturing work means the work of assembly, disassembly, fabrication, installation, maintenance, manufacturing, refurbishment or repair, but does not include amusement work, construction work or rural industry work.

Examples—

- installing the interior fittings of a shop
- manufacturing clothes
- repairing leaking pipes

non-profit organisation means an organisation that is not carried on for the profit or gain of its individual members.

Example of entities that may be non-profit organisations—

charities, churches, clubs, environment protection societies

prescribed details, in relation to a tag to be attached to equipment, or a written record to be made in relation to equipment, after it is inspected and tested or reinspected and retested, means the following—

- (a) for all equipment—
 - (i) the date of the testing or retesting; or
 - (ii) the day by which the equipment must be reinspected and retested;
- (b) if the individual who performed the test or retest of the equipment is employed or engaged by a corporation, any of the following—
 - (i) the name of the individual;
 - (ii) the individual's electrical contractor licence number;

- (iii) the name of the corporation;
 - (iv) the corporation's electrical contractor licence number;
- (c) if the individual who performed the test or retest of the equipment is not employed or engaged by a corporation, any of the following—
- (i) the name of the individual;
 - (ii) the individual's electrical contractor licence number;
 - (iii) the electrical contractor licence number of the individual's employer;
 - (iv) the individual's electrical worker licence number.

rural industry work see section 83A.

safety switch means a type 1 safety switch or a type 2 safety switch.

service work means work that is not amusement work, construction work, manufacturing work, office work or rural industry work.

Examples—

- cleaning a motel
- cooking in a restaurant
- providing health services at a health facility
- selling goods from a shop
- teaching at an education facility
- caring for children at a child care centre

specified electrical equipment means—

- (a) for the performance of amusement work, manufacturing work or rural industry work, the following equipment (other than an amusement device or amusement ride)—
 - (i) a cord extension set with a current rating of not more than 20 amps;

[s 83A]

- (ii) an electrical portable outlet device with a current rating of not more than 20 amps;
- (iii) electrical equipment, other than a portable safety switch, that—
 - (A) has a current rating of not more than 20 amps; and
 - (B) is connected by a flexible cord and plug to low voltage supply; and
- (b) for the performance of office work or service work—
 - (i) a cord extension set with a current rating of not more than 20 amps; or
 - (ii) an electrical portable outlet device with a current rating of not more than 20 amps; or
 - (iii) electrical equipment, other than a portable safety switch, that—
 - (A) has a current rating of not more than 20 amps; and
 - (B) is connected by a flexible cord and plug to low voltage supply; and
 - (C) is moved during its normal use for the purpose of its use.

type 1 safety switch means a residual current device, whether or not portable, with a rated residual current of not more than 10mA.

type 2 safety switch means a residual current device, whether or not portable, with a rated residual current of more than 10mA but not more than 30mA.

83A Meaning of rural industry work

- (1) *Rural industry work* is work—
 - (a) in the cultivation of any agricultural crop or product whether or not grown for food; or

-
- (b) in the rearing and management of farm animals, for example, livestock, bees or worms; or
- (c) in the classing, scouring, sorting or pressing of wool; or
- (d) that is aquaculture; or
- (e) in flower or vegetable market gardens; or
- (f) at clearing, fencing, trenching, draining or otherwise preparing land for anything stated in paragraph (a), (b), (d) or (e).
- (2) **Rural industry work** includes work that is construction work, manufacturing work or office work performed for the purposes of an activity mentioned in subsection (1) if the work is—
- (a) performed by an employer or self-employed person, including by his or her employee, carrying on the business or undertaking in which the product of the construction work, manufacturing work or office work is to be used; and
- (b) performed on premises on which the product of the construction work, manufacturing work or office work is to be used.

Examples of construction work or manufacturing work for subsection (2)—

- repairing farm machinery, for example, tractors or implements
- making farm machinery, for example, cattle crushes, spray booms or fruit picking booms
- building sheds

- (3) **Rural industry work** does not include work to which rural industry work is only incidental.

Examples—

- work in carrying on a farm stay
- work in conducting a tour associated with rural industry work

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Subdivision 2 All work

84 Application of sdiv 2

This subdivision applies to an employer or self-employed person if the employer or a worker of the employer, or the self-employed person, performs work, whether or not electrical work, at a workplace.

85 Cord extension sets and flexible cables

- (1) An employer or self-employed person must ensure that any cord extension set or flexible cable at the workplace is—
 - (a) located where it is not likely to suffer damage; or
 - (b) protected against damage.
- (2) In this section—

damage includes damage by liquid.

Subdivision 3 Construction work

86 Application of sdiv 3

This subdivision applies to the performance of construction work at a workplace.

87 Requirements for construction wiring and electrical equipment

- (1) An employer or self-employed person must ensure that all electrical equipment for the performance of work is in accordance with the requirements of AS/NZS 3012 (Electrical installations—Construction and demolition sites).
- (2) However, the requirement under AS/NZS 3012, clause 3.8.3 that the tag must include the name of the person or company who performed the test does not apply.

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- (3) An employer or self-employed person must ensure that, for the purposes of the business or undertaking, electrical equipment mentioned in AS/NZS 3012, clause 3.1 is not fitted with a tag that includes the test or retest date for the equipment unless—
- (a) the equipment is new; or
 - (b) both of the following apply—
 - (i) the equipment has been inspected and tested under that clause by a competent person and found to comply with the requirements of AS/NZS 3012;
 - (ii) the tag includes the day by which the equipment must be reinspected and retested and the information mentioned in subsection (4).
- (4) For subsection (3)(b)(ii)—
- (a) if the individual who performed the test or retest is employed or engaged by a corporation—the information is any of the following—
 - (i) the name of the individual;
 - (ii) the individual's electrical contractor licence number;
 - (iii) the name of the corporation;
 - (iv) the corporation's electrical contractor licence number; or
 - (b) if paragraph (a) does not apply—the information is any of the following—
 - (i) the name of the individual;
 - (ii) the individual's electrical contractor licence number;
 - (iii) the electrical contractor licence number of the individual's employer;
 - (iv) the individual's electrical worker licence number.

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- (5) An employer or self-employed person whose business or undertaking is being conducted at a construction workplace and who is the principal contractor for the construction workplace must ensure that all construction wiring at the workplace is in accordance with the requirements of AS/NZS 3012 (Electrical installations—Construction and demolition sites).
- (6) In this section—
competent person see AS/NZS 3012, clause 1.4.7.

Subdivision 4 Manufacturing work

88 Application of sdiv 4

This subdivision applies to the performance of manufacturing work at a workplace.

89 Double adaptors and piggyback plugs prohibited

- (1) An employer or self-employed person must not use a double adaptor or piggyback plug.
- (2) An employer must ensure the employer's workers do not use a double adaptor or piggyback plug.

90 Specified electrical equipment

- (1) An employer or self-employed person must ensure that specified electrical equipment of the employer or self-employed person at the workplace is not used to perform work unless—
 - (a) it is inspected and tested by a competent person—
 - (i) if the equipment is double insulated—at least once every year; or
 - (ii) if the equipment is not double insulated—at least once every 6 months; and

-
- (b) either—
- (i) if the specified electrical equipment is connected to a socket-outlet that is in a permanent workplace under the control of the employer or self-employed person—
- (A) until the end of 29 February 2008—the specified electrical equipment is connected to a type 1 safety switch or type 2 safety switch; or
- (B) on or after 1 March 2008—the specified electrical equipment is connected to a socket-outlet for which a type 1 safety switch, or type 2 safety switch, that is not portable, is installed; or
- (ii) if the specified electrical equipment is connected to a socket-outlet that is not in a permanent workplace under the control of the employer or self-employed person—the specified electrical equipment is connected to a type 1 safety switch or type 2 safety switch.

Example of a workplace that is not under the control of the employer or self-employed person—

the premises of a customer of the employer or self-employed person visited by a service technician of the employer or self-employed person

Examples of specified electrical equipment used to perform manufacturing work—

- a hand held grinder plugged into a socket-outlet
- a hand held electric drill plugged into a socket-outlet that is used for drilling holes in steelwork in a light engineering workshop

- (1A) However—
- (a) subsection (1)(b)(i)(B) does not apply if the employer or self-employed person is exempted under section 90B; and
- (b) subsection (1)(b)(i) and (ii) do not apply to a socket-outlet that is—

[s 90A]

- (i) more than 2.3m above the floor; and
 - (ii) provided for the purpose of supplying electricity to a luminaire or to electrical equipment with a power rating of not more than 150W.
- (2) If after inspecting and testing the electrical equipment under subsection (1)(a), a competent person decides the equipment is safe to use, the employer or self-employed person must ensure the competent person immediately attaches a durable tag to the equipment that shows the prescribed details.
- (3) If after inspecting and testing the electrical equipment under subsection (1)(a), a competent person decides the equipment is not safe to use, the employer or self-employed person must ensure—
 - (a) the competent person immediately attaches a durable tag to the equipment that warns people not to use the equipment; and
 - (b) the equipment is immediately withdrawn from use.
- (4) An employer or self-employed person must ensure that, for the purposes of the business or undertaking, a tag is not attached to specified electrical equipment under subsection (2) unless—
 - (a) the equipment is new; or
 - (b) both of the following apply—
 - (i) the equipment has been inspected and tested by a competent person;
 - (ii) the tag was attached by the competent person.

90A Manufacturing work—safety switch

- (1) This section applies if—
 - (a) manufacturing work is the primary work performed at the workplace; and

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- (b) a socket-outlet with a current rating of not more than 20 amps is installed and supplies electricity to the workplace; and
 - (c) the socket-outlet is—
 - (i) not more than 2.3m above the floor; and
 - (ii) not provided for the purpose of supplying electricity to a luminaire or to electrical equipment with a power rating of not more than 150W.
- (2) Subsection (3) applies if the manufacturing work is performed before 1 March 2008.
- (3) The employer or self-employed person must have a type 1 safety switch, or type 2 safety switch, that is not portable, installed for the socket-outlet before 1 March 2008.
- Maximum penalty—15 penalty units.
- (4) Subsection (5) applies if the manufacturing work is to be performed on or after 1 March 2008.
- (5) Before performing the manufacturing work, the employer or self-employed person must have a type 1 safety switch, or type 2 safety switch, that is not portable, installed for the socket-outlet.
- Maximum penalty—15 penalty units.
- (6) Subsection (3) or (5) does not apply if the employer or self-employed person is exempted under section 90B.

90B Exemption for safety switches

An employer or self-employed person is exempt from complying with section 90(1)(b)(i)(B) or 90A(3) or (5) if—

- (a) the employer or self-employed person is not the person in control of the electrical equipment to which the safety switch is to be installed to comply with the section; and
- (b) the employer or self-employed person has been unable to obtain permission from the person in control of the

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electrical equipment for the installation of the safety switch; and

- (c) for an exemption from complying with section 90(1)(b)(i)(B)—the specified electrical equipment is connected to a type 1 safety switch or type 2 safety switch.

91 Safety switches, including portable safety switches

- (1) An employer or self-employed person must not use, or allow to be used, a safety switch unless it complies with AS/NZS 3760 (In-service safety inspection and testing of electrical equipment) when tested.
- (2) An employer or self-employed person must ensure that each safety switch, other than a portable safety switch, the employer or self-employed person has at the workplace—
 - (a) is tested by a competent person in accordance with AS/NZS 3760 immediately after it is connected; and
 - (b) is tested in accordance with, and at the intervals stated in, AS/NZS 3760.
- (3) An employer or self-employed person must ensure that each portable safety switch the employer or self-employed person has at the workplace—
 - (a) is tested by pushing the test button on the safety switch immediately after it is connected; and
 - (b) is tested in accordance with, and at the intervals stated in, AS/NZS 3760.
- (4) If a safety switch is not working properly, the employer or self-employed person must ensure—
 - (a) a durable tag is immediately attached to the safety switch that warns people not to use the safety switch; and
 - (b) the safety switch is immediately withdrawn from use.

Subdivision 5 Service work or office work

92 Application of sdiv 5

This subdivision applies to the performance of service work or office work at a workplace.

93 Specified electrical equipment

- (1) An employer or self-employed person must ensure that specified electrical equipment of the employer or self-employed person at the workplace is not used to perform work unless—
 - (a) it is inspected and tested by a competent person—
 - (i) if the equipment is used only for office work—at least once every 5 years; or
 - (ii) otherwise—at least once every year; or
 - (b) it is connected to a type 1 safety switch or a type 2 safety switch.

Examples of specified electrical equipment used to perform service work—

- a portable vacuum cleaner used in a hotel
- a hand held blow dryer used in a hairdressing salon

Example of specified electrical equipment used to perform office work—

a powerboard or extension lead used to supply power to office equipment

- (2) If after inspecting and testing the electrical equipment under subsection (1)(a), a competent person decides the equipment is safe to use, the employer or self-employed person must ensure the competent person immediately attaches a durable tag to the equipment that shows the prescribed details.
- (3) If after inspecting and testing the electrical equipment under subsection (1)(a), a competent person decides the equipment is not safe to use, the employer or self-employed person must ensure—

[s 94]

- (a) the competent person immediately attaches a durable tag to the equipment that warns people not to use the equipment; and
 - (b) the equipment is immediately withdrawn from use.
- (4) An employer or self-employed person must ensure that, for the purposes of the business or undertaking, a tag is not attached to specified electrical equipment under subsection (2) unless—
- (a) the equipment is new; or
 - (b) both of the following apply—
 - (i) the equipment has been inspected and tested by a competent person;
 - (ii) the tag was attached by the competent person.

94 Safety switches, including portable safety switches

- (1) An employer or self-employed person must not use, or allow to be used, a safety switch unless it complies with AS/NZS 3760 (In-service safety inspection and testing of electrical equipment) when tested.
- (2) An employer or self-employed person must ensure that each safety switch, other than a portable safety switch, the employer or self-employed person has at the workplace—
 - (a) is tested by a competent person in accordance with AS/NZS 3760 immediately after it is connected; and
 - (b) is tested in accordance with, and at the intervals stated in, AS/NZS 3760.
- (3) An employer or self-employed person must ensure that each portable safety switch the employer or self-employed person has at the workplace—
 - (a) is tested by pushing the test button on the safety switch immediately after it is connected; and
 - (b) is tested in accordance with, and at the intervals stated in, AS/NZS 3760.

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- (4) If a safety switch is not working properly, the employer or self-employed person must ensure—
- (a) a durable tag is immediately attached to the safety switch that warns people not to use the safety switch; and
 - (b) the safety switch is immediately withdrawn from use.

Subdivision 6 Amusement work

94A Application of sdiv 6

This subdivision applies to the performance of amusement work at a workplace.

94B Double adaptors and piggyback plugs prohibited

- (1) An employer or self-employed person must not use a double adaptor or piggyback plug.
- (2) An employer must ensure the employer's workers do not use a double adaptor or piggyback plug.

94C Specified electrical equipment

- (1) An employer or self-employed person must ensure that specified electrical equipment of the employer or self-employed person at the workplace is not used to perform work unless—
 - (a) it is inspected and tested by a competent person—
 - (i) if the equipment is double insulated—at least once every year; or
 - (ii) if the equipment is not double insulated—at least once every 6 months; and
 - (b) it is connected to a type 1 safety switch or type 2 safety switch.

[s 94D]

- (2) If after inspecting and testing the electrical equipment under subsection (1)(a) a competent person decides the equipment is safe to use, the employer or self-employed person must ensure the competent person immediately attaches a durable tag to the equipment that shows the prescribed details.
- (3) If after inspecting and testing the electrical equipment under subsection (1)(a) a competent person decides the equipment is not safe to use, the employer or self-employed person must ensure—
 - (a) the competent person immediately attaches a durable tag to the equipment that warns people not to use the equipment; and
 - (b) the equipment is immediately withdrawn from use.
- (4) An employer or self-employed person must ensure that, for the purposes of the business or undertaking, a tag is not attached to specified electrical equipment under subsection (2) unless—
 - (a) the equipment is new; or
 - (b) both of the following apply—
 - (i) the equipment has been inspected and tested by a competent person;
 - (ii) the tag was attached by the competent person.

94D Amusement devices and amusement rides

- (1) An employer or self-employed person must ensure that all or part of an amusement device or amusement ride that is electrical equipment connected to the electricity supply by a plug, of the employer or self-employed person at the workplace is not used to perform work unless—
 - (a) it is inspected and tested by a competent person—
 - (i) each time it is assembled on the site where it is intended to be used; and
 - (ii) in any event at least once every 6 months; and

-
- (b) for a device or ride with a current rating of not more than 20 amps—it is connected to a type 1 safety switch or type 2 safety switch.
- (2) An inspection and test under subsection (1)(a) must include the competent person—
 - (a) deciding the safety of earthing, insulation and connections; and
 - (b) deciding whether any safety switch complies with AS/NZS 3760 when tested; and
 - (c) making a visual examination to decide the safety of the items of electrical equipment of the device or ride, including cabling, plugs, sockets, light fittings, enclosures and motors.
 - (3) If after inspecting and testing the electrical equipment under subsection (1)(a) a competent person decides the equipment is safe to use, the employer or self-employed person must ensure the competent person immediately makes a written record of—
 - (a) details of the test; and
 - (b) the prescribed details.
 - (4) If after inspecting and testing the electrical equipment under subsection (1)(a) a competent person decides the equipment is not safe to use, the employer or self-employed person must ensure—
 - (a) the competent person immediately—
 - (i) attaches a durable, conspicuous sign to the equipment that warns people not to use the equipment; and
 - (ii) makes a written record of details of the test; and
 - (b) the equipment is immediately withdrawn from use.
 - (5) An employer or self-employed person must ensure that a written record is not made, with the authority of the employer or self-employed person, of the day by which the equipment

[s 94E]

must be reinspected and retested unless the equipment has been inspected and tested by a competent person.

94E Safety switches, including portable safety switches

- (1) An employer or self-employed person must not use, or allow to be used, a safety switch unless it complies with AS/NZS 3760 when tested.
- (2) An employer or self-employed person must ensure that each safety switch, other than a portable safety switch, the employer or self-employed person has at the workplace—
 - (a) is tested by a competent person in accordance with AS/NZS 3760 immediately after it is connected; and
 - (b) is tested in accordance with, and at the intervals stated in, AS/NZS 3760.
- (3) An employer or self-employed person must ensure that each portable safety switch the employer or self-employed person has at the workplace—
 - (a) is tested by pushing the test button on the safety switch immediately after it is connected; and
 - (b) is tested in accordance with, and at the intervals stated in, AS/NZS 3760.
- (4) If a safety switch is not working properly, the employer or self-employed person must ensure—
 - (a) a durable tag is immediately attached to the safety switch that warns people not to use the safety switch; and
 - (b) the safety switch is immediately withdrawn from use.

Subdivision 7 Rural industry work

94F Application of sdiv 7

This subdivision applies to the performance of rural industry work at a workplace.

94G Requirements for rural industry work

- (1) An employer or self-employed person must ensure that—
 - (a) specified electrical equipment used by the employer or self-employed person is visually inspected for electrical safety defects before it is connected to a socket-outlet; and
 - (b) if rural industry work is proposed to be performed, the proposed work is assessed to decide whether it involves a stated electrical risk factor; and
 - (c) if the proposed work involves a stated electrical risk factor, control measures are implemented to prevent the electrical risk from the stated electrical risk factor; and
 - (d) if specified electrical equipment is used by the employer or self-employed person that involves a stated electrical risk factor, the specified electrical equipment is—
 - (i) connected to a type 1 safety switch or type 2 safety switch; or
 - (ii) inspected and tested at least annually by a competent person and complies with AS/NZS 3760 when tested; and
 - (e) control measures are implemented for the risk of electric shock or burns from electrical welding work performed in the employer or self-employed person's business or undertaking, including the wearing of protective clothing, gloves and footwear.
- (2) If after inspecting and testing the electrical equipment under subsection (1)(d)(ii) a competent person decides the equipment is safe to use, the employer or self-employed

[s 94G]

person must ensure the competent person immediately attaches a durable tag to the equipment that shows the prescribed details.

- (3) If after inspecting and testing the electrical equipment under subsection (1)(d)(ii) a competent person decides the equipment is not safe to use, the employer or self-employed person must ensure—
 - (a) the competent person immediately attaches a durable tag to the equipment that warns people not to use the equipment; and
 - (b) the equipment is immediately withdrawn from use.
- (4) An employer or self-employed person must ensure that, for the purposes of the business or undertaking, a tag is not attached to specified electrical equipment under subsection (2) unless—
 - (a) the equipment is new; or
 - (b) both of the following apply—
 - (i) the equipment has been inspected and tested by a competent person;
 - (ii) the tag was attached by the competent person.
- (5) In this section—

personally supported electrical equipment includes hand held, or carried, electrical equipment, for example, a back pack type vacuum cleaner.

stated electrical risk factor means any of the following—

- (a) use of plug-in electrical equipment in an unroofed area or wet area, for example, a hose down area;
- (b) use of personally supported electrical equipment if the electrical supply cord is subject to flexing while the equipment is being used;

- (c) use of plug-in electrical equipment that is exposed to environmental factors that subject the equipment to abnormal wear or deterioration.

Example of environmental factors that subject equipment to abnormal wear or deterioration—

- corrosive or other damaging dusts, for example, metal dust
- corrosive chemicals in the air

Part 6 In-scope electrical equipment

Division 1 Preliminary

95 This part applies for pt 2A of the Act

This part applies for the purposes of part 2A of the Act.

96 Definitions for pt 6

In this part—

certificate of conformity means a certificate—

- (a) stating that a type of level 3 in-scope electrical equipment complies with the relevant standard for that type; and
- (b) issued—
- under division 7 or under a recognised external certification scheme; or
 - under a corresponding law or a scheme provided for under that law.

date of registration, in relation to—

- (a) the registration of a responsible supplier; or

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- (b) the registration of equipment as a type of level 2 or 3 in-scope electrical equipment;

means the date shown in the national register as the date of registration of the responsible supplier or type.

defining standard means AS/NZS 4417 (Marking of electrical products to indicate compliance with regulations).

false declaration includes an incorrect or misleading declaration.

false information includes incorrect or misleading information.

family, of a type of level 1, 2 or 3 in-scope electrical equipment, means items of the type that—

- (a) have the same basic electrical characteristics and material composition but may differ in dimension, colour or other aspects; and
- (b) are, having regard to the relevant standard for the type, able to be covered by a single test report.

level 1 in-scope electrical equipment see section 97B(1).

level 2 in-scope electrical equipment see section 97B(2).

level 3 in-scope electrical equipment see section 97B(3).

meets, in relation to a relevant standard, means complies with the safety requirements, electrical or otherwise, of the standard.

RCM means the regulatory compliance mark under the defining standard.

registered see section 97.

registered responsible supplier means a responsible supplier of in-scope electrical equipment who is registered.

relevant person means—

- (a) an individual who resides in Queensland; or
- (b) a corporation whose—

-
- (i) registered office under the Corporations Law is in Queensland; or
 - (ii) principal place of business is in Queensland.

relevant responsible supplier means—

- (a) if the responsible supplier is an individual—an individual who resides in Queensland; or
- (b) if the responsible supplier is a corporation—a corporation whose—
 - (i) registered office under the Corporations Law is in Queensland; or
 - (ii) principal place of business is in Queensland.

relevant standard—

- (a) for a type of level 1 in-scope electrical equipment, see section 97C; or
- (b) for a type of level 2 or 3 in-scope electrical equipment, see section 97D.

second-hand, in relation to an item of a type of in-scope electrical equipment means an item of the type that has previously been sold, other than by wholesale.

test report means a document that presents test results and other information relevant to the test.

97 Registration for particular purposes

- (1) A responsible supplier is **registered** if the supplier is recorded in the part of the national register that records registered responsible suppliers.
- (2) Electrical equipment is **registered** as a type of level 2 or 3 in-scope electrical equipment if the equipment is recorded, in relation to a registered responsible supplier, as equipment of that type in the part of the national register that records registered in-scope electrical equipment of that type.

[s 97A]

Note—

Level 1 in-scope electrical equipment is not required to be registered under this part.

- (3) In-scope electrical equipment of a particular type is registered in relation to a particular registered responsible supplier if it is registered as mentioned in subsection (2) in relation to the responsible supplier.

97A Component is not a separate item

- (1) This section applies if an item of a type of in-scope electrical equipment includes 2 or more components of types of in-scope electrical equipment that are permanently attached to the item.
- (2) The components are not separate items of types of in-scope electrical equipment.

Example—

A type of in-scope electrical equipment, being a refrigerator, includes a number of components each of which, taken separately, is itself an item of a type of in-scope electrical equipment. If a refrigerator of the type is sold, the item sold is the refrigerator. There is not a separate sale of each of the components.

97B Meanings of levels 1, 2 and 3 in-scope electrical equipment

- (1) Electrical equipment is level 1 in-scope electrical equipment if it is a type of in-scope electrical equipment that is not classified under the defining standard as level 2 or level 3.
- (2) Electrical equipment is level 2 in-scope electrical equipment if it is a type of in-scope electrical equipment classified as level 2 under the defining standard.
- (3) Electrical equipment is level 3 in-scope electrical equipment if it is a type of in-scope electrical equipment classified as level 3 under the defining standard.

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- (4) Also, if a type of in-scope electrical equipment is level 1, 2 or 3 in-scope electrical equipment, each item of the family of the type is also level 1, 2 or 3 in-scope electrical equipment.

97C Meaning of relevant standard for level 1 in-scope electrical equipment

- (1) The *relevant standard* for a type of level 1 in-scope electrical equipment is—
- (a) if there is a Standards Australia or joint Standards Australia and Standards New Zealand standard that applies specifically to the type—that standard together with AS/NZS3820 (Essential safety requirements for electrical equipment); or
 - (b) if there is not a Standards Australia or joint Standards Australia and Standards New Zealand standard that applies specifically to the type and there is an IEC standard that applies specifically to the type—the IEC standard together with AS/NZS3820; or
 - (c) if neither paragraph (a) nor (b) applies—AS/NZS3820.
- (2) In this section—
- IEC standard* means an International Electrotechnical Commission standard.

97D Meaning of relevant standard for level 2 or 3 in-scope electrical equipment

- (1) A standard is a *relevant standard* for a type of level 2 or 3 in-scope electrical equipment if it is a standard—
- (a) shown in the defining standard as the relevant standard for the type, and the standard can be readily applied to the type; or
 - (b) accepted by the chief executive as a standard that can be readily applied to the type; or
 - (c) accepted under a corresponding law as a standard that can be readily applied to the type.

[s 98]

- (2) The acceptance of a standard under subsection (1)(b) or (c) has effect subject to compliance with any requirements stated—
 - (a) for subsection (1)(b)—by the chief executive as part of the chief executive’s acceptance of the standard; or
 - (b) for subsection (1)(c)—as part of the acceptance of the standard under the corresponding law.

Division 2 Registration of responsible suppliers and levels 2 and 3 in-scope electrical equipment

Subdivision 1 Registration of responsible suppliers

98 Responsible supplier may register

- (1) A responsible supplier of in-scope electrical equipment may register as a responsible supplier.
- (2) However, the responsible supplier is not eligible to register—
 - (a) unless the responsible supplier has an ABN or an IRD; or
 - (b) if the responsible supplier is ineligible to register under section 103G(2).
- (3) As part of the registration process, the responsible supplier must—
 - (a) make the responsible supplier’s declaration as required by the equipment safety rules; and
 - (b) pay the registration fee.
- (4) The declaration required by the equipment safety rules must include the information mentioned in schedule 3, part 1.

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- (5) A relevant person must not, in registering or purporting to register as a responsible supplier, give false information or make a false declaration.

Maximum penalty—40 penalty units.

- (6) In this section—

ABN (short for ‘Australian Business Number’) has the meaning given by the *A New Tax System (Australian Business Number) Act 1999* (Cwlth), section 41.

IRD means a tax file number within the meaning of the *Income Tax Act 2007* (New Zealand), section YA1.

99 Term of registration

Registration of a responsible supplier is for the term of 1 year starting on the date of registration unless sooner cancelled.

100 Renewal of registration

A responsible supplier may renew the supplier’s registration from time to time by again registering under section 98.

100A Responsible supplier must ensure details in national register are current

- (1) This section applies if the details of any matter entered by a relevant responsible supplier in the national register relating to the registration of any matter change during the term of registration.
- (2) Within 30 days the relevant responsible supplier must correct the details in the national register.

Maximum penalty—40 penalty units.

Subdivision 2 Registration of level 2 in-scope electrical equipment

101 Registration

- (1) A registered responsible supplier of a type of level 2 in-scope electrical equipment may register the type as level 2 in-scope electrical equipment.
- (2) However, the registered responsible supplier is not eligible to carry out the registration if the responsible supplier is ineligible to do so under section 103G(3).
- (3) Each registration must relate only to a single type of level 2 in-scope electrical equipment.
- (4) As part of the registration process the registered responsible supplier must—
 - (a) make the responsible supplier's level 2 in-scope electrical equipment declaration under the equipment safety rules; and
 - (b) if the compliance folder required to be kept in relation to the type of level 2 in-scope electrical equipment under section 108 is not available in the national register, state the address where it is kept; and
 - (c) pay the registration fee.
- (5) The declaration under the equipment safety rules must include the information mentioned in schedule 3, part 2.
- (6) A relevant person must not, in registering or purporting to register a type of level 2 in-scope electrical equipment, give false information or make a false declaration.

Maximum penalty for subsection (6)—40 penalty units.

102 Term of registration

- (1) Registration of a type of level 2 in-scope electrical equipment is for the term of 1, 2 or 5 years starting on the date of registration.

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- (2) Subsection (1) is subject to the registration being earlier cancelled.
 - (3) Subsection (4) applies if the responsible supplier's registration lapses for a period during the term of the electrical equipment's registration.
 - (4) The electrical equipment's registration is suspended during that period.

103 Renewal of registration

A registered responsible supplier may renew the registration of a type of level 2 in-scope electrical equipment from time to time by again registering it under section 101.

Subdivision 3 Registration of level 3 in-scope electrical equipment

103A Registration

- (1) A registered responsible supplier of a type of level 3 in-scope electrical equipment may register the type as level 3 in-scope electrical equipment.
- (2) However, the registered responsible supplier is not eligible to carry out the registration if the responsible supplier is ineligible to do so under section 103G(3).
- (3) Each registration must relate only to a single type of level 3 in-scope electrical equipment.
- (4) As part of the registration process the registered responsible supplier must—
 - (a) identify a certificate of conformity applicable to the type of level 3 in-scope electrical equipment; and
 - (b) make the responsible supplier's level 3 in-scope electrical equipment declaration under the equipment safety rules; and
 - (c) pay the registration fee.

[s 103B]

- (5) The declaration under the equipment safety rules must include the information mentioned in schedule 3, part 3.
- (6) A relevant person must not, in registering or purporting to register a type of level 3 in-scope electrical equipment, give false information or make a false declaration.

Maximum penalty for subsection (6)—40 penalty units.

103B Term of registration

- (1) Registration of a type of level 3 in-scope electrical equipment is for the term of 1, 2 or 5 years starting on the date of registration.
- (2) However, the term of registration must not be longer than the term for which the certificate of conformity applying to the type and identified under section 103A(4)(a) is current at the time of registration.
- (3) Subsection (1) is subject to the registration being earlier cancelled.
- (4) Also, if the certificate of conformity is cancelled the term of registration ends.
- (5) Subsection (6) applies if the responsible supplier's registration lapses for a period during the term of the electrical equipment's registration.
- (6) The electrical equipment's registration is suspended during that period.

103C Renewal of registration

A registered responsible supplier may renew the registration of a type of level 3 in-scope electrical equipment from time to time by again registering it under section 103A.

Subdivision 4 Relevant persons not to be twice punished for same acts or omissions

103D Relevant person may be punished only once

- (1) This section applies if—
 - (a) an act or omission of a relevant person is an offence against section 98(5), 100A(2), 101(6) or 103A(6) and also under a corresponding law; and
 - (b) the relevant person is punished for the offence under the corresponding law.
- (2) The relevant person must not be punished for the same offence under this regulation.

Subdivision 5 Cancellation of registration

103E Grounds for cancelling registration of responsible supplier or level 2 or 3 in-scope electrical equipment

- (1) The following are grounds for cancelling a responsible supplier's registration—
 - (a) the responsible supplier commits an offence against the Act or this regulation;
 - (b) the responsible supplier contravenes a requirement of a recall order;
 - (c) the responsible supplier is a relevant responsible supplier and the registration was obtained by giving false information or making a false declaration;
 - (d) the registration of a type of level 2 or 3 in-scope electrical equipment registered in relation to the responsible supplier is cancelled under section 103G.

[s 103F]

- (2) The following are grounds for cancelling the registration in relation to a registered responsible supplier of a type of level 2 or 3 in-scope electrical equipment—
- (a) the responsible supplier commits an offence against the Act or this regulation in relation to the type;
 - (b) the responsible supplier contravenes a requirement of a recall order relating to the type;
 - (c) the responsible supplier is a relevant responsible supplier and—
 - (i) electrical equipment of the type does not meet the relevant standard that was the relevant standard for the type at the time the type was registered; or
 - (ii) the relevant standard for the type changed after the type was registered because of safety concerns relating to the type and the type does not meet the current relevant standard for the type; or
 - (iii) an item of electrical equipment of the type is, or is likely to be or to become, dangerous in normal use; or
 - (iv) the registration was obtained by giving false information or making a false declaration.

103F Procedure before cancellation

- (1) This section applies if the chief executive considers a ground exists under section 103E to cancel the registration of a matter.
- (2) The chief executive must, before taking the action, give the responsible supplier written notice—
- (a) stating that the chief executive is considering cancelling the registration; and
 - (b) stating each ground for the proposed cancellation; and
 - (c) outlining the facts and circumstances forming the basis for each ground; and

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- (d) inviting the responsible supplier to show, within a stated time of at least 28 days, why the registration should not be cancelled.

103G Cancellation

- (1) If, after considering all written representations, if any, made by the responsible supplier within the stated time, the chief executive still considers a ground exists to cancel the registration, the chief executive may cancel the registration.
- (2) If a responsible supplier's registration is cancelled under this section, the responsible supplier is not eligible to again register for the period of 12 months starting on the date of cancellation.
- (3) If the registration of a type of level 2 or 3 in-scope electrical equipment registered in relation to a registered responsible supplier is cancelled under this section, the responsible supplier is not eligible to again register the type for the period of 12 months starting on the date of cancellation.
- (4) If the chief executive cancels a registration under this section, the chief executive must—
 - (a) notify the cancellation—
 - (i) by publishing notice of the cancellation in a newspaper circulating throughout Australia and, if New Zealand is a participating jurisdiction, in a newspaper circulating throughout New Zealand; and
 - (ii) by recording notice of the cancellation in the national register; and
 - (b) give the responsible supplier an information notice for the decision to cancel the registration.
- (5) The information notice must state the period for which the responsible supplier is not eligible to again—
 - (a) register; or

[s 103H]

- (b) register the type of level 2 or 3 in-scope electrical equipment.

103H Cancellation at responsible supplier's request

The chief executive must, by notice recorded in the national register, cancel the registration of a responsible supplier or the registration in relation to a responsible supplier of a type of level 2 or 3 in-scope electrical equipment if asked to do so by the responsible supplier.

Division 3 Sales of in-scope electrical equipment

104 Sale of level 1 in-scope electrical equipment by responsible supplier

- (1) A responsible supplier of a type of level 1 in-scope electrical equipment must not sell an item of the type unless—
 - (a) the responsible supplier is a registered responsible supplier; and
 - (b) the item meets the relevant standard for the type as in force—
 - (i) if the responsible supplier is a manufacturer of the type—at the time the item was manufactured by the responsible supplier; or
 - (ii) if the responsible supplier is an importer of the type—at the time the item was imported by the responsible supplier; and
 - (c) the item is electrically safe.

Maximum penalty—40 penalty units.

- (2) It is a defence for the responsible supplier to prove that the responsible supplier obtained the item from a registered responsible supplier.

Example for subsection (2)—

This example assumes New Zealand is a participating jurisdiction.

A New Zealand responsible supplier (company A) is a registered responsible supplier. Company A imports level 1 in-scope electrical equipment into New Zealand from the United Kingdom. Company B is an Australian company that purchases the level 1 in-scope electrical equipment from company A and imports it into Australia. Company B, although a responsible supplier, is not a registered responsible supplier.

If company B were charged with an offence against subsection (1) in relation to its sale of an item of the equipment, it would be a defence for company B to prove that it obtained the item from company A who is a registered responsible supplier.

105 Sale of level 2 or 3 in-scope electrical equipment by responsible supplier

- (1) A responsible supplier of a type of level 2 or 3 in-scope electrical equipment must not sell an item of the type unless—
- (a) the responsible supplier is a registered responsible supplier; and
 - (b) the type is registered in relation to the responsible supplier; and
 - (c) the item meets the relevant standard for the type as at the time the type became registered as mentioned in paragraph (b); and
 - (d) the item is electrically safe.

Maximum penalty—40 penalty units.

- (2) It is a defence for the responsible supplier to prove—
- (a) that—
 - (i) the responsible supplier obtained the item from a registered responsible supplier; and
 - (ii) the type of in-scope electrical equipment to which the item belongs was, at the time of the alleged offence, registered in relation to the registered responsible supplier; or
 - (b) that, at the time of the alleged offence—

[s 106]

- (i) the responsible supplier was, under the Corporations Act, a related body corporate of a New Zealand registered responsible supplier; and
 - (ii) the type of in-scope electrical equipment to which the item belongs was registered in relation to the New Zealand registered responsible supplier.
- (3) In this section—

New Zealand registered responsible supplier means a registered responsible supplier that is, under the *Companies Act 1993* (New Zealand)—

- (a) a company; or
- (b) an overseas company carrying on business in New Zealand.

Example for subsection (2)(a)—

This example assumes New Zealand is a participating jurisdiction.

A New Zealand responsible supplier (company A) is a registered responsible supplier and a type of level 2 in-scope electrical equipment is registered in the national register in relation to company A. Company A imports level 2 in-scope electrical equipment of that type into New Zealand from the United Kingdom. Company B is an Australian company that purchases the level 2 in-scope electrical equipment from company A and imports it into Australia. Company B, although a responsible supplier, is not a registered responsible supplier.

If company B were charged with an offence against subsection (1) in relation to its sale of an item of the equipment, it would be a defence for company B to prove that it obtained the item from company A who is a registered responsible supplier and that the type of in-scope electrical equipment to which the item belonged was, at the time of the alleged offence, registered in the national register in relation to company A.

106 Sale of in-scope electrical equipment—general

- (1) A person must not sell an item of a type of level 1, 2 or 3 in-scope electrical equipment unless the item is marked with the RCM in compliance with the defining standard.

Maximum penalty—20 penalty units.

- (2) A person must not sell an item of a relevant type if—

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- (a) the item was purchased by the person for the purpose of resale; and
 - (b) when the person purchased the item, the relevant type was not registered in relation to a registered responsible supplier.

Maximum penalty—20 penalty units.

- (3) Subsection (4) applies in relation to a prosecution of an offence against subsection (2) in which the issue is raised that the person had an honest and reasonable but mistaken belief that the type was registered in relation to a registered responsible supplier based on reasonable monitoring by the person of the national register.
- (4) In deciding whether the monitoring of the national register was reasonable, regard may be had to the nature of the item and the nature of the person's business in relation to the item.
- (5) For subsection (1) it is sufficient if the mark is on the item's labelling or packaging in compliance with the defining standard.
- (6) Subsection (1) or (2) does not apply if—
 - (a) the person is a responsible supplier of the type of in-scope electrical equipment; or
 - (b) the item is a second-hand item.
- (7) In this section—

relevant type means a type of level 2 or 3 in-scope electrical equipment that, after the commencement of subsection (2), is manufactured in, or imported into, Australia or, if New Zealand is a participating jurisdiction, New Zealand.

106A Sale of plug etc. with level 1 or 2 in-scope electrical equipment

- (1) This section applies if—
 - (a) a relevant item of a type of level 3 in-scope electrical equipment is sold for use with an item of a type of level 1 or 2 in-scope electrical equipment; and

[s 107]

- (b) at the time of sale, there is a current certificate of conformity that applies to the relevant item recorded in the national register.
- (2) For the purpose of the sale, the type of level 3 in-scope electrical equipment is not required to be registered.
- (3) Subsection (2) applies despite any other provision of this part.
- (4) In this section—

relevant item means a plug, flexible supply cord or appliance connector, as defined in the defining standard.

Division 4 Evidence of compliance with relevant standards

Subdivision 1 Level 1 in-scope electrical equipment

107 Responsible supplier to keep evidence

- (1) This section applies to a responsible supplier of a type of level 1 in-scope electrical equipment who sells an item of the type.
- (2) The responsible supplier must, for the prescribed period, keep documentary evidence, in English, proving that items of the type meet the relevant standard for the type as in force—
 - (a) if the responsible supplier is a manufacturer of the type—at the time the item was manufactured by the responsible supplier; or
 - (b) if the responsible supplier is an importer of the type—at the time the item was imported by the responsible supplier.

Maximum penalty—40 penalty units.

Note—

It is the responsibility of the responsible supplier to ascertain the relevant standard applying to the type under section 97C.

- (3) It is a defence for the responsible supplier to prove that the responsible supplier obtained the item from a registered responsible supplier.

Example for subsection (3)—

This example assumes New Zealand is a participating jurisdiction.

A New Zealand responsible supplier (company A) is a registered responsible supplier. Company A imports level 1 in-scope electrical equipment into New Zealand from the United Kingdom. Company B is an Australian company that purchases the level 1 in-scope electrical equipment from company A and imports it into Australia. Company B, although a responsible supplier, is not a registered responsible supplier. Also, company B does not keep the evidence mentioned in subsection (2) in relation to items of the type.

If company B were charged with an offence against subsection (1) in relation to its sale of an item of the equipment, it would be a defence for company B to prove that it obtained the item from company A who is a registered responsible supplier.

- (4) In this section—

keep, documentary evidence, means hold the evidence or be able to access it within 10 business days.

prescribed period means 5 years starting on the day the type is last manufactured or imported by the responsible supplier.

Subdivision 2 Level 2 in-scope electrical equipment

108 Registered responsible supplier must keep compliance folder

- (1) This section applies to a registered responsible supplier who sells items of a type of level 2 in-scope electrical equipment registered in relation to the responsible supplier.
- (2) The registered responsible supplier must, for the prescribed period, keep a compliance folder proving that the type meets the relevant standard as in force when the type was registered.

Maximum penalty—40 penalty units.

[s 109]

- (3) A compliance folder is a document recording evidence in English, that must include test reports completed by an approved testing entity or a suitably qualified person, confirming that the type meets the relevant standard mentioned in subsection (2).
- (4) A compliance folder may be kept in electronic form.
- (5) In this section—
 - keep*, a compliance folder, means—
 - (a) have the folder available in the national register; or
 - (b) hold the folder or be able to access it within 10 business days.

prescribed period means the term of the registration of the type of level 2 in-scope electrical equipment plus 5 years.

suitably qualified person means an individual who has—

- (a) a degree qualification in electrical engineering and at least 2 years experience in the use of electrical equipment safety standards for regulatory purposes; or
- (b) an advanced diploma or equivalent qualification in an electrical discipline and at least 3 years experience in the use of electrical equipment safety standards for regulatory purposes; or
- (c) a trade qualification in an electrical discipline and at least 4 years experience in the use of electrical equipment safety standards for regulatory purposes.

Subdivision 3 Level 3 in-scope electrical equipment

109 Registered responsible supplier must keep certificate of conformity

- (1) This section applies to a registered responsible supplier who sells a type of level 3 in-scope electrical equipment that is registered in relation to the responsible supplier.

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- (2) The responsible supplier must keep a current certificate of conformity for the type.

Maximum penalty—40 penalty units.

- (3) In this section—

keep, a current certificate of conformity, means hold the certificate or be able to access it within 10 business days.

Division 5 Effect of reclassification of in-scope electrical equipment

110 Effect of reclassification

- (1) This section applies if—

- (a) a type of level 1 or 2 in-scope electrical equipment is reclassified to a higher level; and
- (b) immediately before the reclassification happens, a responsible supplier of that type was selling items of the type.

- (2) For the period of 12 months starting on the day the reclassification has effect, divisions 3 and 4 apply to the sale by the responsible supplier of items of that type as if the reclassification had not happened.

- (3) In this section—

reclassified to a higher level—

- (a) in relation a type of level 1 in-scope electrical equipment, means that type is classified by the defining standard as level 2 or 3; or
- (b) in relation to a type of level 2 in-scope electrical equipment, means that type is reclassified by the defining standard from level 2 to level 3.

[s 111]

Division 6 Marking of in-scope electrical equipment

111 Responsible supplier must not sell unmarked item of in-scope electrical equipment

- (1) A responsible supplier of a type of level 1, 2 or 3 in-scope electrical equipment must not sell an item of the type unless the item is marked with the RCM in compliance with the defining standard.

Maximum penalty—40 penalty units.

- (2) For subsection (1) it is sufficient if the mark is on the item's labelling or packaging in compliance with the defining standard.

112 Person must not mark in-scope electrical equipment that does not meet relevant standard

- (1) A person must not mark an item of a type of level 1, 2 or 3 in-scope electrical equipment with the RCM unless the item meets the relevant standard for the type.

Maximum penalty—40 penalty units.

- (2) In this section—

mark, an item of a type of level 1, 2 or 3 in-scope electrical equipment, includes mark the item's labelling or packaging.

113 Mark for use in exceptional circumstances

- (1) The chief executive may approve a mark other than the RCM for use in exceptional circumstances.
- (2) A person does not commit an offence under section 106(1) or 111 in relation to the sale of an item of a type of in-scope electrical equipment if the item is marked as required by the approval given under subsection (1).

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- (3) Also, a person does not commit an offence under section 106(1) or 111 in relation to the sale of an item of a type of in-scope electrical equipment if—
- (a) the item is marked with a mark, other than the RCM, approved under a corresponding law for use in exceptional circumstances; and
 - (b) the item is marked as required by that approval.

Division 7 Certificates of conformity issued by chief executive

Subdivision 1 Applications and terms

114 Application for certificate of conformity

- (1) A person may apply to the chief executive for a certificate of conformity for a type of level 3 in-scope electrical equipment.
- (2) The application must be—
 - (a) in the approved form; and
 - (b) accompanied by—
 - (i) a test report from an approved testing entity; and
 - (ii) an item of the type or colour images showing the internal and external construction of an item of the type; and
 - (iii) technical documentation which adequately describes the type; and
 - (c) accompanied by the fee for the application.
- (3) The chief executive may require the applicant to provide—
 - (a) an item of the type if colour images provided are not adequate; or
 - (b) additional information about the type.

[s 115]

- (4) The chief executive may exempt the applicant from the requirement to provide any of the items referred to in subsection (2)(b) if—
- (a) the chief executive has previously issued a certificate of conformity to another person in relation to the type; or
 - (b) in the circumstances the chief executive is of the reasonable opinion that it is not necessary for any of those items to be provided.

115 Chief executive may issue certificate of conformity

- (1) If the chief executive approves the application, the chief executive may issue a certificate of conformity for the type of level 3 in-scope electrical equipment.
- (2) If the chief executive refuses to approve the application, the chief executive must give the applicant an information notice for the decision to refuse.

116 Term of certificate

Unless it is cancelled earlier, a certificate of conformity issued under this division remains in force for the period stated in the certificate, which must not be more than 5 years.

Subdivision 2 Modifications, renewals and transfers

116A Modification of certificate of conformity—change of name or model

- (1) This section applies if the holder of a certificate of conformity for a type of level 3 in-scope electrical equipment issued under this division proposes to vary the brand name or model designation that is specified on the certificate in relation to the type.

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- (2) The holder may apply to the chief executive for modification of the certificate.
 - (3) The application must be—
 - (a) in the approved form; and
 - (b) accompanied by the fee for the application.
 - (4) The chief executive may require the applicant to provide—
 - (a) an item of the type or colour images showing the internal and external construction of an item of the type; or
 - (b) documentation that adequately describes the proposed variation.
 - (5) The chief executive may modify a certificate of conformity and issue a modified certificate if satisfied that the variation does not affect the compliance of the type with the relevant standard to which the type was tested.
 - (6) If the chief executive refuses to modify the certificate, the chief executive must give the applicant an information notice for the decision to refuse.

116B Modification of certificate of conformity—other than a change of name or model

- (1) This section applies if the holder of a certificate of conformity for a type of level 3 in-scope electrical equipment issued under this division proposes to make any modification to the equipment (other than a modification described in section 116A) that would not result in the creation of a new type of equipment.
- (2) The holder may apply to the chief executive for the modification of the certificate.
- (3) The application must be—
 - (a) in the approved form; and
 - (b) accompanied by—

[s 116B]

- (i) a test report relating to the modified in-scope electrical equipment from an approved testing entity; and
 - (ii) an item of the type or colour images showing the internal and external construction of an item of the type; and
 - (iii) technical documentation which adequately describes the modified in-scope electrical equipment; and
 - (c) accompanied by the fee for the application.
- (4) The chief executive may require the applicant to provide—
- (a) an item of the type if colour images provided are not adequate; or
 - (b) additional information about the modified electrical equipment.
- (5) The chief executive may exempt the applicant from the requirement to provide a test report under subsection (3)(b)(i) if the chief executive is satisfied that the modification will not affect the safety of the type.
- (6) The chief executive may waive or rebate the payment of the fee for the modification of the certificate if the chief executive, under subsection (5), exempts the applicant from the requirement to provide a test report.
- (7) The chief executive may modify a certificate of conformity and issue a modified certificate if satisfied that the modification to the type would not result in the creation of a new type of in-scope electrical equipment.
- (8) If the chief executive refuses to modify the certificate, the chief executive must give the applicant an information notice for the decision to refuse.

116C Renewal of certificate of conformity

- (1) A person who holds a certificate of conformity issued under this division may apply to the chief executive for renewal of the certificate and the issue of a new certificate.
- (2) The application must be—
 - (a) in the approved form; and
 - (b) accompanied by a declaration by the applicant or a person authorised by the applicant stating whether or not—
 - (i) the type of level 3 in-scope electrical equipment to which the current certificate relates has been modified since the certificate was issued or modified; and
 - (ii) the relevant standard to which the type was tested has changed since the current certificate was issued or modified; and
 - (c) accompanied by the fee for the application.
- (3) The chief executive may renew the certificate and issue a new certificate of conformity if satisfied that—
 - (a) the type of level 3 in-scope electrical equipment has not been modified; and
 - (b) the relevant standard to which that type was tested has not changed since the current certificate was issued or the certificate relating to that type was modified.
- (4) If the chief executive refuses to renew the certificate, the chief executive must give the applicant an information notice for the decision to refuse.

116D Transfer of certificate

- (1) The holder of a certificate of conformity issued under this division who proposes to transfer the certificate to another person may apply to the chief executive to have the certificate amended to refer to the name of the person to whom the certificate is to be transferred (the *transferee*).

[s 116E]

- (2) The application must be—
 - (a) in the approved form; and
 - (b) accompanied by—
 - (i) the certificate to be transferred; and
 - (ii) a statement, signed by the transferee, that the transferee consents to the transfer; and
 - (iii) the fee for the application.
- (3) The chief executive may issue a certificate of conformity to the transferee as mentioned in subsection (1) if the requirements of subsection (2) are complied with.
- (4) If the chief executive refuses to grant the application, the chief executive must give the applicant an information notice for the decision to refuse.

Subdivision 3 Cancellation

116E Grounds for cancelling certificate of conformity

The following are grounds for cancelling a certificate of conformity for a type of level 3 in-scope electrical equipment issued under this division—

- (a) an item of the type does not meet the relevant standard for the type;
- (b) an item of the type is, or is likely to be or to become, dangerous in normal use;
- (c) the certificate was obtained by misleading information;
- (d) an item of the type, or purportedly of the type, is found, on examination by the chief executive, to be substantially different from the type as described in—
 - (i) the certificate; or
 - (ii) a test report forming the basis for the issuing of the certificate;

- (e) the holder of the certificate contravenes the Act or this regulation.

116F Procedure before cancellation

- (1) If the chief executive considers a ground exists to cancel the certificate of conformity for a type of level 3 in-scope electrical equipment under section 116E, the chief executive must, before taking the action, give the holder of the certificate written notice—
 - (a) stating that the chief executive is considering cancelling the certificate; and
 - (b) stating each ground for the proposed cancellation; and
 - (c) outlining the facts and circumstances forming the basis for each ground; and
 - (d) inviting the holder to show, within a stated time of at least 28 days, why the certificate should not be cancelled.
- (2) If, after considering all written representations made by the holder of the certificate within the stated time, the chief executive still considers a ground exists to cancel the certificate, the chief executive may cancel the certificate.
- (3) If the chief executive cancels the certificate, the chief executive must—
 - (a) give the holder of the certificate an information notice for the decision to cancel; and
 - (b) notify the cancellation by gazette notice stating the day of cancellation.

116G Cancellation at certificate holder's request

The chief executive must cancel a certificate of conformity for a type of level 3 in-scope electrical equipment issued under this division if the holder of the certificate asks for the cancellation.

[s 116H]

116H Certificate of conformity holder to return certificate if cancelled

Within 14 days of receiving notice of cancellation of a certificate of conformity, the holder of the certificate must give the chief executive the certificate of conformity unless the holder has a reasonable excuse.

Maximum penalty—10 penalty units.

Subdivision 4 Information to be recorded in the national register

116I Information to be recorded in national register

- (1) The chief executive must ensure that, for each certificate of conformity issued under this division, or for each modification, renewal or transfer of a certificate of conformity under this division, the information required by the equipment safety rules is recorded in the national register.
- (2) The chief executive must also ensure particulars of the cancellation of a certificate of conformity under this division are recorded in the national register.

Division 8 Recognised external certification schemes—Act, section 48J

Subdivision 1 Preliminary

117 Definitions for div 8

In this division—

declaration holder means the person who conducts a declared scheme under a declaration made by the chief executive under section 48J of the Act.

declared scheme means a scheme declared to be a recognised external certification scheme under section 48J of the Act.

Subdivision 2 Applications and terms

118 Application for chief executive's declaration of scheme

- (1) A person who conducts a scheme for the certification of types of in-scope electrical equipment may apply to the chief executive for the scheme to be declared to be a recognised external certification scheme under section 48J of the Act.
- (2) The application must be—
 - (a) in the approved form; and
 - (b) accompanied by—
 - (i) the fee for the application; and
 - (ii) evidence that the applicant is—
 - (A) accredited by the Joint Accreditation System of Australia and New Zealand as competent to certify that types of in-scope electrical equipment meet relevant standards; or
 - (B) appropriately designated, under a mutual recognition arrangement or a free trade agreement to which Australia is a party, as competent to certify that types of in-scope electrical equipment meet relevant standards; and
 - (iii) the applicant's written agreement that when certifying types of level 3 in-scope electrical equipment the applicant will do so under the equipment safety rules; and
 - (iv) the other documents and information required by the chief executive.

119 Intention to make declaration must be advertised

- (1) This section applies if the chief executive is intending to grant the application.
- (2) Before finally deciding the application, the chief executive must publish a notice indicating the chief executive's intention to declare the scheme to be a recognised external certification scheme.
- (3) The notice must state a period of at least 14 days during which written submissions may be made to the chief executive about the proposed declaration (the *submission period*).
- (4) The notice must be published in—
 - (a) a newspaper circulating generally in the State; or
 - (b) if the types of in-scope electrical equipment concerned would typically be sold only to a particular section of the public—a newspaper or other publication circulating generally to that section of the public; or
 - (c) if the types of in-scope electrical equipment concerned would typically be sold only in a particular part of the State—a newspaper or other publication circulating generally in that part.
- (5) During the submission period, a person may make a written submission to the chief executive about the proposed declaration.
- (6) Before finally deciding the application, the chief executive must consider all submissions received under subsection (5).

119A Decision about application

- (1) The chief executive may decide to grant or refuse to grant the application.

Note—

If the chief executive grants the application, the chief executive may, under section 48J of the Act, declare the scheme to be a recognised external certification scheme.

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- (2) If the chief executive refuses to grant the application, or grants the application and imposes conditions on the declared scheme, the chief executive must give the applicant an information notice for the decision to refuse or to impose conditions.

119B Term of declared scheme

The term of a declared scheme is the period of not more than 5 years stated in the chief executive's declaration of the scheme.

Subdivision 3 Conditions

119C Chief executive may impose conditions on declared scheme

- (1) The chief executive may impose conditions on a declared scheme.
- (2) Without limiting subsection (1), a condition may restrict the types of in-scope electrical equipment that may be certified under the scheme.
- (3) Conditions applying to a declared scheme under this section when the scheme is declared under section 48J of the Act must be stated in the declaration.

119D Condition imposed by regulation

It is a condition of each declared scheme that the declaration holder must—

- (a) pay the annual fee for the declaration by each anniversary of the scheme's declaration; and
- (b) for each certificate of conformity issued by the declaration holder, or for each modification, renewal or transfer of a certificate of conformity approved by the declaration holder, record the information required by the equipment safety rules in the national register within

[s 119E]

3 business days of issuing the certificate or granting the approval; and

- (c) for each certificate of conformity cancelled by the declaration holder, record information about the cancellation in the national register within 3 business days of cancelling the certificate.

119E Amendment of conditions imposed by chief executive

- (1) The chief executive may amend the conditions imposed on a declared scheme by the chief executive by revoking or varying the conditions or imposing new conditions.
- (2) The chief executive may act under subsection (1) on the chief executive's own initiative or at the request of the declaration holder.
- (3) The revocation of conditions, or the amendment of conditions at the request of the declaration holder, has effect when written notice of the amendment is given to the declaration holder.
- (4) If the chief executive refuses to amend the conditions as requested by the declaration holder, the chief executive must give the declaration holder an information notice for the decision to refuse.

119F Acting on chief executive's own initiative—general

- (1) Subject to section 119G, the chief executive must not act, to amend the conditions by varying them or imposing new conditions, on the chief executive's own initiative without first giving the declaration holder a notice—
 - (a) stating details of the proposed amendment; and
 - (b) inviting the declaration holder to make written submissions about the proposal within a stated time of at least 7 days.

- (2) The chief executive must consider all submissions received from the declaration holder under subsection (1)(b).
- (3) If, after considering the submissions, if any, the chief executive is of the opinion that the conditions of the declared scheme should be amended as mentioned in subsection (1)(a), the chief executive may amend the conditions by written notice given to the declaration holder.
- (4) The amendment has effect when the notice is given to the declaration holder.
- (5) If the chief executive amends the conditions, the chief executive must give the declaration holder an information notice for the decision to amend.

119G Acting on chief executive's own initiative—electrical risk

- (1) This section applies if the chief executive considers that a type of level 1, 2 or 3 in-scope electrical equipment certified by a declaration holder is placing, or will place, persons or property at electrical risk.
- (2) The chief executive may amend the conditions applying to the declared scheme, other than the condition imposed under section 119D, by written notice given to the declaration holder.
- (3) The amendment has effect when the notice is given to the declaration holder.
- (4) If the chief executive amends the conditions, the chief executive must give the declaration holder an information notice for the decision to amend.

Subdivision 4 Cancellation

119H Grounds for cancelling declaration

The following are grounds for cancelling the declaration of a declared scheme—

[s 119I]

- (a) the declaration holder contravened a condition of the declared scheme;
- (b) the declaration of the scheme was obtained by giving false information.

119I Procedure before cancellation

- (1) If the chief executive considers a ground exists to cancel the declaration of a declared scheme under section 119H, the chief executive must, before taking the action, give the declaration holder written notice—
 - (a) stating that the chief executive is considering cancelling the declaration; and
 - (b) stating each ground for the proposed cancellation; and
 - (c) outlining the facts and circumstances forming the basis for each ground; and
 - (d) inviting the declaration holder to make written submissions, within a stated time of at least 7 days, as to why the declaration should not be cancelled.
- (2) The chief executive must consider all submissions received from the declaration holder under subsection (1)(d).
- (3) If, after considering the submissions, if any, the chief executive still considers a ground exists to cancel the declaration, the chief executive may cancel the declaration by written notice given to the declaration holder.
- (4) The cancellation takes effect on the day the notice is given to the declaration holder.
- (5) If the chief executive cancels the declaration, the chief executive must give the declaration holder an information notice for the decision to cancel.

119J Cancellation at declaration holder's request

The chief executive must cancel the declaration of a declared scheme if the declaration holder asks for the cancellation.

Subdivision 5 Other provisions

119K Reporting requirements for declaration holder

- (1) The chief executive may, by written notice given to a declaration holder, require the person to provide the chief executive with any of the following—
 - (a) reports or particulars, about the number and nature of certificates given under the declared scheme, as are stated in the notice and at the times stated in the notice;
 - (b) reports, particulars or other information, about the level of compliance with the conditions imposed on the declared scheme under this division, as are stated in the notice and at the times stated in the notice.
- (2) The declaration holder must comply with the notice.

Maximum penalty for subsection (2)—40 penalty units.

119L Declaration holder must comply with equipment safety rules

A declaration holder, in certifying a type of level 3 in-scope electrical equipment under a declared scheme, must comply with the equipment safety rules.

Maximum penalty—40 penalty units.

Division 9 Chief executive may require testing of item of level 1, 2 or 3 in-scope electrical equipment

120 Chief executive may require item of in-scope electrical equipment to be submitted

If the chief executive considers it necessary or appropriate for the maintenance of electrical safety, the chief executive may decide to have an item of a type of level 1, 2 or 3 in-scope

[s 121]

electrical equipment tested and examined to see whether it meets the relevant standard for the type.

121 Procedure for obtaining item of in-scope electrical equipment for testing

- (1) If the chief executive decides to have an item of a type of level 1, 2 or 3 in-scope electrical equipment tested and examined, the chief executive may—
 - (a) for an item of a type of level 2 or 3 in-scope electrical equipment—
 - (i) by written notice, require a registered responsible supplier in relation to whom the type is registered to give the chief executive items of the type for testing and examining within a stated reasonable time; or
 - (ii) require an inspector to select, for testing and examining, items of the type from a place where a registered responsible supplier in relation to whom the type is registered has them stored and give them to the chief executive within a stated reasonable time; or
 - (b) in any case—buy, for testing and examining, items of the type at any place where they are offered for sale.
- (2) If the chief executive makes a requirement under subsection (1)(a)(i), the registered responsible supplier must take all steps that are reasonable in the circumstances to ensure that the requirement is complied with.

Maximum penalty—40 penalty units.

- (3) If the chief executive makes a requirement under subsection (1)(a)(ii), the registered responsible supplier must take all steps that are reasonable in the circumstances to ensure the inspector is able to comply with the requirement.

Maximum penalty for subsection (3)—40 penalty units.

122 Identification of item of in-scope electrical equipment to be tested

Before the chief executive gives an item of a type of level 2 or 3 in-scope electrical equipment to an approved testing entity for testing and examining, the chief executive must—

- (a) give the registered responsible supplier from whom the item was obtained under section 121(1)(a) an opportunity to place an identifying mark on the item; and
- (b) advise the approved testing entity of the mark.

123 Cost of testing and examining and liability for damage

- (1) If an item of a type of level 1, 2 or 3 in-scope electrical equipment is tested and examined under this division and is found to substantially meet the relevant standard for the type, the chief executive must—
 - (a) bear the cost of the testing and examination; and
 - (b) if the item was obtained under section 121(1)(a), compensate the registered responsible supplier for any damage done to the item.
- (2) An amount for which a registered responsible supplier is entitled to be compensated under subsection (1)(b) may be recovered from the chief executive as a debt owing by the State to the person.
- (3) If an item of a type of level 2 or 3 in-scope electrical equipment is tested and examined under this division and is found not to substantially meet the relevant standard for the type, the registered responsible supplier from whom the item was obtained under section 121(1)(a)—
 - (a) must reimburse the chief executive for all costs incurred in obtaining and having the item of electrical equipment tested and examined; and

[s 124]

- (b) is not entitled to compensation for damage necessarily caused to the item to enable it to be properly tested and examined.
- (4) An amount the chief executive is entitled to be reimbursed under subsection (3)(a) may be recovered by the chief executive as a debt owing to the State.

Division 10 Return of in-scope electrical equipment given to chief executive

124 Return of item of level 2 or 3 in-scope electrical equipment provided to chief executive

- (1) This section applies if a person provides the chief executive with—
 - (a) an item of a type of level 3 in-scope electrical equipment under division 7; or
 - (b) an item of a type of level 2 or 3 in-scope electrical equipment for testing and examination because of a requirement made by the chief executive under division 9.
- (2) The chief executive must notify the person the item of in-scope electrical equipment is available for collection by the person at a stated place as soon as practicable after—
 - (a) if the item was provided under division 7—the chief executive decides the application to which the item relates; or
 - (b) if the item was provided for testing and examination—
 - (i) if the chief executive believes, on reasonable grounds, that the item is required as evidence in a prosecution for an offence—the prosecution and any appeal from the prosecution; or
 - (ii) if subparagraph (i) does not apply—the testing and examination.

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- (3) Despite subsection (2)(b)(i), the chief executive must notify the person immediately after the earlier of the following—
 - (a) the chief executive decides the item of in-scope electrical equipment is not required as evidence;
 - (b) a prosecution for an offence involving the item of in-scope electrical equipment is not started within 6 months from when the notice would have been given if subsection (2)(b)(i) had not applied.
 - (4) If, at the end of 6 months after the giving of notice, the item of in-scope electrical equipment has not been collected, the chief executive may dispose of the item as the chief executive considers appropriate and the person is not entitled to claim for the item or any loss or damage to it.
 - (5) Subsection (2) does not apply if the item of in-scope electrical equipment was necessarily destroyed by testing.

Division 11 Second-hand in-scope electrical equipment

125 Limitation on offering second-hand in-scope electrical equipment for sale

- (1) A person (the *seller*) who offers for sale to another person (the *purchaser*) a second-hand item of a type of in-scope electrical equipment must give the purchaser information to the effect that the item has not been tested for electrical safety unless—
 - (a) subsection (2) applies; and
 - (b) the seller complies with the subsection.Maximum penalty—40 penalty units.
- (2) If—
 - (a) the item has been tested by a licensed electrical worker who is qualified to test the item; and
 - (b) has been found to be electrically safe;

[s 125A]

the seller may instead give the information about the test.

- (3) A person is not required to comply with subsection (1) if the purchaser conducts a business or undertaking that includes dealing in, repairing or reconditioning second-hand items of in-scope electrical equipment.

Division 12 Program for certification of level 1 or 2 in-scope electrical equipment

125A Chief executive may establish program for certification

- (1) The chief executive may establish a program for the issuing of certificates relating to the suitability of types of level 1 or 2 in-scope electrical equipment for connection to electricity supply.
- (2) The program may include the charging of fees for the certificates.
- (3) The program can not require a person to take part in the program.

Part 6A Electrical equipment—general

Division 1 Requirement for warning sign for sale of particular electrical equipment

126 Definition for div 1

In this division—

particular electrical equipment means electrical equipment the installation, testing, maintenance, repair, alteration, removal, or replacement of which is electrical work required

under the Act to be performed by a licensed electrical contractor or licensed electrical worker.

Examples—

- fixed-wired electrical equipment, including, for example, air conditioners, stoves, ovens, electric hot water systems, ceiling fans, light fittings
- electrical accessories, including, for example, socket outlets, light switches, electrical cable, wall switches, plugs and cord extension sockets
- electrical parts, including, for example, electrical motors, switches, solenoids, elements

126A Application of div 1

This division applies to a person who conducts a business or undertaking that involves the sale of particular electrical equipment to the public.

126B Requirement to display DIY warning sign

- (1) The person must not sell an item of particular electrical equipment unless a DIY warning sign is displayed for the item.

Maximum penalty—40 penalty units.

- (2) For subsection (1), a DIY warning sign is displayed for an item of particular electrical equipment if the sign is displayed—
- (a) in close proximity to the point of display of the item; or
 - (b) as part of the price tag of the item; or
 - (c) on a label attached to the packaging of the item; or
 - (d) as part of the packaging of the item; or
 - (e) on a label attached to the item.
- (3) In this section—

DIY warning sign means a sign that—

[s 126C]

- (a) contains a symbol in the form of a red circle and a red diagonal line over the letters ‘DIY’ in black letters; and
- (b) for a sign displayed in the way mentioned in subsection (2)(a)—contains the words ‘ALL ELECTRICAL WORK MUST BE PERFORMED BY A LICENSED ELECTRICIAN’ in uppercase black letters; and
- (c) for a sign displayed in the way mentioned in subsection (2)(b), (c), (d) or (e)—contains the words ‘MUST BE INSTALLED BY A LICENSED ELECTRICIAN’ in uppercase black letters; and
- (d) has a white background; and
- (e) is unambiguous and clearly legible.

point of display, of an item, means—

- (a) for an item displayed in a shop, warehouse or other physical space—the place where the item is displayed in the shop, warehouse or other physical space; or
- (b) for an item displayed in an online shop—the place where the item is displayed on the online shop’s website.

Division 2 Prohibition on sale of electrical equipment

126C Sale of electrical equipment prohibited

A person must not sell an item of electrical equipment to which the safety criteria in AS/NZS 3820 (Essential safety requirements for electrical equipment) apply unless the item of electrical equipment complies with the safety criteria as in force at the later of the following—

- (a) on 5 October 1998;
- (b) when the item was manufactured or imported.

Maximum penalty—40 penalty units.

126D Chief executive may prohibit the sale or use of electrical equipment on safety grounds

- (1) The chief executive may, by gazette notice, prohibit the sale or use by any person of an item of electrical equipment, or items of electrical equipment of a particular type, if the chief executive believes on reasonable grounds that the item or type does not comply with the safety criteria in AS/NZS 3820 (Essential safety requirements for electrical equipment).
- (2) The prohibition remains in force for the time stated in the gazette notice or, if no time is stated, without limit of time.
- (3) As well as notifying the prohibition in the gazette, the chief executive must give an information notice for the decision to prohibit the sale or use of the item or type of electrical equipment to each person the chief executive knows to be, or to be likely to be, a seller of the item or type.
- (4) A person must not contravene the prohibition, unless the person has a reasonable excuse.

Maximum penalty—40 penalty units.

- (5) Unless a court otherwise decides in the circumstances of a particular case, it is not a reasonable excuse for a contravention of the prohibition that the person did not receive an information notice under subsection (3).

Division 3 Labelling and inspection of electrical equipment

126E Labelling faulty portable electrical equipment

- (1) This section applies if a person acting under the authority of a distribution entity finds, at a place occupied by a consumer, an item of portable electrical equipment that has a serious defect.
- (2) The distribution entity must ensure that a label is attached to the item of electrical equipment stating that the item is electrically unsafe.

Maximum penalty—40 penalty units.

[s 126F]

- (3) A person must not take the label off the item of electrical equipment or connect a source of electricity to the item unless the item—
 - (a) has been repaired by a licensed electrical worker qualified to repair it; or
 - (b) has been repaired by a person who, because of the operation of section 18(2)(d) of the Act, was not performing electrical work in repairing the equipment.

Maximum penalty for subsection (3)—40 penalty units.

Division 4 Hire electrical equipment

126F Purpose of div 4

This division prescribes a way of discharging the electrical safety obligation of an employer or self-employed person to ensure that the person's business or undertaking is conducted in a way that is electrically safe.

126G Hiring electrical equipment

- (1) This section applies if an employer or self-employed person (the *hirer*) conducts a business or undertaking of hiring out electrical equipment to other persons.
- (2) The hirer must ensure each item of electrical equipment hired out by the hirer to another person—
 - (a) either—
 - (i) is inspected and tested by a competent person before each hiring; or
 - (ii) has a safety switch that can not be disconnected, deactivated or removed during the item's operation; and
 - (b) is inspected, tested and tagged by a competent person at least once every 6 months; and

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- (c) if the item has a safety switch under paragraph (a)(ii), the safety switch—
- (i) is inspected, tested and tagged by a competent person at least once every 6 months; and
 - (ii) complies with AS/NZS 3760 (In-service safety inspection and testing of electrical equipment) when tested.
- (3) However, subsection (2)(b) does not apply if the item is domestic electrical equipment that is hired for use in a domestic situation.

Example of domestic electrical equipment hired for use in a domestic situation—

refrigerator, television or computer hired for use in a dwelling house or flat

Example of domestic electrical equipment not hired for use in a domestic situation—

refrigerator hired for use in a mechanic's workshop

- (4) For subsection (2)(a)(i), if, because of the way in which the item of electrical equipment is designed, the item can not be tested without dismantling it, it is sufficient if the hirer ensures the item is tested to the extent that it can be tested without dismantling it.
- (5) If, after inspecting and testing an item of electrical equipment under subsection (2)(b)—
- (a) the competent person decides the item is safe to use, the hirer must ensure the competent person immediately attaches a durable tag to the item that shows the day by which the item must be reinspected and retested; or
 - (b) the competent person decides the item is not safe to use, the hirer must ensure that—
 - (i) the competent person immediately attaches a durable tag to the item warning people not to use the item; and
 - (ii) the item is immediately withdrawn from use.

[s 127]

- (6) The hirer must keep records of the tests performed under subsection (2)(b) or (c)(i) for at least 5 years.
- (7) A person who contravenes subsection (2), (5) or (6) commits an offence.
Maximum penalty—40 penalty units.
- (8) In this section—
domestic electrical equipment means computer equipment, browngoods or whitegoods.

Part 7 **Works of an electricity entity**

Division 1 **Compliance with part**

127 **Purpose of pt 7**

To the extent that this part applies, or is capable of applying, to an electricity entity, this part prescribes a way of discharging the electrical safety obligation of an electricity entity to ensure that its works—

- (a) are electrically safe; and
- (b) are operated in a way that is electrically safe.

128 **Compliance with this part**

A person, including an electricity entity, who designs, builds, maintains or operates works of an electricity entity must ensure that the requirements of this part for the works of an electricity entity are complied with.

Maximum penalty—40 penalty units.

Division 2 Earthing and protection

129 Systems of earthing

- (1) The works of an electricity entity must incorporate an earthing and protection system, to a recognised electricity supply industry standard, capable of ensuring the following—
 - (a) reliable passage of fault current;
 - (b) reliable passage of single wire earth return load currents to ground or source;
 - (c) reliable operation of circuit protection devices;
 - (d) safe step, touch and transfer potentials for all electrical equipment;
 - (e) appropriate coordination with the earthing and protection systems of other electricity entities;
 - (f) protection against likely mechanical damage, inadvertent interference and chemical deterioration;
 - (g) mechanical stability and integrity of connections.
- (2) Without limiting subsection (1), the following specific requirements apply for the works of an electricity entity—
 - (a) to stop, as far as practicable, a person suffering electric shock—
 - (i) if the multiple earthed neutral system of earthing is used—the neutral conductor of the system must be effectively earthed; and
 - (ii) each non current carrying exposed conductive part of an electric line or generating plant must be effectively earthed;
 - (b) each non current carrying exposed conductive part of a substation must be effectively earthed;
 - (c) a system of earthing must be tested as soon as practicable after its installation to prove its effectiveness;

[s 130]

- (d) a high voltage electric line must be protected by a suitable fuse, circuit-breaker or equivalent device.
- (3) Earthing is not required under subsection (2)(a)(ii) or (b) in circumstances where the electricity entity, in accordance with a recognised practice in the electricity industry, considers that for safety reasons earthing is not appropriate.

130 Connection of high voltage circuit to earth

- (1) Each distinct high voltage system included in the works of an electricity entity must be connected to earth by direct connection or through a resistance or a reactance.
- (2) All reasonable precautions must be taken to ensure that, for the circumstances in which the system is to operate, fuses or circuit-breakers in the system will operate during fault conditions.

131 Performance and other requirements for works

The following requirements apply for the works of an electricity entity—

- (a) the works must be able to perform under the service conditions and the physical environment in which the works operate;
- (b) the works must have enough thermal capacity to pass the electrical load for which they are designed, without reduction of electrical or mechanical properties to a level below that at which safe operational performance can be provided;
- (c) to the greatest practicable extent, the works must have enough capacity to pass short circuit currents to allow protective devices to operate correctly;
- (d) the works must have enough mechanical strength to withstand anticipated mechanical stresses caused by environmental, construction or electrical service conditions;

- (e) the works must be—
 - (i) designed and constructed to restrict unauthorised access by a person to live exposed parts; and
 - (ii) operated in a way that restricts unauthorised access by a person to live exposed parts;
- (f) design, construction, operation and maintenance records necessary for the electrical safety of the works must be kept in an accessible form;
- (g) parts of the works whose identity or purpose is not obvious must be clearly identified by labels, and the labels must be updated as soon as possible after any change is made to the works;
- (h) electrical equipment intended to form part of the works of an electricity entity must undergo commissioning tests and inspection to verify that the electrical equipment is suitable for service and can be operated safely when initially installed or altered.

132 Insulation of stay wire

If a stay wire attached to a pole or structure supporting an overhead electric line forming part of the works of an electricity entity does not form part of an earthing system, the wire must be insulated to prevent, as far as practicable, any person suffering an electric shock.

133 Protection of earth conductors

To prevent, as far as practicable, any person suffering an electric shock, earthing conductors installed on the outside of a pole or structure supporting an overhead electric line forming part of the works of an electricity entity must be, from ground level to a height of at least 2.4m—

- (a) insulated or suitably covered by a nonconductive material; and
- (b) protected from mechanical damage.

Division 3 Substations

134 Substation requirements

The following requirements apply for a substation forming part of the works of an electricity entity—

- (a) there must be safe access to, and exit from, the substation;
- (b) a building or enclosure forming part of the substation must be secure, and all reasonable care must be taken to stop unauthorised access to the building or enclosure;
- (c) electrical equipment forming part of the substation must meet applicable standards for electrical safety of persons and property;
- (d) the substation must have appropriate signs, labels, warning notices and barriers.

Division 4 Electric lines and control cables

134A Application of div 4

This division does not apply to electric lines and control cables that are part of a substation that is part of the works of an electricity entity.

135 Measurement of vertical and horizontal distances

For this division—

- (a) the vertical distance of a conductor from the ground is the length of a vertical line between the conductor and the ground; and
- (b) the vertical distance of a conductor from a structure that is immediately below the conductor is the length of a vertical line between the conductor and the point on the structure immediately below the conductor; and

- (c) the vertical distance of a conductor from a structure that is not immediately below the conductor is the length of a vertical line between the conductor and the horizontal projection of the nearest point on the structure to the conductor; and
- (d) the horizontal distance of a conductor from a structure is the length of a horizontal line from the conductor to the nearest point on the structure; and
- (e) the horizontal distance of a conductor from a verandah, balcony, road cutting, embankment or other similar thing is the length of a horizontal line from the conductor to the vertical projection of the nearest point on the verandah, balcony, road cutting, embankment or other similar thing; and
- (f) the horizontal distance of a conductor from a structure that is not immediately below the conductor is the length of a horizontal line from the conductor to the vertical projection of the nearest point on the structure.

136 Electric lines and control cables

The following requirements apply for electric lines and control cables forming part of the works of an electricity entity—

- (a) the lines and cables must be designed and constructed to ensure that applicable safety clearance requirements for clearance to the ground, buildings and other structures, and to other conductors, are complied with, and are appropriate having regard to environmental, construction and electric service conditions;
- (b) underground cables are installed in a way that takes account of local environmental and service conditions, the location of other public utility provider services and the risk of damage from excavation;
- (c) if an underground cable is located above the surface of the ground at a particular place and is accessible to the public, it must be mechanically protected from the point

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at which it leaves the ground up to a height of 2400mm above any surface near the place on which a person is able to stand;

- (d) a low voltage overhead service must be an insulated cable or a neutral screened cable.

137 Clearance from exposed conductive parts and separation of conductors in same circuit

Exposed conductors in the same circuit of an overhead electric line forming part of the works of an electricity entity must be separated so that, as far as practicable, a conductor does not come in contact with or within arcing distance of—

- (a) another conductor; or
- (b) an earthed exposed conductive part; or
- (c) a stay wire forming part of the overhead electric line.

138 Location of overhead circuit in relation to another overhead circuit

- (1) If the overhead circuits of electric lines forming part of the works of 1 or more electricity entities include different overhead circuits of electric lines that are adjacent, or that cross, and that are on 1 structure, the circuits must be placed as follows—
 - (a) 2 or more low voltage circuits must be placed 1 above the other or side by side;
 - (b) 2 or more high voltage circuits must be placed 1 above the other or side by side;
 - (c) low voltage circuits must be placed below high voltage circuits;
 - (d) if 2 or more high voltage circuits are placed 1 above the other, any lower voltage circuit must be placed below any higher voltage circuit.
- (2) Subsection (1)(c) does not apply to conductors erected on a

pole transformer substation.

- (3) Subsection (1)(d) does not apply if an electricity entity considers that exceptional circumstances apply, and that failure to comply with the requirement would not create an unsafe or hazardous situation.

139 Clearance of overhead electric lines from ground

- (1) An electricity entity must ensure the distance from the conductors of its overhead electric lines to the ground is in accordance with—
 - (a) for an overhead electric line, including a high voltage overhead service line—schedule 4, parts 1 and 3; and
 - (b) for a low voltage overhead service line—schedule 5, part 1.
- (2) Subsection (1) does not apply to electric cables known as aerial bundled cables installed with a clearance from the ground decided by the electricity entity to be a safe clearance considering the nature of the cables and their location.

140 Clearance of overhead electric lines from structures

- (1) An electricity entity must ensure the distance from the conductors of its overhead electric lines to a structure is in accordance with—
 - (a) for an overhead electric line, including a high voltage overhead service line—schedule 4, parts 2 and 4; and
 - (b) for a low voltage overhead service line—schedule 5, part 2.
- (2) Subsection (1) does not apply to electric cables known as aerial bundled cables installed with a clearance from a structure decided by the electricity entity to be a safe clearance considering the nature of the cables and their location.

141 Building or adding to structure near electric line

- (1) This section applies if—
 - (a) a person proposes to perform work; and
 - (b) the work is 1 or more of the following—
 - (i) the construction of a building or other structure or of a change to a building or other structure;
 - (ii) the performance of other work in relation to a building or other structure; and
 - (c) the proposed work is likely to involve a building or other structure coming within the clearance requirements under this division for an overhead or underground electric line.
- (2) The person must give written notice in a form approved by the electricity entity whose works include the electric line before the work starts.

Maximum penalty—40 penalty units.
- (3) On receiving the notice, the electricity entity must—
 - (a) take action it considers necessary to protect its works while the work is being performed and to ensure the requirements of part 4 for exclusion zones will be complied with while the work is being performed; and
 - (b) relocate or change the electric line so that after the work is completed—
 - (i) the requirements of this regulation for clearances will be complied with; and
 - (ii) the electric line will be accessible to the electricity entity's employees for the line's operation and maintenance.
- (4) Unless otherwise agreed between the electricity entity and the person—
 - (a) the person must pay the costs reasonably incurred by the electricity entity acting under subsection (3); and

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- (b) the costs are a debt payable by the person to the electricity entity.

142 Clearance of stay wires and control cables over road

An electricity entity's overhead stay wire or overhead control cable crossing the carriageway of a road must have clearance from the ground of at least 5.5m at the centre line of the carriageway and at least 4.9m at the kerb line of the road.

143 Connection to consumer's premises

- (1) An electricity entity, in supplying electricity to a consumer, must decide the position of its fuses, circuit-breakers, disconnection links and other apparatus in accordance with recognised practice in the electricity industry.
- (2) A consumer must provide suitable means for the connection of the consumer's electrical installation to a service line.

Division 5 Termination requirements for low voltage overhead service lines

144 Termination of low voltage overhead service line

- (1) An electricity entity must ensure a low voltage overhead service line is—
 - (a) secured to a consumer's premises, including poles on the premises; and
 - (b) insulated continuously; and
 - (c) not readily accessible to persons.
- (2) An electricity entity must ensure a metallic pin, eye bolt or other similar fixture installed by or for it on a consumer's premises to support an active conductor of a low voltage overhead service line is effectively earthed.

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- (3) The earthing must be by direct connection to the neutral conductor of the service line, at the point of support, by a conductor having an appropriate cross-sectional area.
- (4) Earthing under subsections (2) and (3) is not required if—
 - (a) the low voltage overhead service line is a neutral screened cable and the service fuse is mounted on the electricity entity's pole; or
 - (b) no part of the metallic pin, eye bolt or other similar fixture, or of a metal bracket or riser supporting it, is within 25mm of other metal work on a building, pole or other structure.

Division 6 Service lines generally

145 Fuses and disconnectors for service line

- (1) An electricity entity must provide a fuse or circuit-breaker for each active conductor of a low voltage service line that provides fault current protection for a consumer's electrical installation unless—
 - (a) electricity to the consumer's electrical installation is supplied direct from a transformer; and
 - (b) the electricity entity is satisfied that the fuse or circuit-breaker of the transformer provides enough protection for the consumer's electrical installation; and
 - (c) the electricity entity uses the fuse or circuit-breaker of the transformer instead of a fuse or circuit-breaker in the low voltage service line.
- (2) However, if, under subsection (1), the electricity entity uses the fuse or circuit-breaker of the transformer instead of a fuse or circuit-breaker in the low voltage service line, the electricity entity must install isolating links in the electric line supplying the consumer's electrical installation if another consumer's electrical installation is also supplied from the transformer.

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- (3) Also, if the electricity entity is not satisfied the fuse or circuit-breaker of the transformer provides enough protection for the consumer's electrical installation, the electricity entity must provide suitable protection on the low voltage side of the transformer.
 - (4) Subsection (3) does not apply if the electricity entity is satisfied that suitable protection is provided in the consumer's electrical installation.

146 Disused service lines to be disconnected

An electricity entity must ensure that a service line for a consumer's premises is disconnected and sufficiently isolated from any electric line forming part of its works if—

- (a) the supply of electricity to the consumer's premises has been disconnected; and
- (b) the electricity entity has taken away any of its meters, control apparatus or other electrical equipment from the premises.

Division 7 Maintenance of works

147 Inspection and maintenance of integrity of insulation

- (1) An electricity entity must ensure the integrity of the insulation of the relevant part of the electrical entity's works is inspected and maintained.
- (2) An electricity entity must ensure the integrity of insulation for the clamp or other apparatus at the point where consumer mains are connected to the electricity entity's service line is inspected and maintained.
- (3) Inspection and maintenance under subsection (1) or (2) must be performed at periodic reasonable intervals.
- (4) In this section—

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relevant part of an electrical entity's works means the part of an electric line forming part of the works that—

- (a) is adjacent to a roof or structure; and
- (b) in a position where it is likely that a person could come into contact with the line.

Example of a person who is likely to come into contact with the line—

a painter or plumber

148 Trimming of trees near overhead electric line

An electricity entity must ensure that trees and other vegetation are trimmed, and other measures taken, to prevent contact with an overhead electric line forming part of its works that is likely to cause injury from electric shock to any person or damage to property.

Part 8 Electricity supply

Division 1 Connection to source of electricity

149 Electrical installation with serious defect not to be connected to electricity source

- (1) If an electrical installation has a serious defect, a person must not connect the installation to a source of electricity for use for its intended purpose.

Maximum penalty—40 penalty units.

- (2) Subsection (1) does not apply to a distribution entity unless the serious defect in the electrical installation is located in a consumer main switchboard or between a consumer main switchboard and the works of the distribution entity.

150 Electrical installation not to be connected to electricity source if work not tested

- (1) A person must not connect an electrical installation on which electrical work has been performed to a source of electricity unless—
- (a) the person who performed the electrical work was authorised under the Act to perform it; and
 - (b) the electrical installation, to the extent it is affected by the electrical work, has been tested to ensure it is electrically safe and is in accordance with the requirements of the wiring rules and any other standard applying under this regulation to the electrical installation.

Maximum penalty—40 penalty units.

- (2) Subsection (1) does not apply to an electrical installation's first connection to a source of electricity.

151 Electrical installation not to be initially connected to electricity source without examination and testing

- (1) A person must not connect an electrical installation to a source of electricity supplied by a distribution entity for the first time unless the distribution entity has—
- (a) examined the consumer mains and main switchboard for the electrical installation and confirmed there are no serious defects; and
 - (b) carried out tests to ensure the consumer mains and main switchboard are electrically safe.

Maximum penalty—40 penalty units.

- (2) The distribution entity may charge a consumer for an examination or test performed under subsection (1) only if, at the consumer's request, the examination or test is performed outside normal working hours.

152 Reconnection of electrical installation to electricity source

- (1) A person must not reconnect an electrical installation to a source of electricity supplied by a distribution entity unless the person is authorised to do so under subsection (2) or (3).

Maximum penalty—40 penalty units.

- (2) A distribution entity is authorised to reconnect an electrical installation to a source of electricity if—

(a) the distribution entity first performs a visual examination of the electrical installation and finds there to be no serious defects; or

(b) the distribution entity does not first perform a visual examination of the electrical installation, but the following circumstances apply—

(i) the electrical installation was disconnected by the distribution entity inadvertently or because of debt;

(ii) the electrical installation has been disconnected for less than 1 month;

(iii) the reconnection is for the purpose of supplying the same consumer.

- (3) A licensed electrical contractor is authorised to reconnect a part of an electrical installation to a source of electricity if the contractor has rectified a serious defect that has caused a distribution entity or inspector to leave the part disconnected.

- (4) A distribution entity must keep a record, for at least 5 years, of all electrical installations that have been disconnected from a source of electricity supplied by the distribution entity and which, in the absence of authorisation under subsection (2) or (3), must not be reconnected.

Maximum penalty—20 penalty units.

- (5) A distribution entity may charge a consumer for an examination performed under subsection (2)(a) only if, at the consumer's request, the examination is performed outside normal working hours.

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- (6) This section does not apply to reconnection in the ordinary course of disconnection and reconnection in the performance of electrical work.

153 High voltage or hazardous area electrical installation not to be connected to electricity source without inspection

- (1) A person must not connect or reconnect a high voltage electrical installation, or an electrical installation located in a hazardous area, to a source of electricity after electrical installation work or electric line work (the *electrical work*) has been performed on the electrical installation unless—
- (a) the electrical work has been inspected by an accredited auditor; and
 - (b) the accredited auditor has confirmed that the electrical installation, to the extent it is affected by the electrical work, has been tested to ensure it is electrically safe and is in accordance with the requirements of the wiring rules and any other standard applying under this regulation to the electrical installation.

Maximum penalty—40 penalty units.

- (2) A person must not, at a particular place, connect a high voltage electrical installation, or an electrical installation located in a hazardous area, to a source of electricity for the first time at the place unless—
- (a) the electrical installation has been inspected by an accredited auditor; and
 - (b) the accredited auditor has confirmed that the electrical installation has been tested to ensure it is electrically safe and is in accordance with the requirements of the wiring rules and any other standard applying under this regulation to the electrical installation.

Maximum penalty—40 penalty units.

- (3) This section applies in addition to other provisions of this division about the connection or reconnection of an electrical installation to a source of electricity.

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154 Licensed electrical contractor not to connect electricity source without being satisfied of compliance with Act and regulation

A licensed electrical contractor must not connect an electrical installation on which electrical work has been performed to a source of electricity unless the contractor is satisfied that the Act and this regulation have been complied with in relation to the electrical installation to the extent it is affected by the electrical work.

Maximum penalty—40 penalty units.

155 Disconnection and reconnection of low voltage electrical installation

- (1) This section applies to an eligible person who—
 - (a) performs electrical installation work on a consumer's consumer terminals, main switchboard or consumer mains; or
 - (b) isolates electricity supply to an electrical installation to eliminate an exclusion zone that would otherwise exist.
- (2) Despite anything else in this division, the eligible person may, in accordance with recognised electricity industry practice, de-energise and re-energise the consumer's electrical installation by—
 - (a) removing and replacing a fuse wedge from a service fuse; or
 - (b) switching off and on a circuit-breaker installed as a service line disconnecter.
- (3) If subsection (1)(a) applies, the eligible person must, before connecting the electrical installation to a source of electricity, test to ensure the installation is safe to connect to the source.

Maximum penalty—40 penalty units.

- (4) If subsection (1)(b) applies, the eligible person must, before connecting the electrical installation to a source of electricity—

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- (a) if the eligible person, or another person acting for the eligible person, has performed electrical work on the installation—test to ensure the installation is safe to connect to the source; or
 - (b) otherwise—carry out a visual inspection of the part of the installation that is in the area of the eliminated exclusion zone to ensure the installation has no serious defects.

Maximum penalty—40 penalty units.

- (5) In this section—

eligible person means—

- (a) a licensed electrical contractor; or
- (b) a person who holds an electrical mechanic licence and is performing work for a licensed electrical contractor as an employee of the contractor; or
- (c) a person who holds an electrical mechanic licence and is performing work for the person or a relative of the person at premises owned or occupied by the person or relative.

Division 2 Private generating plant

156 Generating plant for emergency supply

- (1) This section applies to a person if—
- (a) private generating plant is installed at the person's premises as part of the person's electrical installation; and
 - (b) the private generating plant is intended to provide a supply of electricity to the person's electrical installation, or to the person's electrical installation and the electrical installation of another person, during an interruption of the supply of electricity from a distribution entity.

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- (2) The person must ensure that, when the private generating plant is operating to give emergency supply, there is effective isolation between—
- (a) all active conductors of the part of the electrical installation or electrical installations to which the private generating plant is connected; and
 - (b) any part of the electrical installation or electrical installations still connected to the supply from the distribution entity.

Maximum penalty—40 penalty units.

- (3) The person must ensure the installation of the private generating plant is in accordance with the requirements of the wiring rules.

Maximum penalty for subsection (3)—40 penalty units.

157 Generating plant for interconnection to works of electricity entity

- (1) This section applies to a person if—
- (a) private generating plant is installed at the person's premises as part of the person's electrical installation; and
 - (b) the private generating plant is intended to interconnect with the works of an electricity entity.
- (2) The person must comply with the electricity entity's conditions for ensuring safe and stable parallel operation of the private generating plant with the works of the electricity entity.

Maximum penalty for subsection (2)—40 penalty units.

Division 3 Testing

158 Notice by licensed electrical contractor of test

- (1) This section applies if, under this part—
 - (a) a licensed electrical contractor is required to test electrical work performed on an electrical installation; and
 - (b) part of the electrical installation is required to be examined or tested by the distribution entity that supplies or is to supply electricity to the electrical installation.
- (2) The licensed electrical contractor must give the distribution entity a notice complying with subsection (3).

Maximum penalty—40 penalty units.
- (3) The notice must state that—
 - (a) the tests required to be carried out by the licensed electrical contractor will be carried out in the way required under this part; and
 - (b) the electrical installation will be electrically safe by the date stated on the notice; and
 - (c) the electrical installation will be ready for connection by the date stated on the notice.

159 Certificate of testing and compliance

- (1) A licensed electrical contractor who connects an electrical installation on which electrical work has been performed to a source of electricity must, as soon as practicable after the connection, give the person for whom the work was performed a certificate, complying with this section, about the testing of the electrical installation required under this part.

Maximum penalty—40 penalty units.
- (2) The certificate must state the following—

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- (a) the name and address of the person for whom the work was performed;
 - (b) the electrical installation tested;
 - (c) the day the electrical installation was tested;
 - (d) the number of the electrical contractor licence under which the electrical installation was tested.
- (3) The certificate must certify that the electrical installation, to the extent it is affected by the electrical work, has been tested to ensure it is electrically safe and is in accordance with the requirements of the wiring rules and any other standard applying under this regulation to the electrical installation.
- (4) A licensed electrical contractor must keep a copy of a certificate given under this section for at least 5 years after the certificate is given.

Maximum penalty for subsection (4)—20 penalty units.

160 Performance of examination or test

A distribution entity that carries out an examination or test required under this part in relation to an electrical installation must examine or test to ensure that the electrical installation, to the extent of the required examination or test, is electrically safe.

Maximum penalty—40 penalty units.

161 Reasons to be given for not connecting to source of electricity after examination

If, after performing an examination or test, a distribution entity does not connect or reconnect a consumer's electrical installation on which electrical work has been performed to a source of electricity, the distribution entity must give the consumer a written report stating the reasons for not connecting or reconnecting the installation.

Maximum penalty—40 penalty units.

162 Keeping copy of report

The employer of a person who, under this part, performs an examination, inspection or test, must keep a copy of the report of the examination, inspection or test for at least 5 years after the report is made.

Maximum penalty—20 penalty units.

Division 4 Requests and advice to distribution entities

163 Request to distribution entity for examination of electrical work

- (1) This section applies if, under this part, electrical work must be examined or tested by a distribution entity before an electrical installation is connected or reconnected to a source of electricity.
- (2) The person who performed the electrical work must, as soon as practicable after the completion of the electrical work, ask the distribution entity that supplies or is to supply electricity to the electrical installation for the work to be examined or tested.

Maximum penalty—40 penalty units.

- (3) The person must make the request in a way approved by the distribution entity.
- (4) In making the request, the person must certify that the electrical work has been completed and that the electrical installation is in accordance with the requirements of this regulation.

164 Telling distribution entity of need for change to metering

- (1) This section applies if, because of the performance of electrical work on an electrical installation, there is a need to install or change metering, control apparatus or other ancillary equipment forming part of the works of a distribution entity.

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- (2) The person who performed the electrical work must, as soon as practicable after the completion of the electrical work, tell the distribution entity of the need for the installation or change.

Maximum penalty—40 penalty units.

- (3) The person must advise the distribution entity in a way approved by the distribution entity.
- (4) In giving the advice, the person must certify that the electrical work has been completed.

Part 9 Safety management systems

Division 1 Prescribed electricity entities

165 Prescribed electricity entities

For part 5 of the Act, an electricity entity is a prescribed electricity entity if—

- (a) it is named in schedule 6, part 1; or
- (b) both of the following apply—
- (i) it is named in schedule 6, part 2;
- (ii) 3 months have elapsed after the entity's name was included in schedule 6, part 2; or
- (c) both of the following apply—
- (i) it is not named in schedule 6, part 1 or 2 but is an electricity entity under the Act, schedule 2, definition *electricity entity*, paragraph (c);
- (ii) 3 months have elapsed since the later of the following—

- (A) the entity first becoming an electricity entity;
- (B) the commencement of this paragraph.

Division 2 Requirements for safety management systems

166 Safety management system requirements

- (1) This section prescribes requirements for safety management systems.
- (2) A safety management system must contain details of the following—
 - (a) the system’s safety objectives;
 - (b) the systems and procedures by which the objectives are to be achieved;
 - (c) the performance criteria to be met;
 - (d) the way in which adherence to the performance criteria is to be maintained.
- (3) When a prescribed electricity entity’s safety management system is first put into effect or is modified, the entity must give the chief executive—
 - (a) a copy of the safety management system in its current form; and
 - (b) a certificate in the approved form from an accredited auditor that verifies that the safety management system has been assessed and validated to ensure that the system comprehensively identifies and addresses the hazards and risks associated with the design, construction, operation and maintenance of the entity’s works.
- (4) A prescribed electricity entity’s safety management system must provide that, when the entity gives the chief executive a copy of its safety management system under subsection (3)(a) and a certificate under subsection (3)(b), the entity must give

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the chief executive any information the chief executive reasonably requires to ensure that the design, construction, operation and maintenance of the entity's works is in accordance with the requirements of the Act.

- (5) A prescribed electricity entity's safety management system must provide for—
- (a) the auditing by an accredited auditor, at least once every year and at the expense of the prescribed electricity entity, of how the entity is giving effect to the safety management system; and
 - (b) submission to the chief executive of an annual audit plan for the auditing mentioned in paragraph (a); and
 - (c) submission to the chief executive, after each annual audit, of a certificate of the accredited auditor who conducts the auditing mentioned in paragraph (a), stating the current level of compliance of the prescribed electricity entity with its safety management system; and
 - (d) the giving to the chief executive, after the chief executive's consideration of an annual audit plan under paragraph (b) or of a certificate of an accredited auditor under paragraph (c), of the further information the chief executive reasonably requires about the entity's safety management system and how the entity is giving effect to the system.
- (6) A prescribed electricity entity's safety management system must also provide for—
- (a) the making of modifications to the safety management system in accordance with the reasonable requirements of the chief executive; and
 - (b) if reasonably required by the chief executive, the auditing by an accredited auditor, in addition to the auditing provided for under subsection (5) and at the expense of the prescribed electricity entity, of how the entity is giving effect to the safety management system.

Part 10 **Accredited auditors**

167 **Appointment**

- (1) An application for appointment as an accredited auditor under part 10, division 2 of the Act must be—
 - (a) made in the approved form; and
 - (b) accompanied by the fee for the application; and
 - (c) supported by enough information to allow the chief executive to decide the application.
- (2) An application for a renewal of a person's appointment as an accredited auditor must be—
 - (a) made in the approved form; and
 - (b) accompanied by the fee for the application; and
 - (c) supported by enough information to allow the chief executive to decide the application; and
 - (d) be received by the chief executive at least 14 days before the appointment ends.

168 **Refund of fees**

- (1) This section applies if an application under section 167 is refused by the chief executive or is withdrawn before it is decided.
- (2) The amount stated in schedule 7 as the administration component of the fee paid for the application must be refunded.

169 **Term of office as accredited auditor**

A person's term of office as an accredited auditor is—

- (a) 5 years; or
- (b) a shorter time provided for by the chief executive in the person's appointment.

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Part 11 Cathodic protection systems

Division 1 Preliminary

170 Definitions for pt 11

In this part—

cathodically protected structure means a structure protected by a cathodic protection system.

cathodic protection standard means AS/NZS 2832.1 (Cathodic protection of metals—Pipes and cables).

foreign structure, for a cathodic protection system, means a structure that is buried or submerged and that may be subject to interference arising from the cathodic protection system.

foreign structure owner, for a cathodic protection system, means a person who owns a foreign structure for the cathodic protection system.

impressed current cathodic protection system means a cathodic protection system in which the current flowing between the structure protected by the cathodic protection system and the anode is supplied by an external source.

maximum operating current, for a cathodic protection system, means the maximum value of the fixed, manually variable or automatically variable current at which the cathodic protection system operates, other than during short term testing of the cathodic protection system.

registered system means a registrable system registered under this part.

registrable system means an impressed current cathodic protection system the converter of which is capable of delivering a current greater than 0.25A.

short term testing, of a cathodic protection system, means testing of less than a total of 30 minutes in any 7 consecutive days.

171 Electrical terms apply for direct current

In this part, electrical values are the values as they apply for direct current.

Examples—

- 500mV means 500mV d.c.
- 50V means 50V d.c.

172 Exclusion from application

Unless otherwise stated in this part, this part does not apply to a cathodic protection system installed on—

- (a) a floating mobile structure; or
- (b) fishing equipment; or
- (c) a fixed off shore structure not connected with land above sea level; or
- (d) an internal surface of an apparatus, structure or item of equipment to which AS 2832.4 (Cathodic protection of metals—Internal surfaces) applies.

Division 2 Installation and design

173 Installation of cathodic protection system only if preliminary steps taken

- (1) A person must not start to install a cathodic protection system unless the person has complied with subsection (2).

Maximum penalty—40 penalty units.

- (2) At least 60 days before starting installation, the person must—
 - (a) advise all relevant persons for the proposed cathodic protection system of the proposal to install the system; and
 - (b) allow the relevant persons to examine the proposal.
- (3) In this section—

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relevant person, for a proposed cathodic protection system, means a person who will, if the system is installed, become a foreign structure owner for the system.

174 Correct design and installation of cathodic protection system

A person who owns a cathodic protection system must ensure that the system is designed and installed in accordance with the requirements of the cathodic protection standard.

Maximum penalty—40 penalty units.

Division 3 Operating requirements

175 Operation of cathodic protection system only on conditions

- (1) The owner of a cathodic protection system must not operate the system unless—
 - (a) the system has been tested in accordance with the testing requirements of this part; and
 - (b) each foreign structure owner for the system has stated either that interference mitigation is satisfactory or that it is not required; and
 - (c) the system is operated in accordance with the requirements of the cathodic protection standard; and
 - (d) if the system is a registrable system—the system is currently registered under this part, and is operated in accordance with the requirements of the conditions of its registration.

Maximum penalty—40 penalty units.

- (2) Despite subsection (1)(b), (c) and (d), a person may operate a cathodic protection system for a reasonable period to perform tests in accordance with the testing requirements of this part.

Division 4 Testing requirements

176 Tests before registration or operation of system

- (1) An owner of a cathodic protection system that is a registrable system must perform tests in accordance with this section within 90 days, or the longer period the chief executive allows, before applying for registration of the system.

Maximum penalty—40 penalty units.

- (2) An owner of a cathodic protection system that is not a registrable system must perform tests in accordance with this section within 90 days before starting to operate the system, other than for the tests.

Maximum penalty—40 penalty units.

- (3) The tests are—

- (a) interference tests on all foreign structures for the system; and
- (b) if the system has an anode immersed in water or a marine environment—tests to ensure the potential difference between any 2 accessible points spaced 1m apart in the water or marine environment are not more than 3V when the system is energised.

- (4) The tests must be based on the maximum value of the current at which the cathodic protection system will operate at all times, other than during short term testing of the cathodic protection system in which currents of greater values are permitted.

- (5) The owner of the cathodic protection system must make all the arrangements for the tests, provide all the facilities and equipment for the tests and bear all the costs associated with the tests.

- (6) Without limiting subsection (5), for the performance of an interference test mentioned in subsection (3)(a), the owner must—

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- (a) arrange with all foreign structure owners a mutually acceptable time for performing the test; and
- (b) allow the foreign structure owners to observe the performance of the test.

177 Further tests during period of registration of system

- (1) This section applies to a cathodic protection system that is a registered system.
- (2) The owner of the system must perform interference tests on all foreign structures for the system—
 - (a) when an anode forming part of the system is replaced; and
 - (b) if required by the chief executive—when the system, or its method of operation, is changed.

Maximum penalty—40 penalty units.

- (3) If the system has an immersed anode that is redesigned, causing the anode to be relocated or to become subject to variation in anode current distribution, the owner of the system must retest the system to ensure the potential difference between any 2 accessible points spaced 1m apart in the water or marine environment is not more than 3V when the system is energised.

Maximum penalty—40 penalty units.

- (4) If, when interference tests are being performed, there is a foreign structure for the system for which interference tests have not previously been performed, the person must—
 - (a) arrange with the foreign structure owner a mutually acceptable time for performing the tests; and
 - (b) allow the foreign structure owner to observe the performance of the tests.

Maximum penalty for subsection (4)—40 penalty units.

178 Further tests during operation of system

- (1) The owner of a relevant system must perform interference tests on all foreign structures for the system—
- (a) when an anode forming part of the system is replaced; and
 - (b) when the system or its method of operation is changed.
- Maximum penalty—40 penalty units.

- (2) In this section—

relevant system means—

- (a) a cathodic protection system, other than a registered system, that is an impressed current cathodic protection system; or
- (b) a cathodic protection system with a total anode mass of more than 25kg.

179 Further tests of new foreign structure if required by the chief executive

If required by the chief executive, the owner of a cathodic protection system must perform interference tests on a foreign structure for the system not previously tested by the owner.

Maximum penalty—40 penalty units.

180 Records of tests to be kept

- (1) The owner of a cathodic protection system must keep records of tests carried out under this division for 10 years if the system—
- (a) is an impressed current cathodic protection system; or
 - (b) has a total anode mass of more than 25kg.

Maximum penalty—20 penalty units.

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- (2) If asked by the chief executive, the owner must give to the chief executive copies of the records within 14 days of the request.

Maximum penalty for subsection (2)—20 penalty units.

181 Testing by chief executive

- (1) The chief executive may arrange for the testing the chief executive considers necessary to decide whether a cathodic protection system complies with the requirements of this part.
- (2) If reasonably required by the chief executive, the owner of a cathodic protection system must provide access to, and facilities for the testing of, the system.

Maximum penalty—40 penalty units.

- (3) If, on testing, a system is found not to comply with the requirements of this part, the costs reasonably incurred by the chief executive in conducting the test, including the indirect and overhead costs incurred by the chief executive, are a debt payable by the owner to the State.

Division 5 System requirements

182 Electrical limits

- (1) The owner of a cathodic protection system must ensure that the system is in accordance with the requirements of this section for a cathodic protection system.

Maximum penalty—40 penalty units.

- (2) The maximum open circuit voltage of a cathodic protection system may be more than 50V only if safety requirements have been met to the chief executive's satisfaction.
- (3) If an anode for a cathodic protection system is immersed in water or in a marine environment, the potential difference between any 2 accessible points spaced 1m apart in the water

or marine environment must not be more than 3V when the system is energised.

- (4) In a surface area of 1000m² measured radially about an electrode or the centre of a group of electrodes discharging current to ground as part of a cathodic protection system on land or in non-saline water, the total current of 1 polarity must not be more than 100A.
- (5) In an area of surface water of 2000m² bounded by a 100m length of the mean low water level contour and a line displaced 20m in a direction away from land from the contour, the total current of 1 polarity discharged to water or substrata by all electrodes in the area for a cathodic protection system must not be more than 500A.
- (6) Subsections (2) and (3) do not apply to a cathodic protection system installed on an internal surface of an apparatus, structure or item of equipment to which AS 2832.4 (Guide to the cathodic protection of metals—Internal surfaces) applies.

183 Maximum potential change

- (1) The owner of a cathodic protection system must ensure that the system is in accordance with the requirements of this section for a cathodic protection system.

Maximum penalty—40 penalty units.

- (2) This section states requirements for a cathodic protection system in relation to a foreign structure for the system.
- (3) The change in potential, foreign structure to ground, must not be more than any of the following—
 - (a) at a point 100m radially from an anode, if there is no metallic link between the cathodically protected structure and the foreign structure, 150mV in a negative going direction;
 - (b) at a point where buried or submerged parts of the foreign structure are in ground or water generally of 1 ohm metre or higher resistivity, 10mV in a positive going direction;

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- (c) at a point where buried or submerged parts of the foreign structure are in ground or water generally below 1 ohm metre resistivity, 0mV;
 - (d) for a foreign structure that is not connected electrically to the cathodically protected structure, 500mV in a negative going direction or, with the foreign structure owner's written agreement, 1V in a negative going direction.
- (4) However, for short term testing of the cathodic protection system, 5 times the potential change stated in subsection (3)(a) or (b) and twice the potential stated in subsection (3)(d) is permitted.
- (5) The potential change stated in subsection (3)(b) or (c) may be changed with the foreign structure owner's written agreement after an assessment of the effect of any existing cathodic protection or interference mitigation measures on the foreign structure.

184 Tolerances

The owner of a cathodic protection system must ensure that the tolerances for measuring instruments used to test the system are in accordance with the safety and technical requirements of the cathodic protection standard.

Maximum penalty—40 penalty units.

185 Identification of anode groundbed

If a registrable system is installed on land or premises not owned by the owner of the system, the owner of the system must identify the location of each anode groundbed of the system by erecting as close as practicable to the anode groundbed a clearly visible, durable sign suitably and indelibly inscribed with the location of the anode groundbed and the name of the owner of the system.

Maximum penalty—20 penalty units.

Division 6 Registration of registrable systems

186 Register

- (1) The chief executive must keep a register of registered systems.
- (2) The register may be kept in the form, whether or not a documentary form, the chief executive considers appropriate.

187 Application for registration of registrable system

- (1) An application for registration of a cathodic protection system that is a registrable system must—
 - (a) be made in the approved form; and
 - (b) if required by the chief executive, be accompanied by—
 - (i) the prescribed fee; and
 - (ii) details of the geographical location of the system; and
 - (iii) a plan indicating full particulars about the system; and
 - (iv) a certificate from the owner of the system stating the system has been tested as required by this part and complies with the requirements of this part.
- (2) The certificate mentioned in subsection (1)(b)(iv) must state—
 - (a) the value of the maximum operating current on which the tests were based; and
 - (b) for a system operating with an anode immersed in water or in a marine environment—the operating voltage of the system corresponding to the maximum operating current mentioned in paragraph (a); and
 - (c) that the owner has complied with the requirements under division 4 for testing of the system before registration.

[s 187A]

- (3) If asked in writing by the chief executive, the applicant must give further relevant information the chief executive requires to decide the application.
- (4) The chief executive must decide the application within 60 days of receiving the application.
- (5) If the chief executive refuses to register the system, the chief executive must give notice of the refusal to the applicant within 30 days of the decision.
- (6) The notice must be accompanied by an information notice for the decision to refuse.

187A Refund of fees

- (1) This section applies if an application for registration of a cathodic protection system that is a registrable system—
 - (a) is refused by the chief executive under section 187; or
 - (b) is withdrawn before the application is decided.
- (2) The amount stated in schedule 7 as the administration component of the fee paid for the application must be refunded.

188 Registration of registrable system

- (1) The chief executive must register a cathodic protection system that is a registrable system by entering in the register—
 - (a) the name and address of the owner of the system notified to the chief executive; and
 - (b) the location of the system; and
 - (c) the description of the structure being cathodically protected; and
 - (d) the conditions of registration about—
 - (i) the permitted maximum operating current of the system; and

- (ii) for a system operating with an anode immersed in water or a marine environment—the permitted maximum operating voltage of the system; and
 - (e) other conditions imposed by the chief executive on the system's operation; and
 - (f) the date of registration.
- (2) Within 30 days of registering the system, the chief executive must give the owner of the system written notice of the registration, including—
- (a) the conditions about the permitted maximum operating current and, if relevant, the permitted maximum operating voltage of the system; and
 - (b) other conditions the chief executive imposes on the system's operation; and
 - (c) the date of registration.

189 Term of registration

The registration of a registrable system is for 5 years, unless it is earlier cancelled.

190 Change of name and address

- (1) The owner of a registered system whose name or address changes must give written notice of the change to the chief executive within 30 days of the change.

Maximum penalty—20 penalty units.

- (2) The chief executive must enter details of the change in the register of registered systems.

191 Cancellation of registration

- (1) The chief executive may cancel the registration of a registered system if—

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- (a) the chief executive is not satisfied the system is installed or operating in accordance with this part; or
 - (b) the chief executive has been notified by the owner of the system that the system has been taken away or made permanently inoperable.
- (2) On cancellation of registration of a cathodic protection system, the chief executive must—
- (a) enter in the register of registered systems the date of cancellation; and
 - (b) give written notice of the cancellation to the owner of the system within 14 days of the cancellation.
- (3) If the cancellation is under subsection (1)(a), the notice must be accompanied by an information notice for the decision to cancel.

192 Taking away or making a registered system inoperable

If a registered system is taken away or made permanently inoperable, the owner of the system must give written notice to the chief executive within 30 days of the removal or the making inoperable.

Maximum penalty—40 penalty units.

193 Change to registered system to be notified

- (1) If a registered system or its method of operation is changed, the owner of the system must—
- (a) immediately advise the chief executive; and
 - (b) give written notice to the chief executive within 14 days after the change.

Maximum penalty—20 penalty units.

- (2) The notice must be accompanied by a plan clearly showing how the system has been changed.

- (3) If required by the chief executive, the owner of the registered system must take all or part of the action an applicant for registration of a registrable system is required to take under this part.

Maximum penalty for subsection (3)—40 penalty units.

Part 12 Incident notification and reporting

194 Definitions for pt 12

In this part—

distribution entity, for a serious electrical incident or dangerous electrical event, see section 195.

incident record see section 199.

195 Meaning of *distribution entity* for incident or event

- (1) The *distribution entity* for a serious electrical incident is—
- (a) if the electrical equipment the incident involves is part of the works of a distribution entity—the distribution entity; or
 - (b) otherwise—the distribution entity that supplies electricity to the electrical equipment the incident involves.
- (2) The *distribution entity* for a dangerous electrical event is the distribution entity that supplies electricity to, or has as part of its works, the electrical equipment that is—
- (a) the subject of the event; or
 - (b) the subject of the electrical work that is the subject of the event.

[s 196]

196 Employer or self-employed person to advise chief executive of serious electrical incident or dangerous electrical event

- (1) This section applies if, in the conduct of the business or undertaking of an employer or self-employed person, a serious electrical incident or dangerous electrical event happens.
- (2) The employer or self-employed person must—
 - (a) give written notice of the incident or event to the chief executive in the approved form; and
 - (b) ensure the written notice is received by the chief executive within 24 hours after the employer or self-employed person first becomes aware of the happening of the incident or event.

Maximum penalty—40 penalty units.

- (3) However, if the incident or event that happens is a serious electrical incident in which a person has been killed, the employer or self-employed person must also advise the chief executive of the incident, immediately the employer or self-employed person becomes aware of the happening of the incident, by phone, fax or another suitable form of immediate and effective communication.

Maximum penalty—40 penalty units.

197 Recording serious electrical incident or dangerous electrical event

- (1) This section applies if an employer or self-employed person is required under this part to notify the chief executive of a serious electrical incident or a dangerous electrical event.
- (2) The employer or self-employed person must make and keep a record of the incident or event in accordance with the requirements of this section.

Maximum penalty—20 penalty units.

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- (3) The record of the incident or event must be made in the approved form—
 - (a) within 3 days after the employer or self-employed person becomes aware of the happening of the incident or event; or
 - (b) if the employer or self-employed person is incapacitated by the incident or event—as soon as reasonably practicable after the employer or self-employed person is no longer incapacitated.
 - (4) The record must be kept for 3 years.

198 Distribution entity to advise chief executive of serious electrical incident or dangerous electrical event

- (1) This section applies if—
 - (a) a distribution entity is advised about the happening of a serious electrical incident or dangerous electrical event; and
 - (b) the distribution entity is the distribution entity for the incident or event.
- (2) The distribution entity must—
 - (a) give written notice of the incident or event to the chief executive in the approved form; and
 - (b) ensure the written notice is received by the chief executive within 24 hours after the distribution entity first becomes aware of the happening of the incident or event.

Maximum penalty—40 penalty units.

- (3) However, if the incident or event that happens is a serious electrical incident in which a person has been killed, the distribution entity must also advise the chief executive of the incident, immediately the distribution entity becomes aware of the happening of the incident, by phone, fax or another suitable form of immediate and effective communication.

Maximum penalty—40 penalty units.

[s 199]

- (4) The distribution entity is not required to give written notice or immediate advice to the chief executive of the incident or event if the distribution entity knows that the incident or event has already been reported to the chief executive.

199 Action required by distribution entity on report of electric shock

- (1) This section applies if a distribution entity is advised by a consumer to whom the distribution entity supplies electricity that a person has received an electric shock.
- (2) The distribution entity must—
 - (a) take the action necessary to be taken in the interests of the electrical safety of persons; and
 - (b) make a written record of the incident (*incident record*), in a format approved by the chief executive, within 3 days after the distribution entity is advised of the person having received the electric shock; and
 - (c) keep the incident record made under paragraph (b) for 5 years.

Maximum penalty for subsection (2)—40 penalty units.

200 Report of incident records

A distribution entity must, every 3 months, report to the chief executive, in a format approved by the chief executive, about the incident records made by the distribution entity in the 3 months.

Maximum penalty—20 penalty units.

201 Scene not to be interfered with

- (1) This section applies if a serious electrical incident or dangerous electrical event happens at a place.
- (2) A person, other than a person acting under the authority of the distribution entity for the incident or event, must not move or

otherwise interfere with any electrical equipment, or part of any electrical equipment, involved in the happening of the incident or event without the permission of—

- (a) an inspector; or
- (b) if an inspector is not available, a police officer.

Maximum penalty—40 penalty units.

- (3) A person does not commit an offence against subsection (2) if the movement or interference is necessary—
 - (a) to save life or relieve suffering; or
 - (b) to prevent injury to a person or property damage.

201A Storage of electrical equipment after serious electrical incident

- (1) This section applies if—
 - (a) a serious electrical incident happens at a place; and
 - (b) electrical equipment that is part of the works of a distribution entity is involved in the serious electrical incident.
- (2) The distribution entity must ensure that, if the equipment is removed from the place, the equipment is stored securely until—
 - (a) an inspector takes possession of the equipment; or
 - (b) an inspector gives written permission to release the equipment from storage.

Maximum penalty—40 penalty units.

202 Requirement on distribution entity to take action in interests of electrical safety

- (1) If a person has a reasonable concern about the electrical safety of electrical equipment to which a distribution entity supplies electricity, the person may advise the distribution entity of the concern.

[s 203]

- (2) The distribution entity must take the action necessary to be taken in the interests of the electrical safety of persons.

Maximum penalty for subsection (2)—40 penalty units.

Part 13 Miscellaneous provisions

Division 1 Electrical safety contributions

203 Context of div 1

The purpose of this division is to prescribe, for part 14, division 1 of the Act, things that are necessary or convenient for establishing and operating arrangements for the payment of electrical safety contributions.

204 Definitions for div 1

In this division—

premises figure, for a distribution entity, means a figure that is a fair estimate of the average number of retail premises for the distribution entity for the current financial year.

total contribution amount, for the current financial year, means \$13067100.

total premises figure means the total of the premises figures for all distribution entities.

unit contribution amount means the total contribution amount divided by the total premises figure.

205 Fixing electrical safety contribution for each distribution entity for current financial year

The method for working out the amount of the electrical safety contribution payable by each distribution entity for the current financial year is as follows—

- The chief executive decides the premises figure for each distribution entity.
- The chief executive works out the total premises figure.
- The chief executive works out the unit contribution amount.
- The chief executive works out the amount of the electrical safety contribution payable by each distribution entity for the current financial year by multiplying the premises figure for the distribution entity by the unit contribution amount.

206 Payment of electrical safety contribution by instalments

The electrical safety contribution for a distribution entity for the current financial year may be paid in equal instalments.

Division 2 Mines, petroleum plants and prescribed workplaces

207 Application of regulation at mine or petroleum plant

- (1) For section 6(2) of the Act, the following provisions of this regulation have application at a mine or petroleum plant—
- (a) part 1;
 - (b) part 3, other than to the extent it relates to electrical contractor licences;
 - (c) section 69;
 - (d) part 6, other than divisions 11 and 12;

[s 207A]

- (e) part 11;
 - (f) part 12.
- (2) For the application of part 12 at a mine or petroleum plant, a reference to a dangerous electrical event does not include a reference to a matter mentioned in section 12(a), (b) or (c) of the Act if the matter is required to be reported under the *Coal Mining Safety and Health Act 1999*, the *Mining and Quarrying Safety and Health Act 1999* or the *Petroleum and Gas (Production and Safety) Act 2004*.

207A Prescribed workplaces—Act, s 18(2)(d)

- (1) For section 18(2)(d) of the Act, a workplace is prescribed if—
- (a) activities of a kind stated in schedule 6A are conducted at the workplace; and
 - (b) 1 or more persons (whether an employer, self-employed person or person employed part-time or full-time) are employed in a financial year at the workplace.
- (2) Schedule 6A categorises workplaces according to the activities of persons employed at the workplaces using a system known as the Australian and New Zealand Standard Industrial Classification (*ANZSIC*).
- (3) A category of workplace stated in schedule 6A, column 2 has the ANZSIC class stated in the schedule, column 1.

Division 3 Other matters

208 Climbing poles of electricity entity prohibited

- (1) A person must not climb a pole, standard or other structure that is part of the works of an electricity entity, or a ladder attached to a pole, standard or other structure that is part of the works of an electricity entity, if the electricity entity has not authorised the person to climb the pole, standard, other structure or ladder.

Maximum penalty—40 penalty units.

- (2) Subsection (1) does not apply to—
- (a) an inspector; or
 - (b) a licensed electrical contractor or licensed electrical worker who, under part 8, division 1, de-energises and re-energises a consumer's electrical installation by—
 - (i) removing and replacing a fuse wedge from a service fuse; or
 - (ii) switching off and on a circuit breaker installed as a service line disconnecter.

209 Obligations of employer about supervising training person

- (1) The employer of a training person who has not finished 6 months of the person's apprenticeship or training program must ensure the training person does not work—
- (a) in the immediate vicinity of a live high voltage exposed part; or
 - (b) where there is a risk the training person could come into contact with a live low voltage exposed part.

Maximum penalty—40 penalty units.

- (1A) However, subsection (1) does not apply to a training person performing duties as a safety observer if—
- (a) the training person is a safety observer and has been capable of being a safety observer for at least 1 year immediately before the start of the training person's apprenticeship or training program; and
 - (b) the employer keeps a written record of the assessment mentioned in section 12, definition *safety observer*, paragraph (c) in relation to the training person.
- (2) An employer must ensure that a training person who performs electrical work is supervised at all times by a licensed electrical worker licensed to perform the work.

[s 209A]

Maximum penalty—40 penalty units.

- (3) The level of supervision required under subsection (2) must be appropriate, having regard to—
- (a) the type of electrical work performed; and
 - (b) the adequacy of the training person's training; and
 - (c) the competency of the training person.
- (4) In this section—

safety observer see section 12(2).

training person means a person who is undertaking, but has not finished—

- (a) an apprenticeship under the *Vocational Education, Training and Employment Act 2000*, in a calling that requires the person to perform electrical work; or
- (b) a training program approved by the chief executive that requires the person to perform electrical work.

209A Electrical distribution entity may isolate powerlines in emergency

- (1) An electrical distribution entity may isolate powerlines from sources of electricity—
- (a) in an emergency; or
 - (b) to prevent an emergency from happening.

Example of paragraph (a)—

if there is a flood or fire

Example of paragraph (b)—

if there are extreme conditions with the potential to create an emergency, for example, sparking lines in high wind in high fire danger conditions

- (2) In this section—

emergency means an emergency in relation to a person or the electrical distributions entity's property or other property.

210 Inspection of entries in registers

- (1) The chief executive must keep each register under this regulation open for inspection, on payment of any fixed fee applying to the inspection, by members of the public during office hours on business days.
- (2) A person may obtain a copy of an entry in a register on payment of any fixed fee applying to obtaining the copy.

210A Time for giving electrical safety undertaking

For section 49A(2) of the Act, an electrical safety undertaking must be received by the chief executive within 90 days after the identified person for the undertaking is served with a summons in relation to the alleged contravention.

211 Provision of information by retail entity

The following information is prescribed under section 164 of the Act—

- (a) a customer's full name;
- (b) the address of the premises at which a customer receives customer retail services;
- (c) a customer's postal address and telephone number;
- (d) a contact person for a customer;
- (e) the date a retail entity agreed to provide customer retail services to the premises of a customer;
- (f) the location of a meter at a premises;
- (g) the number of meters at a premises;
- (h) the tariff applying to a meter at a premises;
- (i) the number of a pole or pillar used in supplying electricity to a premises;
- (j) information relevant to locating a premises or gaining access to it;

[s 211AA]

- (k) for premises that are a domestic residence—whether an approved safety switch is installed for the domestic residence.

211AA Provision of information by Residential Tenancies Authority

- (1) The Residential Tenancies Authority may, if asked, give the chief executive information, obtained by it in performing its functions, that is relevant to a person's compliance with section 80A.

Example of the information that may be given—

the address of the domestic residence

- (2) In this section—

Residential Tenancies Authority means the Residential Tenancies Authority established under the *Residential Tenancies and Rooming Accommodation Act 2008*, section 465.

211A Person chief executive may appoint as inspector

For section 122 of the Act, the chief executive may appoint a public service officer as an inspector.

211B Fees

- (1) The fees payable under the Act are in schedule 7.
- (2) Schedule 8 states the classes of types of electrical equipment for the purpose of fees.
- (3) Each type of electrical equipment mentioned in schedule 8 is as described in AS/NZS 4417.2 (Marking of electrical products to indicate compliance with regulations—Specific requirements for electrical safety regulatory applications).

Part 14 Transitional provisions

Division 1 Interpretation

212 Definitions for pt 14

In this part—

Electrical Articles Regulation means the repealed *Electricity (Electrical Articles) Regulation 1994*.

Electricity Regulation means the *Electricity Regulation 1994*.

Division 2 Transitional provisions for 2002 SL No. 260

Subdivision 1 Electrical licences

213 Equivalent licences to previous licences

- (1) This section identifies equivalent licences for previous licences for the Act, section 211, definition *equivalent licence*.
- (2) Electrical work licences are equivalent to previous licences as follows—
 - an electrical mechanic licence is the equivalent of a licence as an electrical mechanic under the Electricity Regulation
 - an electrical linesperson licence is the equivalent of a licence as an electrical linesperson under the Electricity Regulation
 - an electrical fitter licence is the equivalent of a licence as an electrical fitter under the Electricity Regulation
 - an electrical jointer licence is the equivalent of a licence as an electrical jointer under the Electricity Regulation

[s 214]

- a restricted electrical work licence is the equivalent of a restricted licence under the Electricity Regulation
 - an electrical work training permit is the equivalent of a training permit under the Electricity Regulation.
- (3) An electrical contractor licence is equivalent to an electrical contractor's licence under the Electricity Regulation.

214 Eligibility for electrical jointer licence

- (1) This section applies to a person if, immediately before the commencement of this section, the person complied with the requirements under section 46(2) or (3) of the Electricity Regulation for the issue of a licence as an electrical jointer.
- (2) The person is taken to comply with the eligibility requirements for the issue and subsequent renewal or reinstatement of an electrical jointer licence under this regulation.
- (3) This section is subject to section 221.

215 Eligibility for electrical linesperson licence

- (1) This section applies to a person if, immediately before the commencement of this section, the person complied with the requirements under section 47(2) or (3) of the Electricity Regulation for the issue of a licence as an electrical linesperson.
- (2) The person is taken to comply with the eligibility requirements for the issue and subsequent renewal or reinstatement of an electrical linesperson licence under this regulation.
- (3) This section is subject to section 222.

Subdivision 2 Matters in place before 1 October 2002

216 Registered cathodic protection system

On the commencement of this section, a cathodic protection system registered under the Electricity Regulation immediately before the commencement of this section is taken to be registered under this regulation, but only for a term that expires when its period of registration under the Electricity Regulation would have expired.

217 Approval of type of prescribed electrical article

- (1) This section applies if, immediately before the commencement of this section there is in force under the Electrical Articles Regulation an approval for a type (the *previously approved type*) of prescribed electrical article.
- (2) On the commencement of this section, there is taken to be in force an approval of the type of electrical equipment of a prescribed class of electrical equipment that is the equivalent type of the previously approved type.
- (3) The approval is for a term that expires when the period of approval for the previously approved type would have expired.

218 Clearances for lines built before 1 January 1995

- (1) This section applies to an overhead electric line built before 1 January 1995 that—
 - (a) immediately before 1 January 1995, complied with the clearance requirements of the *Electricity Regulation 1989*; and
 - (b) immediately before the commencement of this section, was continuing to comply with the clearance requirements of that regulation.

[s 219]

- (2) Until the line is replaced or rebuilt, the line, if it continues to comply with the clearance requirements of that regulation, is taken to comply with clearance requirements under part 7, division 4 for overhead electric lines.

219 Termination of low voltage overhead service line built before 1 January 1995

- (1) This section applies to a low voltage overhead service line built before 1 January 1995 that—
 - (a) immediately before 1 January 1995, complied with the termination requirements of the *Electricity Regulation 1989*; and
 - (b) immediately before the commencement of this section, was continuing to comply with the termination requirements of that regulation.
- (2) Until the line is replaced or rebuilt, the line, if it continues to comply with the termination requirements of that regulation, is taken to comply with termination requirements under part 7, division 5 for low voltage overhead service lines.

220 Clearances for lines built before commencement

- (1) This section applies to an overhead electric line built on or after 1 January 1995 but before the commencement of this section that—
 - (a) immediately before the commencement, complied with the clearance requirements of the *Electricity Regulation*; and
 - (b) would still be in compliance with the clearance requirements of the *Electricity Regulation* if the requirements were still in force.
- (2) Until the line is replaced or rebuilt, the line is taken to comply with clearance requirements under part 7, division 4 for overhead electric lines.

Division 3 **Transitional provisions for Electrical
Safety and Another Regulation
Amendment Regulation (No. 1) 2007**

221 Further provision for electrical jointer licences

- (1) This section applies to a person mentioned in section 214 if, immediately before 1 October 2002—
 - (a) the person complied with the requirements under section 46(3) of the Electricity Regulation for the issue of a licence as an electrical jointer; and
 - (b) for section 46(3)(a) of the Electricity Regulation, the person had been employed outside Queensland, but not in Australia, as an electrical jointer for at least 2 years.
- (2) Section 214(2) stops applying to the person on the commencement of this section.
- (3) Despite subsection (2), section 214(2) continues to apply to the person if, immediately before the commencement, the person—
 - (a) held a licence as an electrical jointer; or
 - (b) had applied for the issue, renewal or reinstatement of a licence as an electrical jointer.

222 Further provision for electrical linesperson licences

- (1) This section applies to a person mentioned in section 215 if, immediately before 1 October 2002—
 - (a) the person complied with the requirements under section 47(3) of the Electricity Regulation for the issue of a licence as an electrical linesperson; and
 - (b) for section 47(3)(a) of the Electricity Regulation, the person had been employed outside Queensland, but not in Australia, as an electrical linesperson for at least 2 years.

[s 223]

- (2) Section 215(2) stops applying to the person on the commencement of this section.
- (3) Despite subsection (2), section 215(2) continues to apply to the person if, immediately before the commencement, the person—
 - (a) held a licence as an electrical linesperson; or
 - (b) had applied for the issue, renewal or reinstatement of a licence as an electrical linesperson.

Division 4 Transitional provisions for Electrical Safety and Other Legislation Amendment Act 2011

Subdivision 1 Definitions for division 4

223 Definitions for div 4

In this division—

commencement means the commencement of the provision in which the term is used.

external approval means an external approval under part 6 of this regulation as in force before the commencement.

external approvals entity means an external approvals entity under this regulation as in force before the commencement.

Queensland approval means a Queensland approval under part 6 of this regulation as in force before the commencement.

type approval number, for a Queensland approval, means the type approval number given, for the type of electrical equipment to which the approval relates, under section 102(2)(b) of this regulation as in force before the commencement.

Subdivision 2 Queensland approvals, external approvals and other approvals

224 Queensland approvals

- (1) Subsection (2) applies to a Queensland approval in force immediately before the commencement for a type of electrical equipment.
- (2) The Queensland approval is taken to be a certificate of conformity issued by the chief executive under part 6, division 7 for the type.
- (3) Subject to this regulation, the Queensland approval, as a certificate of conformity, continues in force for the balance of the period stated in the approval.
- (4) The Queensland approval, as a certificate of conformity, may be modified, renewed or transferred under part 6, division 7.

225 External approvals

- (1) This section applies to an external approval, given by an external approvals entity that is—
 - (a) in force for a type of electrical equipment immediately before the commencement; or
 - (b) issued for a type of electrical equipment within 12 months starting on the commencement.
- (2) The external approval is taken, for this regulation, to be a certificate of conformity issued under a corresponding law.
- (3) The external approval, as a certificate of conformity, continues in force until it expires or otherwise comes to an end.

225A Approvals under declared scheme

- (1) This section applies to an approval given under a declared scheme that is—

[s 226]

- (a) in force for a type of electrical equipment immediately before the commencement; or
 - (b) issued for a type of electrical equipment within 12 months starting on the commencement.
- (2) The approval is taken, for this regulation, to be a certificate of conformity issued under a scheme recognised under a corresponding law.
 - (3) The approval, as a certificate of conformity, continues in force until it expires or otherwise comes to an end.
 - (4) In this section—

declared scheme means a scheme declared to be a recognised external approval scheme under the *Electricity (Consumer Safety) Act 2004* (NSW), section 15.

Subdivision 3 Application of certain provisions

226 Application of s 104 during transition period

- (1) Subsection (2) applies in relation to items of a type of level 1 in-scope electrical equipment manufactured or imported by the responsible supplier concerned before the commencement.
- (2) During the transition period section 104 applies as if—
 - (a) paragraph (a) of subsection (1) were omitted; and
 - (b) subsection (2) were omitted.
- (3) In this section—

transition period means 6 months starting on the commencement.

227 Application of s 105 during transition period

- (1) Subsection (2) applies in relation to items of a type of level 2 or 3 in-scope electrical equipment manufactured or imported

by the responsible supplier concerned before the commencement.

- (2) During the transition period section 105 applies as if—
 - (a) paragraphs (a), (b) and (c) of subsection (1) were omitted; and
 - (b) subsections (2) and (3) were omitted.
- (3) In this section—

transition period means 6 months starting on the commencement.

228 Application of s 106(1) during transition period

- (1) During the transition period it is sufficient compliance with section 106(1) if the item is marked—
 - (a) as mentioned in section 100(1)(b) of this regulation as in force before the commencement and the marking happened before the commencement; or
 - (b) after the commencement under section 231; or
 - (c) after the commencement under the law of another State or New Zealand relating to electrical safety.
- (2) In this section—

transition period means 5 years starting on the commencement.

229 Application of s 107 during the transition period

- (1) During the transition period section 107 applies only to items of a type of level 1 in-scope electrical equipment manufactured or imported by the responsible supplier concerned on or after the commencement.
- (2) In this section—

transition period means 6 months starting on the commencement.

[s 230]

230 Application of s 111(1) during the transition period

- (1) During the transition period it is sufficient compliance with section 111(1) if the item is marked—
 - (a) as mentioned in section 100(1)(b) of this regulation as in force before the commencement and the marking happened before the commencement; or
 - (b) after the commencement under section 231; or
 - (c) after the commencement, under the law of another State or New Zealand relating to electrical safety.
- (2) In this section—

transition period means 3 years starting on the commencement.

Subdivision 4 Marking of in-scope electrical equipment

231 Marking of in-scope electrical equipment with type approval number

- (1) This section applies, in relation to a Queensland approval that is taken to be a certificate of conformity under section 224, for the shorter of the following periods—
 - (a) the period the approval, as that certificate, continues in force;
 - (b) 3 years from the commencement.
- (2) Despite the omission of part 6 of this regulation as in force immediately before the commencement by the *Electrical Safety and Other Legislation Amendment Act 2011*, an item of in-scope electrical equipment that is of a type of electrical equipment to which the Queensland approval applied may be marked under that part with the type approval number for the Queensland approval or another mark approved by the chief executive.

Note—

See sections 112 and 113 of part 6 of this regulation as in force before the commencement.

Schedule 1 External licences and electrical work licence equivalents

section 32

External licence	Equivalent licence
New South Wales	
Under the <i>Home Building Act 1989</i> (NSW)—	
<ul style="list-style-type: none"> • Contractor licence endorsed ‘electrical wiring work (electrician)’ 	electrical mechanic licence
<ul style="list-style-type: none"> • Qualified supervisor certificate—electrical wiring work (electrician) 	electrical mechanic licence
Victoria	
Under the <i>Electricity Safety Act 1998</i> (Vic)—	
<ul style="list-style-type: none"> • Electrician’s licence 	electrical mechanic licence
South Australia	
Under the <i>Plumbers, Gas Fitters and Electricians Act 1995</i> (SA)—	
<ul style="list-style-type: none"> • Electrical workers registration—any electrical work 	electrical mechanic licence
Tasmania	
Under the <i>Electricity Industry Safety and Administration Act 1997</i> (Tas)—	
<ul style="list-style-type: none"> • Electrical technician’s licence 	electrical mechanic licence
<ul style="list-style-type: none"> • Electrician’s licence 	electrical mechanic licence

External licence	Equivalent licence
Under the <i>Occupational Licensing Act 2005</i> (Tas)—	
• Electrical practitioner’s licence	electrical mechanic licence
Western Australia	
Under the <i>Electricity Act 1945</i> (WA)—	
• “A” grade electrical workers’ licence—endorsed ‘all electrical work’	electrical mechanic licence
• “A” grade electrical workers’ licence—endorsed electrical mechanic	electrical mechanic licence
• “A” grade electrical workers’ licence—endorsed electrical mechanic and electrical fitter	electrical mechanic licence
• “A” grade electrical workers’ licence—endorsed electrical fitter	electrical fitter licence
• Electrical workers’ licence endorsed ‘electrician’	electrical mechanic licence
• Electrician’s licence endorsed ‘electrical fitter’	electrical fitter licence
• Electrician’s licence that is not endorsed ‘electrical fitter’	electrical mechanic licence
Australian Capital Territory	
Under the <i>Construction Occupations (Licensing) Act 2004</i> (ACT)—	
• Unrestricted electrician licence	electrical mechanic licence

External licence

Equivalent licence

Northern Territory

Under the *Electrical Workers and Contractors Act* (NT)—

- | | |
|---|-----------------------------|
| • Electrical workers' licence endorsed electrical mechanic | electrical mechanic licence |
| • Electrical workers' licence endorsed electrical fitter and mechanic | electrical mechanic licence |
| • Electrical workers' licence endorsed electrical fitter | electrical fitter licence |

New Zealand

Under the *Electricity Act 1992* (NZ)—

- | | |
|---|-----------------------------|
| • Practising licence for registered electrician | electrical mechanic licence |
|---|-----------------------------|

Schedule 2 Exclusion zones for electrical parts

section 61

Part 1 Exclusion zones for exposed parts for untrained persons and for operating plant and vehicles operated by untrained persons

Nominal phase to phase voltage of exposed part	Untrained person for the exposed part (mm)	Operating plant operated by untrained person for the exposed part (mm)	Vehicle operated by untrained person for the exposed part (mm)
Low voltage (with consultation with person in control of exposed part)	1 000	3 000	600
Low voltage (without consultation with person in control of exposed part)	3 000	3 000	600
Above low voltage, up to 33kV (with consultation with person in control of exposed part)	2 000	3 000	900

Schedule 2

Nominal phase to phase voltage of exposed part	Untrained person for the exposed part (mm)	Operating plant operated by untrained person for the exposed part (mm)	Vehicle operated by untrained person for the exposed part (mm)
Above low voltage, up to 33kV (without consultation with person in control of exposed part)	3 000	3 000	900
Above 33kV up to 50kV	3 000	3 000	2 100
Above 50kV up to 66kV	3 000	3 000	2 100
Above 66kV up to 110kV	3 000	3 000	2 100
Above 110kV up to 132kV	3 000	3 000	2 100
Above 132kV up to 220kV	4 500	6 000	2 900
Above 220kV up to 275kV	5 000	6 000	2 900
Above 275kV up to 330kV	6 000	6 000	3 400
Above 330kV up to 400kV	6 000	8 000	4 400
Above 400kV up to 500kV	6 000	8 000	4 400

Nominal pole to earth dc voltage of exposed part	Untrained person for the exposed part (mm)	Operating plant operated by untrained person for the exposed part (mm)	Vehicle operated by untrained person for the exposed part (mm)
+/- 25kV	3 000	3 000	900
+/- 85kV	3 000	3 000	2 100
+/- 150kV	3 000	3 000	2 100
+/- 270kV	4 500	6 000	2 900
+/- 350kV	5 000	6 000	2 900
+/- 400kV	6 000	6 000	3 400

Part 2

Exclusion zones for exposed parts for authorised and instructed persons and for operating plant and vehicles operated by authorised or instructed persons

Nominal phase to phase voltage of exposed part	Authorised person or instructed person for the exposed part (mm)	Operating plant operated by authorised person or instructed person for the exposed part, with safety observer or another safe system (mm)	Vehicle operated by authorised person or instructed person for the exposed part (mm)
Low voltage (with consultation with person in control of exposed part)	(No exclusion zone prescribed)	1 000	600
Low voltage (without consultation with person in control of exposed part)	(No exclusion zone prescribed)	1 000	600
Above low voltage, up to 33kV (with consultation with person in control of exposed part)	700	1 200	700
Above low voltage, up to 33kV (without consultation with person in control of exposed part)	700	1 200	700

Nominal phase to phase voltage of exposed part	Authorised person or instructed person for the exposed part (mm)	Operating plant operated by authorised person or instructed person for the exposed part, with safety observer or another safe system (mm)	Vehicle operated by authorised person or instructed person for the exposed part (mm)
Above 33kV up to 50kV	750	1 300	750
Above 50kV up to 66kV	1 000	1 400	1 000
Above 66kV up to 110kV	1 000	1 800	1 000
Above 110kV up to 132kV	1 200	1 800	1 200
Above 132kV up to 220kV	1 800	2 400	1 800
Above 220kV up to 275kV	2 300	3 000	2 300
Above 275kV up to 330kV	3 000	3 700	3 000
Above 330kV up to 400kV	3 300	4 000	3 300
Above 400kV up to 500kV	3 900	4 600	3 900

Schedule 2

Nominal pole to earth dc voltage of exposed part	Authorised person or instructed person for the exposed part (mm)	Operating plant operated by authorised person or instructed person for the exposed part, with safety observer or another safe system (mm)	Vehicle operated by authorised person or instructed person for the exposed part (mm)
+/- 25kV	700	1 200	700
+/- 85kV	1 000	1 800	1 000
+/- 150kV	1 200	1 800	1 200
+/- 270kV	1 800	2 400	1 800
+/- 350kV	2 500	3 200	2 500
+/- 400kV	2 900	3 600	2 900

Part 3

Exclusion zones for low voltage overhead insulated electric line for untrained persons and for operating plant or vehicles operated by untrained persons

Low voltage overhead insulated electric line	Untrained person (mm)	Operating plant operated by untrained person for the electric line (mm)	Vehicle operated by untrained person for the electric line (mm)
With consultation with, and with insulation verified by, an authorised person for the electric line	(No exclusion zone prescribed)	1 000	300

Low voltage overhead insulated electric line	Untrained person (mm)	Operating plant operated by untrained person for the electric line (mm)	Vehicle operated by untrained person for the electric line (mm)
Without consultation with, and without insulation verified by, an authorised person for the electric line	3 000	3 000	600

Part 4 Exclusion zones for low voltage overhead insulated electric line for authorised or instructed persons and for operating plant or vehicles operated by authorised or instructed persons

Low voltage overhead insulated electric line	Authorised person or instructed person for the electric line (mm)	Operating plant operated by authorised person or instructed person for the electric line, with safety observer or another safe system (mm)	Vehicle operated by authorised person or instructed person for the electric line (mm)
With consultation with, and with insulation verified by, an authorised person for the electric line	(No exclusion zone prescribed)	(No exclusion zone prescribed)	(No exclusion zone prescribed)
Without consultation with, and without insulation verified by, an authorised person for the electric line	(No exclusion zone prescribed)	(No exclusion zone prescribed)	600

Part 5 Exclusion zones for high voltage overhead insulated electric line for untrained persons and for operating plant or vehicles operated by untrained persons

Nominal phase to phase voltage of high voltage overhead insulated electric line	Untrained person for the electric line (mm)	Operating plant operated by untrained person for the electric line (mm)	Vehicle operated by untrained person for the electric line (mm)
Above low voltage, up to 33kV (with consultation with person in control of electric line)	2 000	3 000	900
Above low voltage, up to 33kV (without consultation with person in control of electric line)	3 000	3 000	900
Above 33kV up to 50kV	3 000	3 000	2 100
Above 50kV up to 66kV	3 000	3 000	2 100
Nominal pole to earth dc voltage of electric line			
+/- 25kV	3 000	3 000	900
+/- 85kV	3 000	3 000	2 100

Part 6

Exclusion zones for high voltage overhead insulated electric line for authorised and instructed persons and for operating plant and vehicles operated by authorised or instructed persons

Nominal phase to phase voltage of high voltage overhead insulated electric line	Authorised person or instructed person for electric line (mm)	Operating plant operated by authorised person or instructed person for electric line, with safety observer or another safe system (mm)	Vehicle operated by authorised person or instructed person for electric line (mm)
Above low voltage, up to 33kV (with consultation with person in control of electric line)	700	700	700
Above low voltage, up to 33kV (without consultation with person in control of electric line)	700	700	700
Above 33kV up to 50kV	750	750	750

Nominal phase to phase voltage of high voltage overhead insulated electric line	Authorised person or instructed person for electric line (mm)	Operating plant operated by authorised person or instructed person for electric line, with safety observer or another safe system (mm)	Vehicle operated by authorised person or instructed person for electric line (mm)
Above 50kV up to 66kV	1 000	1 000	1 000
Nominal pole to earth dc voltage of electric line			
+/- 25kV	700	700	700
+/- 85kV	1 000	1 000	1 000

Schedule 3 Information to be included in declarations by responsible suppliers

sections 98(4), 101(5) and 103A(5)

Part 1 Responsible supplier's declaration

Information to be included in declaration

That—

- (a) each item of a type of in-scope electrical equipment when sold by the responsible supplier will—
 - (i) meet the relevant standard for the type as in force—
 - (A) if the responsible supplier is a manufacturer of the type—at the time the item was manufactured by the responsible supplier; or
 - (B) if the responsible supplier is an importer of the type—at the time the item was imported by the responsible supplier; and
 - (ii) be electrically safe; and
- (b) there is a current certificate of conformity for each plug, flexible supply cord or appliance connector, as defined in AS/NZS 4417 (Marking of electrical products to indicate compliance with regulations) sold for use with the item.

Part 2 **Responsible supplier's level 2 in-scope electrical equipment declaration**

Information to be included in declaration

That—

- (a) each item of the type of level 2 in-scope electrical equipment mentioned below when sold by the responsible supplier will—
 - (i) meet the relevant standard for the type as at the time the type was registered in the national register; and
 - (ii) be electrically safe; and
- (b) the responsible supplier keeps a compliance folder for that type of equipment.

Details of the type of level 2 in-scope electrical equipment to which this declaration relates—

(insert details).

Part 3 **Responsible supplier's level 3 in-scope electrical equipment declaration**

Information to be included in declaration

That—

- (a) each item of the type of level 3 in-scope electrical equipment mentioned below when sold by the responsible supplier will—

Schedule 3

- (i) meet the relevant standard for the type as at the time the type was registered in the national register; and
- (ii) be electrically safe; and
- (b) the responsible supplier keeps a certificate of conformity for that type of equipment.

Details of the type of level 3 in-scope electrical equipment to which this declaration relates—

(insert details).

Schedule 4 Clearance of overhead electric lines (other than low voltage service lines)

sections 139 and 140

Part 1 Low voltage conductor clearance—from ground

Vertical clearance from roads

- 1 The minimum vertical clearance from roads must be—
- (a) crossing the carriageway—
 - (i) insulated. 5.5m
 - (ii) uninsulated. 5.5m
 - (b) at other positions—
 - (i) insulated. 5.5m
 - (ii) uninsulated. 5.5m

Vertical clearance from other than roads

- 2(1) The minimum vertical clearance from other than roads must be—
- (a) insulated. 5.5m
 - (b) uninsulated. 5.5m
- (2) This item does not apply if item 3 or 4 applies.

Vertical clearance over nontrafficable land

- 3 The minimum vertical clearance over land that, because of the steepness or swampiness of its terrain, can not be crossed by traffic or mobile machinery must be—
- (a) insulated. 4.5m

(b) uninsulated. 4.5m

Horizontal clearance from road cuttings and embankments

4 The minimum horizontal clearance, in accordance with note 2, from road cuttings, embankments and similar features must be—

(a) insulated. 1.5m

(b) uninsulated. 1.5m

Part 2 Low voltage conductor clearance—from structures

Clearance from unroofed terraces, balconies and sun decks

1 The minimum clearance, in accordance with note 2, for unroofed terraces, balconies, sun decks, paved areas and similar areas that are subject to pedestrian traffic only, that have a surrounding hand rail or wall and on which a person is likely to stand must be—

(a) vertically—

(i) insulated. 2.7m

(ii) uninsulated. 3.7m

(b) horizontally—

(i) insulated. 1.2m

(ii) uninsulated. 1.5m

Clearance from roofs or similar structures not used for traffic

2 The minimum clearance vertically and horizontally, in accordance with note 2, for roofs or similar structures not used for traffic or resort but on which a person is likely to stand, and for parapets surrounding roofs or similar structures not used for traffic or resort but on which a person is likely to stand, must be—

- | | |
|-----------------------|------|
| (a) vertically— | |
| (i) insulated..... | 2.7m |
| (ii) uninsulated..... | 3.7m |
| (b) horizontally— | |
| (i) insulated..... | 0.9m |
| (ii) uninsulated..... | 1.5m |

Clearance from covered places of traffic

- 3 The minimum clearance in any direction from covered places of traffic or resort, including for example, windows capable of being opened, roofed open verandahs and covered balconies, must be—
- | | |
|----------------------|------|
| (a) insulated..... | 1.2m |
| (b) uninsulated..... | 1.5m |

Horizontal clearance from blank walls or windows

- 4 The minimum clearance horizontally from blank walls or windows that can not be opened must be—
- | | |
|----------------------|------|
| (a) insulated..... | 0.6m |
| (b) uninsulated..... | 1.5m |

Clearance from structures not normally accessible to persons

- 5 The minimum clearance from other structures not normally accessible to persons must be, in accordance with note 2—
- | | |
|-----------------------|------|
| (a) vertically— | |
| (i) insulated..... | 0.6m |
| (ii) uninsulated..... | 2.7m |
| (b) horizontally— | |
| (i) insulated..... | 0.3m |
| (ii) uninsulated..... | 1.5m |

Part 3 High voltage conductor clearance—from ground

Vertical clearance from roads

- 1 The minimum vertical clearance from roads must be—
- (a) crossing the carriageway—
 - (i) more than 1000V but not more than 33kV 6.7m
 - (ii) more than 33kV but not more than 66kV 6.7m
 - (iii) more than 66kV but not more than 132kV 6.7m
 - (iv) more than 132kV but not more than 275kV . . . 7.5m
 - (v) more than 275kV but not more than 330kV . . . 8.0m
 - (vi) more than 330kV but not more than 500kV . . . 9.0m
 - (b) at other places—
 - (i) more than 1000V but not more than 33kV 5.5m
 - (ii) more than 33kV but not more than 66kV 6.7m
 - (iii) more than 66kV but not more than 132kV 6.7m
 - (iv) more than 132kV but not more than 275kV . . . 7.5m
 - (v) more than 275kV but not more than 330kV . . . 8.0m
 - (vi) more than 330kV but not more than 500kV . . . 9.0m

Vertical clearance from other than roads

- 2(1) The minimum vertical clearance from other than roads must be—
- (a) more than 1000V but not more than 33kV 5.5m
 - (b) more than 33kV but not more than 66kV 6.7m
 - (c) more than 66kV but not more than 132kV 6.7m
 - (d) more than 132kV but not more than 275kV 7.5m
 - (e) more than 275kV but not more than 330kV 8.0m
 - (f) more than 330kV but not more than 500kV 9.0m
- (2) This item does not apply if item 3 or 4 applies.

Vertical clearance over nontrafficable land

- 3 The minimum vertical clearance over land that, because of the steepness or swampiness of its terrain, can not be crossed by traffic or mobile machinery must be—
- | | |
|---|------|
| (a) more than 1000V but not more than 33kV | 4.5m |
| (b) more than 33kV but not more than 66kV | 5.5m |
| (c) more than 66kV but not more than 132kV | 5.5m |
| (d) more than 132kV but not more than 275kV | 6.0m |
| (e) more than 275kV but not more than 330kV | 6.7m |
| (f) more than 330kV but not more than 500kV | 7.5m |

Horizontal clearance from road cuttings and embankments etc.

- 4 The minimum horizontal clearance, in accordance with note 2, from road cuttings, embankments and other similar places must be—
- | | |
|---|------|
| (a) more than 1000V but not more than 33kV | 2.1m |
| (b) more than 33kV but not more than 66kV | 4.6m |
| (c) more than 66kV but not more than 132kV | 4.6m |
| (d) more than 132kV but not more than 275kV | 5.5m |
| (e) more than 275kV but not more than 330kV | 6.0m |
| (f) more than 330kV but not more than 500kV | 7.0m |

Part 4 High voltage conductor clearance—from structures

Clearance from unroofed terraces, balconies and sun decks

- 1 The minimum clearance, in accordance with note 2, for unroofed terraces, balconies, sun decks, paved areas and similar areas that are subject to pedestrian traffic only, that have a surrounding hand rail or wall and on which a person is likely to stand, must be—

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(a) vertically—	
(i) more than 1000V but not more than 33kV . . .	4.6m
(ii) more than 33kV but not more than 66kV	5.5m
(iii) more than 66kV but not more than 132kV . . .	5.5m
(iv) more than 132kV but not more than 275kV . .	6.5m
(v) more than 275kV but not more than 330kV . .	7.0m
(vi) more than 330kV but not more than 500kV . .	8.0m
(b) horizontally—	
(i) more than 1000V but not more than 33kV . . .	2.1m
(ii) more than 33kV but not more than 66kV	4.6m
(iii) more than 66kV but not more than 132kV . . .	4.6m
(iv) more than 132kV but not more than 275kV . .	5.5m
(v) more than 275kV but not more than 330kV . .	5.5m
(vi) more than 330kV but not more than 500kV . .	6.0m

Clearance from roofs or similar structures not used for traffic

2 The minimum clearance vertically and horizontally, in accordance with note 2, for roofs or similar structures not used for traffic or resort but on which a person is likely to stand, and for parapets surrounding roofs or similar structures not used for traffic or resort but on which a person is likely to stand, must be—

(a) vertically—	
(i) more than 1000V but not more than 33kV . . .	3.7m
(ii) more than 33kV but not more than 66kV	4.6m
(iii) more than 66kV but not more than 132kV . . .	4.6m
(iv) more than 132kV but not more than 275kV . .	6.0m
(v) more than 275kV but not more than 330kV . .	6.5m
(vi) more than 330kV but not more than 500kV . .	7.5m
(b) horizontally—	
(i) more than 1000V but not more than 33kV . . .	2.1m
(ii) more than 33kV but not more than 66kV	4.6m
(iii) more than 66kV but not more than 132kV . . .	4.6m
(iv) more than 132kV but not more than 275kV . .	5.5m

(v) more than 275kV but not more than 330kV . .	5.5m
(vi) more than 330kV but not more than 500kV . .	6.0m

Clearance from covered places of traffic

- 3 The minimum clearance in any direction from covered places of traffic or resort such as windows capable of being opened, roofed open verandahs and covered balconies must be—
- | | |
|---|------|
| (a) more than 1000V but not more than 33kV | 2.1m |
| (b) more than 33kV but not more than 66kV | 4.6m |
| (c) more than 66kV but not more than 132kV | 4.6m |
| (d) more than 132kV but not more than 275kV | 5.5m |
| (e) more than 275kV but not more than 330kV | 5.5m |
| (f) more than 330kV but not more than 500kV | 6.0m |

Horizontal clearance from blank walls or windows

- 4 The minimum clearance horizontally from blank walls or windows that can not be opened must be—
- | | |
|---|------|
| (a) more than 1000V but not more than 33kV | 1.5m |
| (b) more than 33kV but not more than 66kV | 3.0m |
| (c) more than 66kV but not more than 132kV | 4.6m |
| (d) more than 132kV but not more than 275kV | 5.5m |
| (e) more than 275kV but not more than 330kV | 5.5m |
| (f) more than 330kV but not more than 500kV | 6.0m |

Clearance from structures not normally accessible to persons

- 5 The minimum clearance from other structures not normally accessible to persons must be, in accordance with note 2—
- | | |
|--|------|
| (a) vertically— | |
| (i) more than 1000V but not more than 33kV . . . | 3.0m |
| (ii) more than 33kV but not more than 66kV | 3.0m |
| (iii) more than 66kV but not more than 132kV . . . | 4.6m |

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(iv) more than 132kV but not more than 275kV ..	5.5m
(v) more than 275kV but not more than 330kV ..	5.5m
(vi) more than 330kV but not more than 500kV ..	6.0m
(b) horizontally—	
(i) more than 1000V but not more than 33kV ...	1.5m
(ii) more than 33kV but not more than 66kV	3.0m
(iii) more than 66kV but not more than 132kV ...	4.6m
(iv) more than 132kV but not more than 275kV ..	5.5m
(v) more than 275kV but not more than 330kV ..	5.5m
(vi) more than 330kV but not more than 500kV ..	6.0m

Note 1—

For this schedule, a conductor is taken to be insulated if it is insulated in accordance with AS/NZS 5000.1 (Electric cables—Polymeric insulated—For working voltages up to and including 0.6/1 (1.2) kV) or AS/NZS 3560.1 (Electric cables—Cross-linked polyethylene insulated—Aerial bundled—For working voltages up to and including 0.6/1(1.2)kV). Otherwise, it is taken to be uninsulated.

Note 2—

Either the vertical clearance or the horizontal clearance stated must be maintained. Also, in the zone outside the vertical alignment of the building, road cutting, embankments and similar places, either the horizontal clearance from the vertical alignment or the vertical clearance from the horizontal level on which a person is likely to stand must be maintained.

Schedule 5 Clearance of low voltage overhead service lines

sections 139 and 140

Part 1 Clearance from ground

Vertical clearance from roads

- 1 The minimum vertical clearance from roads must be—
- | | |
|---|------|
| (a) at centre line of the carriageway | 5.5m |
| (b) at kerb line | 4.9m |
| (c) at fence alignment | 3.7m |

Vertical clearance from other than roads

- 2 The minimum vertical clearance from other than roads must be—
- | | |
|---|------|
| (a) private driveways and areas including elevated areas used by vehicles | 4.5m |
| (b) areas not normally used by vehicles | 2.7m |

Horizontal clearance from road cuttings and embankments

- 3 The minimum horizontal clearance from road cuttings, embankments and other similar places 1.5m

Part 2 Clearance from structures

Clearance from unroofed terraces, balconies and sun decks

- 1 The minimum clearance, in accordance with note 1, for unroofed terraces, balconies, sun decks, paved areas and similar areas that are subject to pedestrian traffic only, that have a hand rail or wall surrounding the area and on which a person is likely to stand (see note 2) must be—

(a) vertically above	2.4m
(b) vertically below	1.2m
(c) horizontally	0.9m

Clearance from roofs or similar structures not used for traffic

- 2 The minimum clearance, in accordance with note 1, for roofs or similar structures not used for traffic or resort but on which a person is likely to stand, and for parapets surrounding roofs or similar structures not used for traffic or resort but on which a person is likely to stand (see note 2), must be—

(a) vertically	0.5m
(b) horizontally	0.2m

Clearance from covered places of traffic

- 3 The minimum clearance in any direction from covered places of traffic or resort, including, for example, windows capable of being opened, roofed open verandahs and covered balconies, must be 1.2m

Horizontal clearance from blank walls or windows

- 4 The minimum clearance horizontally from blank walls or windows that can not be opened (see note 2) must be 0.2m

Clearance from structures not normally accessible to persons

- 5 The minimum clearance in any direction from other structures not normally accessible to persons must be, in accordance with note 2 1.2m

Note 1—

Either the vertical clearance or the horizontal clearance stated must be maintained. Also, in the zone outside the vertical alignment of the building or structure, either the horizontal clearance from the vertical alignment or the vertical clearance above the horizontal level on which a person is likely to stand must be maintained.

Note 2—

The clearance stated applies for the service line not attached to the part of the building described.

Note 3—

The clearance stated does not apply to the part of a low voltage overhead service line not under tension.

Schedule 6 Prescribed electricity entities

section 165

Part 1 Original prescribed electricity entities

- Country Energy (ABN 37 428 185 226)
- Energex Limited (ABN 40 078 849 055)
- Ergon Energy Corporation Limited (ABN 50 087 646 062)
- Powerlink Queensland (ABN 82 078 849 233)
- Rio Tinto Aluminium Limited (ABN 51 009 679 127)

Part 2 Later prescribed electricity entities

- Airtrain Citylink Limited ACN 066 543 315
- QR Network Pty Ltd ACN 132 181 116
- Queensland Rail Limited ACN 132 181 090

Schedule 6A Prescribed workplaces

section 207A

Column 1	Column 2
1491	Prefabricated wooden building manufacturing
2222	Prefabricated metal building manufacturing
2311	Motor vehicle manufacturing
2312	Motor vehicle body and trailer manufacturing
2313	Automotive electrical component manufacturing
2319	Other motor vehicle parts manufacturing
2391	Shipbuilding and repair services
2392	Boatbuilding and repair services
2393	Railway rolling stock manufacturing and repair services
2394	Aircraft manufacturing and repair services
2399	Other transport equipment manufacturing N.E.C.
2412	Medical and surgical equipment manufacturing
2419	Other professional and scientific equipment manufacturing
2421	Computer and electronic office equipment manufacturing
2422	Communication equipment manufacturing
2429	Other electronic equipment manufacturing
2431	Electric cable and wire manufacturing
2432	Electric lighting equipment manufacturing
2439	Other electrical equipment manufacturing
2441	Whiteware appliance manufacturing
2449	Other domestic appliance manufacturing

Column 1	Column 2
2451	Pump and compressor manufacturing
2452	Fixed space heating, cooling and ventilation equipment manufacturing
2462	Mining and construction machinery manufacturing
2463	Machine tool and parts manufacturing
2469	Other specialised machinery and equipment manufacturing
2491	Lifting and material handling equipment manufacturing
6910	Scientific research services
9421	Domestic appliance repair and maintenance

Schedule 7 Fees

section 211B

\$

Electrical work licence

1	Application for electrical work licence (Act, s 59)	66.00
2	Application for renewal of electrical work licence (Act, s 60)	66.00
3	Application for reinstatement of electrical work licence (Act, s 61)	66.00
4	Administration component of fee paid for an application under item 1, 2 or 3 refundable under section 55	33.00

Electrical contractor licence

5	Application for electrical contractor licence (Act, s 59) . . .	315.00
6	Application for renewal of electrical contractor licence (Act, s 60)	315.00
7	Application for reinstatement of electrical contractor licence (Act, s 61)	315.00
8	Administration component of fee paid for an application under item 5, 6 or 7 refundable under section 55	250.00

In-scope electrical equipment

9	Registration as responsible supplier (s 98)	200.00
10	Registration of type of level 2 or 3 in-scope electrical equipment (ss 101 and 103A)—	
	(a) registration for 1 year	75.00
	(b) registration for 2 years	150.00
	(c) registration for 5 years	375.00
11	Application for certificate of conformity (s 114), or renewal of certificate of conformity (s 116C)	449.20
12	Application for modification of certificate of conformity—	
	(a) relating to change of name or model (s 116A)	135.00

Schedule 7

	\$
(b) otherwise than in relation to a change of name or model (s 116B)	340.00
13 Application relating to transfer of certificate of conformity (s 116D)	68.00
14 Application for declaration of scheme as recognised external certification scheme (s 118).....	3500.00
15 Annual fee for declaration of scheme as recognised external certification scheme (s 119D)	2000.00
 Accredited auditors	
16 Application for appointment as an accredited auditor (s 167(1)).....	330.00
17 Application for renewal of appointment as an accredited auditor (s 167(2)).....	195.00
18 Administration component of fee paid for an application under item 16 or 17 refundable under section 168	195.00
 Cathodic protection system	
19 Application for registration of cathodic protection system that is a registrable system (s 187).....	260.00
20 Administration component of fee paid for an application under item 19 refundable under section 187A.....	38.50

Schedule 8 Classes of electrical equipment for fees

section 211B

Class 1

appliance connector
bayonet lampholder
bayonet lampholder adaptor
bread toaster
cord extension socket
cord-line switch
decorative lighting outfit
edison screw lampholder
fluorescent lamp ballast
fluorescent lamp starter
immersion heater
inspection handlamp
iron
luminaire—portable type
outlet device—portable
plug
socket outlet
socket outlet adaptor
therapeutic lamp
wall switch

Class 2

battery charger/saver

Editor's note—

See 'battery charger automotive type' under class 3.

conditioning or control device

cooking appliance—portable

extra low voltage power supply unit

floor polisher/scrubber

hair care appliance

hedge clipper

kitchen machine

lawn care appliance

liquid heating appliance

massage appliance

razor/hair clipper

room heater

sewing machine

soldering iron

tool—portable type

vacuum cleaner

waterbed heater

Class 3

arc welding machine

battery charger automotive type

blanket

clothes dryer
dishwashing machine
fan
fence energiser
flexible heating pad
insect electrocutor
microwave oven
miniature overcurrent circuit-breaker
projector
range
range hood
refrigerating appliance
residual current device
supply flexible cord
swimming pool/spa equipment
television receiver
washing machine
water heater

Schedule 9 Dictionary

section 5

accredited auditor means a person holding an appointment as an accredited auditor under part 10, division 2 of the Act.

active conductor means—

- (a) in a system that has a neutral or earthed conductor—a conductor of electricity kept at a difference of potential from the neutral or earthed conductor; or
- (b) in a system that does not have a neutral or earthed conductor—all conductors.

amusement device, for part 5, division 5, see section 83.

amusement ride, for part 5, division 5, see section 83.

amusement work, for part 5, division 5, see section 83.

anode, in relation to a cathodic protection system, means a part of the system that is an electrical conductor placed in contact with ground or water.

approved safety switch means a residual current device that—

- (a) has a Queensland or external approval; and
- (b) has a rated residual current of not more than 30mA.

approved testing entity means—

- (a) a body accredited by NATA to perform the relevant test or examination; or
- (b) a body accredited by another body, operating under a reciprocal agreement with NATA, to perform the relevant test or examination; or
- (c) an entity approved by the chief executive or the equipment safety rules to perform the relevant test or examination; or
- (d) a body approved to perform the relevant test or examination under a corresponding law.

AS/NZS means a joint Standards Australia and Standards New Zealand standard.

authorised person, for part 4, see section 59.

caisson means a structure that provides an underground passageway or a passageway through water.

capable circuit, for part 5, division 4A, subdivision 3, see section 81G.

cathodically protected structure, for part 11, see section 170.

cathodic protection standard, for part 11, see section 170.

certificate of conformity, for part 6, see section 96.

chief executive (land), for part 5, division 4, see section 77.

cofferdam means a temporary wall erected to exclude water from an area normally under water.

combined form, for part 5, division 4, see section 77.

competent person means a person who has acquired, through training, qualifications, experience or a combination of these, the knowledge and skill enabling the person to inspect and test electrical equipment.

conductive object means a tool or other object readily able to conduct electricity.

construction wiring, for part 5, division 5, see section 83.

construction work—

- (a) generally, see the WHS Act, section 14; or
- (b) for part 5, division 5, see section 83.

construction workplace means—

- (a) a workplace where construction work is performed, if the construction work—
 - (i) is a prescribed activity; or
 - (ii) is not a prescribed activity and the estimated final price for the construction work is more than \$80000; or

(b) a place intended to become a construction workplace under paragraph (a) when work starts at the place.

consumer mains, of a consumer, means the conductors between the consumer's consumer terminals and the consumer's main switchboard.

consumer terminals, of a consumer, means the point where the consumer's electrical installation is connected to the works of an electricity entity.

cord extension set, for part 5, division 5, see section 83.

date of possession, for part 5, division 4, see section 77.

date of registration, for part 6, see section 96.

declaration holder, for part 6, division 8, see section 117.

declared scheme, for part 6, division 8, see section 117.

defining standard, for part 6, see section 96.

direct contact, for part 4, see section 59.

distribution entity, for part 12, see section 194.

domestic residence, for part 5, division 4 and section 211, see section 77.

earthed means connected to the general mass of the earth.

Electrical Articles Regulation, for part 14, see section 212.

electrically conductive ceiling insulation, for part 5, division 4A, subdivision 3, see section 81G.

electrical part, for part 4, see section 59.

electrical portable outlet device has the meaning given by AS/NZS 3105 (Approval and test specification—Electrical portable outlet devices).

electrical work, for part 2, division 2, see section 9.

Electricity Regulation, for part 14, see section 212.

eligible person see section 155(5).

ENA means Energy Networks Association Limited ABN 75 106 735 406.

equivalent non-Queensland training organisation means a training organisation outside Queensland that is equivalent to a registered training organisation.

estimated final price, for construction work, see the WHS Act.

excavation means a hole in the earth, or a face of earth, formed after rock, sand, soil or other material is removed.

Examples—

- a trench, ditch, shaft, well, tunnel, pier hole, cutting, caisson or cofferdam
- a hole drilled in the earth

exclusion zone, see section 59.

external contracting authority means a licence or other authority under a law of another State that authorises the holder to contract for the performance of electrical work in the other State.

false declaration, for part 6, see section 96.

false information, for part 6, see section 96.

family, of a type of level 1, 2 or 3 in-scope electrical equipment, for part 6, see section 96.

fixed fee means a fee fixed by the chief executive under section 209 of the Act.

foreign structure, for part 11, see section 170.

foreign structure owner, for part 11, see section 170.

general purpose socket-outlet, for part 5, division 4, see section 77.

high voltage live line work means live work on exposed live high voltage conductors or exposed live parts of high voltage electrical equipment.

impressed current cathodic protection system, for part 11, see section 170.

incident record, for part 12, see section 194.

instructed person, for part 4, see section 59.

insulated cable means an insulated aerial cable complying with AS/NZS 5000.1 (Electric cables—Polymeric insulated—For working voltages up to and including 0.6/1 (1.2) kV) or AS/NZS 3560.1 (Electric cables—Cross-linked polyethylene insulated—Aerial bundled—For working voltages up to and including 0.6/1(1.2)kV).

kerb line, of a road, means—

- (a) if there is a formed footpath—the line where the formed footpath meets the carriageway; or
- (b) if there is no formed footpath but a formed footpath is proposed—the line where the proposed formed footpath can reasonably be expected to meet the carriageway; or
- (c) if there is no formed footpath and no formed footpath is proposed—
 - (i) if widening of the existing carriageway is proposed—the line of the edge of the carriageway as proposed to be widened; or
 - (ii) if no widening of the existing carriageway is proposed—the line of the edge of the existing carriageway.

level 1 in-scope electrical equipment, see section 97B(1).

level 2 in-scope electrical equipment, see section 97B(2).

level 3 in-scope electrical equipment, see section 97B(3).

live work means electrical work performed in circumstances in which the part of the electrical equipment the subject of the electrical work is energised.

manufacturing work, for part 5, division 5, see section 83.

maximum operating current, for part 11, see section 170.

meets, for part 6, see section 96.

NATA means the National Association of Testing Authorities, Australia ABN 59 004 379 748.

neutral screened cable means a cable complying with AS 3155 (Approval and test specification—Neutral screened cables for working voltages of 0.6/1kV).

new, in relation to electrical equipment, means the equipment had not been introduced into service or otherwise used.

non-capable circuit, for part 5, division 4A, subdivision 3, see section 81G.

non-profit organisation, for part 5, division 5, see section 83.

operating plant, for part 4, see section 59.

particular electrical equipment, for part 6, division 8A, see section 120A.

particular electrical equipment, for part 6A, division 1, see section 126.

premises figure, for part 13, division 1, see section 204.

prescribed activity see the WHS Act.

prescribed details see section 83.

prescribed information, about an underground electrical service, means the information about the service necessary to safely do excavation work at or near the service, including—

- (a) the location of the service; and
- (b) the type of the service; and
- (c) the depth of the service; and
- (d) whether the service is or is not live; and
- (e) the restrictions to be followed in doing the work.

principal contractor has the meaning given by the WHS Act, section 13.

qualification see the *Vocational Education, Training and Employment Act 2000*.

qualified business person see section 7.

qualified technical person see section 7.

RCM, for part 6, see section 96.

reasonable interval, in relation to the inspection and maintenance of insulation, means an interval, based on

historic performance and the degree of electrical risk, that is reasonable in the circumstances.

registered, for part 6, see section 97.

registered responsible supplier, for part 6, see section 96.

registered system, for part 11, see section 170.

registered training organisation see the *Vocational Education, Training and Employment Act 2000*.

register of electrical licences means the register the chief executive is required to keep under section 52.

registrable system, for part 11, see section 170.

registrar, for part 5, division 4, see section 77.

relevant assessing authority means a relevant assessing authority under the *Migration Regulations 1994* (Cwlth).

relevant person, for part 6, see section 96.

relevant responsible supplier, for part 6, see section 96.

relevant standard, for part 6, see section 96.

residential land, for part 5, division 4, see section 77.

rural industry work, for part 5, division 5, see section 83.

safety observer see section 12(2).

safety switch, for part 5, division 5, see section 83.

second-hand, for part 6, see section 96.

serious defect means a defect likely to cause a fire or a person to suffer an electric shock or other personal injury.

service line means an electric line that—

- (a) forms part of the works of an electricity entity; and
- (b) connects consumer terminals to—
 - (i) other parts of the works of the electricity entity; or
 - (ii) the works of another electricity entity.

service work, for part 5, division 5, see section 83.

short term testing, for part 11, see section 170.

specified electrical equipment, for part 5, division 5, see section 83.

statement of attainment see the *Vocational Education, Training and Employment Act 2000*.

structure includes the following—

- (a) anything attached to a structure;
- (b) anything erected or standing at a place.

test report, for part 6, see section 96.

total contribution amount, for part 13, division 1, see section 204.

total premises figure, for part 13, division 1, see section 204.

training person see section 209(4).

training plan see the *Vocational Education, Training and Employment Act 2000*.

transfer and safety switch information, for part 5, division 4, see section 77.

transfer date, for part 5, division 4, see section 77.

transferee, for part 5, division 4, see section 77.

transferor, for part 5, division 4, see section 77.

type 1 safety switch, for part 5, division 5, see section 83.

type 2 safety switch, for part 5, division 5, see section 83.

underground electrical service means a cable, pipe or other thing laid or installed underground for the transmission of electricity.

Example—

underground electrical cables

unit contribution amount, for part 13, division 1, see section 204.

untrained person, for part 4, see section 59.

WHS Act means the *Work Health and Safety Act 2011*.

wiring rules means AS/NZS 3000 (Electrical installations) (known as the Australian/New Zealand Wiring Rules).

work, for part 4, see section 59.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated	273
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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 March 2013. Future amendments of the Electrical Safety Regulation 2002 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3237 0466 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments included	Effective	Notes
1	none	1 October 2002	
1A	2002 SL No. 300	8 November 2002	
1B	2003 SL No. 32	28 February 2003	
1C	—	1 March 2003	provs exp end of 28 February 2003
1D	2003 SL No. 102	1 June 2003	
1E	2003 SL No. 32 2003 SL No. 149	1 July 2003	
1F	2003 Act No. 63	1 January 2004	
1G	2004 SL No. 87	1 July 2004	
1H	2004 SL No. 289	1 January 2005	
1I rv	2004 SL No. 289	1 February 2005	
1J rv	2005 SL No. 28	1 April 2005	
1K rv	2005 SL No. 94	27 May 2005	
1L rv	2005 SL No. 141	1 July 2005	
1M	2005 SL No. 244	7 October 2005	
1N	2005 SL No. 308	16 December 2005	
2	2006 SL No. 14	1 March 2006	
2A	2006 SL No. 142	1 July 2006	
2B	2007 SL No. 146	1 July 2007	
2C	2008 SL No. 2	1 March 2008	
2D	2008 SL No. 154	1 July 2008	R2D withdrawn, see R3
3	—	1 July 2008	
3A	2008 SL No. 282	1 September 2008	
3B	2008 SL No. 377	21 November 2008	
3C	2009 SL No. 103	19 June 2009	
3D	2008 Act No. 73 2009 SL No. 103	1 July 2009	
3E	2009 Act No. 38	22 September 2009	
3F	2009 SL No. 276	27 November 2009	R3F withdrawn, see R4

Reprint No.	Amendments included	Effective	Notes
4	—	27 November 2009	
4A	2010 Act No. 19	23 May 2010	
4B	2010 SL No. 104	1 July 2010	
	2010 SL No. 155		
4C	2010 SL No. 274	1 October 2010	
4D	2010 SL No. 274 (amd)	1 July 2011	
	2011 SL No. 107)		
	2011 SL No. 107		
	2011 SL No. 115		
4E	2011 Act No. 18	1 January 2012	
4F	2012 SL No. 102	13 July 2012	
4G	2012 SL No. 191	26 October 2012	

Current as at 1 March 2013	Amendments included 2011 Act No. 4	Notes
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5 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

Electrical Safety Regulation 2002 SL No. 260

made by the Governor in Council on 26 September 2002

notfd gaz 27 September 2002 pp 340–4

ss 1–2 commenced on date of notification

remaining provisions commenced 1 October 2002 (see s 2)

exp 1 September 2013 (see SIA s 54)

Notes—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) A regulatory impact statement and explanatory note were prepared.

amending legislation—

Electrical Safety Amendment Regulation (No. 1) 2002 SL No. 300

notfd gaz 8 November 2002 pp 857–8

commenced on date of notification

Electrical Safety Amendment Regulation (No. 1) 2003 SL No. 32

notfd gaz 28 February 2003 pp 774–5

Endnotes

ss 20, 21 and 23(1) commenced 1 July 2003 (see s 2)
remaining provisions commenced on date of notification

Workplace Health and Safety Amendment Regulation (No. 2) 2003 SL No. 102 pts 1, 3

notfd gaz 30 May 2003 pp 371–6
ss 1–2 commenced on date of notification
remaining provisions commenced 1 June 2003 (see s 2)

Electrical Safety Amendment Regulation (No. 2) 2003 SL No. 149

notfd gaz 27 June 2003 pp 749–56
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2003 (see s 2)

Training Reform Act 2003 No. 63 ss 1, 2(2), 60 sch

date of assent 13 October 2003
ss 1–2 commenced on date of assent
remaining provisions commenced 1 January 2004 (2003 SL No. 293)

Electrical Safety Amendment Regulation (No. 1) 2004 SL No. 87

notfd gaz 25 June 2004 pp 573–81
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2004 (see s 2)

Workers' Compensation and Rehabilitation and Other Legislation Amendment Regulation (No. 1) 2004 SL No. 289 ss 1–2(1)–(2), pt 4

notfd gaz 17 December 2004 pp 1277–85
ss 1–2, 34 commenced on date of notification
s 37 commenced 1 January 2005 (see s 2(1))
remaining provisions commenced 1 February 2005 (see s 2(2))
Note—An explanatory note was prepared.

Electrical Safety Amendment Regulation (No. 1) 2005 SL No. 28 pts 1–2

notfd gaz 11 March 2005 pp 845–6
ss 1–2 commenced on date of notification
remaining provisions commenced 1 April 2005 (see s 2)

Electrical Safety Amendment Regulation (No. 2) 2005 SL No. 94 pts 1–2

notfd gaz 27 May 2005 pp 308–11
commenced on date of notification

Electrical Safety Amendment Regulation (No. 3) 2005 SL No. 141

notfd gaz 1 July 2005 pp 763–6
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2005 (see s 2)

Electrical Safety and Another Regulation Amendment Regulation (No. 1) 2005 SL No. 244 pts 1–2

notfd gaz 7 October 2005 pp 507–9
commenced on date of notification

Workers' Compensation and Rehabilitation and Other Legislation Amendment Regulation (No. 1) 2005 SL No. 308 s 1, pt 4

notfd gaz 16 December 2005 pp 1490–6

commenced on date of notification

Note—Two regulatory impact statements and an explanatory note were prepared.

Electrical Safety Amendment Regulation (No. 1) 2006 SL No. 14

notfd gaz 17 February 2006 pp 699–700

ss 1–2 commenced on date of notification

remaining provisions commence 1 March 2006 (see s 2)

Note—A regulatory impact statement and explanatory note were prepared.

Electrical Safety and Another Regulation Amendment Regulation (No. 1) 2006 SL No. 142 pts 1–2, s 3 sch

notfd gaz 23 June 2006 pp 898–902

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2006 (see s 2)

Electrical Safety and Another Regulation Amendment Regulation (No. 1) 2007 SL No. 146 pts 1–2

notfd gaz 29 June 2007 pp 1157–65

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2007 (see s 2)

Electrical Safety and Other Legislation Amendment Regulation (No. 1) 2008 SL No. 2 ss 1, 2(2), pt 2

notfd gaz 25 January 2008 pp 324–5

ss 1–2 commenced on date of notification

remaining provisions commenced 1 March 2008 (see s 2(2))

Electrical Safety and Another Regulation Amendment Regulation (No. 1) 2008 SL No. 154 pts 1–2

notfd gaz 13 June 2008 pp 948–51

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2008 (see s 2)

Transport and Other Legislation Amendment Regulation (No. 1) 2008 SL No. 282 ss 1–2(1), pt 2

notfd gaz 29 August 2008 pp 2831–5

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2008 (see s 2(1))

Electrical Safety Amendment Regulation (No. 1) 2008 SL No. 377

notfd gaz 21 November 2008 pp 1561–2

commenced on date of notification

Residential Tenancies and Rooming Accommodation Act 2008 No. 73 ss 1–2, 554 sch 1

date of assent 11 December 2008

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 2009 (2009 SL No. 40)

Electrical Safety Amendment Regulation (No. 1) 2009 SL No. 103

notfd gaz 19 June 2009 pp 707–11
ss 1–2 commenced on date of notification
s 6 commenced 1 July 2009 (see s 2)
remaining provisions commenced on date of notification

Electrical Safety and Other Legislation Amendment Act 2009 No. 38 ss 1, 2(2), pt 3

date of assent 22 September 2009
commenced on date of assent

Electrical Safety Amendment Regulation (No. 2) 2009 SL No. 276

notfd gaz 27 November 2009 pp 1001–6
commenced on date of notification

Transport and Other Legislation Amendment Act (No. 2) 2010 No. 19 s 1, ch 2 pt 6

date of assent 23 May 2010
commenced on date of assent

Electrical Safety Amendment Regulation (No. 1) 2010 SL No. 104

notfd gaz 28 May 2010 pp 290–2
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2010 (see s 2)

Justice Legislation (Fees) Amendment Regulation (No. 1) 2010 SL No. 155

notfd gaz 25 June 2010 pp 823–30
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2010 (see s 2)

Electrical Safety and Other Regulation Amendment and Repeal Regulation (No. 1) 2010 SL No. 274 pts 1–2 (this regulation is amended, see amending legislation below)

notfd gaz 1 October 2010 pp 294–7
ss 1–2 commenced on date of notification
s 6 commenced 1 July 2011 (see s 2(2))
remaining provisions commenced 1 October 2010 (see s 2(1))
Note—An explanatory note was prepared.

amending legislation—

Electrical Safety Amendment Regulation (No. 1) 2011 SL No. 107 s 1, pt 2 (amends 2010 SL No. 274 above)

notfd gaz 24 June 2011 pp 534–8
commenced on date of notification

Electrical Safety and Other Legislation Amendment Act 2011 No. 4 ss 1, 2(1)(b), (c), pt 3, s 69 sch pt 2 (this Act is amended, see amending legislation below)

date of assent 4 April 2011
ss 1–2, 69 commenced on date of assent
remaining provisions commenced 1 March 2013 (2012 SL No. 190)

amending legislation—

Work Health and Safety Act 2011 No. 18 ss 1–2, pt 18 div 3 ss 391, 399–400 (amends 2011 No. 4 above)

date of assent 6 June 2011

ss 1–2 commenced on date of assent

remaining provisions not yet proclaimed into force (automatic commencement under AIA s 15DA(2) deferred to 7 June 2013 (2012 SL No. 21 s 2))

Notes—(1) If the Electrical Safety and Other Legislation Amendment Act 2011 No. 4 ss 15, 19 commence before the Work Health and Safety Act 2011 No. 18 ss 391, 399–400 commence then—

- ss 399–400 directly amend the Electrical Safety Regulation 2002 (see 2011 No. 18 s 401(3)–(4))

(2) Note 1 does not apply if the Work Health and Safety Act 2011 No. 18 ss 391, 399–400 commence before the Electrical Safety and Other Legislation Amendment Act 2011 No. 4 ss 15, 19 commence (2011 No. 18 s 401(5)).

Work Health and Safety Act 2011 No. 18 ss 1–2, 404 sch 4 pt 1

date of assent 6 June 2011

ss 1–2 commenced on date of assent

remaining provisions commenced 1 January 2012 (2011 SL No. 238)

Electrical Safety Amendment Regulation (No. 1) 2011 SL No. 107 pts 1, 3

notfd gaz 24 June 2011 pp 534–8

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remaining provisions commenced 1 July 2011 (see s 2)

Justice (Fees) Amendment Regulation (No. 1) 2011 SL No. 115

notfd gaz 1 July 2011 pp 589–96

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2011 (see s 2)

Justice Legislation (Fees) Amendment Regulation (No. 1) 2012 SL No. 102

notfd gaz 13 July 2012 pp 820–5

ss 1–2 commenced on date of notification

remaining provisions commenced 13 July 2012 (see s 2)

Electrical Safety Amendment Regulation (No. 1) 2012 SL No. 191

notfd gaz 26 October 2012 pp 264–6

commenced on date of notification

6 List of annotations

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Provision of information by Residential Tenancies Authority

s 211AA ins 2006 SL No. 14 s 13

amd 2008 Act No. 73 s 554 sch 1; 2009 Act No. 38 s 10

Note—To give effect to 2008 No. 73, sch 1, amdt of ESR 2002, item 2, 'definition Residential Tenancy Authority—omit, insert' has been interpreted as 'definition Residential Tenancies Authority—omit, insert'.

Person chief executive may appoint as inspector

s 211A ins 2003 SL No. 149 s 25

Fees

s 211B ins 2003 SL No. 149 s 25

PART 14—TRANSITIONAL PROVISIONS

Division 2—Transitional provisions for 2002 SL No. 260

div hdg sub 2007 SL No. 146 s 27

Subdivision 1—Electrical licences

sdiv hdg ins 2007 SL No. 146 s 27

Eligibility for electrical jointer licence

s 214 amd 2007 SL No. 146 s 28

Eligibility for electrical linesperson licence

s 215 amd 2007 SL No. 146 s 29

Subdivision 2—Matters in place before 1 October 2002

sdiv hdg ins 2007 SL No. 146 s 30

Division 3—Transitional provisions for Electrical Safety and Another Regulation Amendment Regulation (No. 1) 2007

div hdg prev div 3 hdg om 2007 SL No. 146 s 30

pres div 3 hdg ins 2007 SL No. 146 s 31

Further provision for electrical jointer licences

s 221 prev s 221 om 2006 SL No. 14 s 3 sch

pres s 221 ins 2007 SL No. 146 s 31

Further provision for electrical linesperson licences

s 222 prev s 222 om 2006 SL No. 14 s 3 sch

pres s 222 ins 2007 SL No. 146 s 31

Division 4—Transitional provisions for Electrical Safety and Other Legislation Amendment Act 2011

div hdg prev div 4 hdg om 2006 SL No. 14 s 3 sch

pres div 4 hdg ins 2011 Act No. 4 s 16

Subdivision 1—Definitions for division 4

sdiv hdg ins 2011 Act No. 4 s 16

Definitions for div 4

- s 223 prev s 223 om 2006 SL No. 14 s 3 sch
 pres s 223 ins 2011 Act No. 4 s 16

Subdivision 2—Queensland approvals, external approvals and other approvals

- sdiv hdg ins 2011 Act No. 4 s 16

Queensland approvals

- s 224 prev s 224 exp end of 28 February 2003 (see prev s 231)
 pres s 224 ins 2011 Act No. 4 s 16

External approvals

- s 225 prev s 225 exp end of 28 February 2003 (see prev s 231)
 pres s 225 ins 2011 Act No. 4 s 16

Approvals under declared scheme

- s 225A ins 2011 Act No. 4 s 16

Subdivision 3—Application of certain provisions

- sdiv hdg ins 2011 Act No. 4 s 16

Application of s 104 during transition period

- s 226 prev s 226 exp end of 28 February 2003 (see prev s 231)
 pres s 226 ins 2011 Act No. 4 s 16

Application of s 105 during transition period

- s 227 prev s 227 exp end of 28 February 2003 (see prev s 231)
 pres s 227 ins 2011 Act No. 4 s 16

Application of s 106(1) during transition period

- s 228 prev s 228 exp end of 28 February 2003 (see prev s 231)
 pres s 228 ins 2011 Act No. 4 s 16

Application of s 107 during the transition period

- s 229 prev s 229 exp end of 28 February 2003 (see prev s 231)
 pres s 229 ins 2011 Act No. 4 s 16

Application of s 111(1) during the transition period

- s 230 prev s 230 exp end of 28 February 2003 (see prev s 231)
 pres s 230 ins 2011 Act No. 4 s 16

Subdivision 4—Marking of in-scope electrical equipment

- sdiv hdg ins 2011 Act No. 4 s 16

Marking of in-scope electrical equipment with type approval number

- s 231 prev s 231 exp end of 28 February 2003 (see s prev 231)
 pres s 231 ins 2011 Act No. 4 s 16

Division 5—Workplace requirements for class 1 work until 28 February 2003

- div hdg exp end of 28 February 2003 (see prev s 231)

Division 6—Workplace requirements for class 2 work until 28 February 2003

- div 6 (ss 232–234) exp end of 28 February 2003 (see prev s 234)

PART 15—AMENDMENTS OF OTHER SUBORDINATE LEGISLATION

pt hdg om R1 (see RA s 7(1)(k))

Amendments in sch 7

s 235 om R1 (see RA s 40)

SCHEDULE 1—EXTERNAL LICENCES AND ELECTRICAL WORK LICENCE EQUIVALENTS

sub 2007 SL No. 146 s 32

amd 2008 SL No. 377 s 3; 2009 SL No. 103 s 5

SCHEDULE 2—EXCLUSION ZONES FOR ELECTRICAL PARTS

amd 2002 SL No. 300 s 19; 2005 SL No. 28 s 22

SCHEDULE 3—INFORMATION TO BE INCLUDED IN DECLARATIONS BY RESPONSIBLE SUPPLIERS

amd 2006 SL No. 142 s 3 sch

sub 2008 SL No. 154 s 17; 2011 Act No. 4 s 17

SCHEDULE 4—CLEARANCE OF OVERHEAD ELECTRIC LINES (OTHER THAN LOW VOLTAGE SERVICE LINES)

amd 2002 SL No. 300 s 20; 2006 SL No. 142 s 3 sch

SCHEDULE 6—PRESCRIBED ELECTRICITY ENTITIES

amd 2003 SL No. 32 s 22; 2008 SL No. 282 s 5; 2009 Act No. 38 s 11; 2009 SL No. 276 s 5; 2011 SL No. 107 s 8

SCHEDULE 6A—PRESCRIBED WORKPLACES

ins 2004 SL No. 289 s 38

sub 2008 SL No. 154 s 18

SCHEDULE 7—FEES

prev sch 7 om R1 (see RA s 40)

pres sch 7 ins 2003 SL No. 149 s 27

sub 2004 SL No. 87 s 23

amd 2005 SL No. 28 s 23

sub 2005 SL No. 141 s 14

amd 2005 SL No. 244 s 12

sub 2006 SL No. 142 s 19; 2007 SL No. 146 s 33; 2008 SL No. 154 s 19; 2009 SL No. 103 s 6; 2010 SL No. 155 s 3 sch; 2011 SL No. 115 s 3 sch; 2012 SL No. 120 s 3 sch

amd 2011 Act No. 4 s 18

SCHEDULE 8—CLASSES OF ELECTRICAL EQUIPMENT FOR FEES

ins 2003 SL No. 149 s 27

SCHEDULE 9—DICTIONARY

(prev sch 8) renum 2003 SL No. 149 s 26

def “**amusement device**” ins 2006 SL No. 14 s 14(2)

def “**amusement ride**” ins 2006 SL No. 14 s 14(2)

def “**amusement work**” ins 2006 SL No. 14 s 14(2)

def “**approved safety switch**” amd 2005 SL No. 141 s 15(1)

sub 2010 SL No. 274 s 7

- def **“approved testing entity”** sub 2005 SL No. 244 s 13(2); 2011 Act No. 4 s 19
- def **“caisson”** ins 2005 SL No. 28 s 24(2)
- def **“capable circuit”** ins 2010 SL No. 274 s 7(2)
- def **“certificate of conformity”** ins 2011 Act No. 4 s 19(2)
- def **“class 1 work”** om 2006 SL No. 14 s 14(1)
- def **“class 2 work”** om 2006 SL No. 14 s 14(1)
- def **“class 3 work”** om 2006 SL No. 14 s 14(1)
- def **“class 4 work”** om 2006 SL No. 14 s 14(1)
- def **“cofferdam”** ins 2005 SL No. 28 s 24(2)
- def **“construction-type work”** om 2003 SL No. 102 s 41
- def **“construction wiring”** amd 2006 SL No. 14 s 5(3)
- def **“construction work”** sub 2005 SL No. 28 s 24(1)–(2)
amd 2005 SL No. 308 s 65(2)
sub 2006 SL No. 14 s 14(1)–(2)
- def **“construction workplace”** sub 2005 SL No. 28 s 24(1)–(2); 2005 SL No. 308 s 65(3)
- def **“current financial year”** om 2003 SL No. 32 s 23(1)
- def **“date of registration”** ins 2011 Act No. 4 s 19(2)
- def **“declaration holder”** ins 2011 Act No. 4 s 19(2)
- def **“declared scheme”** ins 2011 Act No. 4 s 19(2)
- def **“defining standard”** ins 2011 Act No. 4 s 19(2)
- def **“domestic residence”** amd 2005 SL No. 141 s 15(2)
- def **“electrically conductive ceiling insulation”** ins 2010 SL No. 274 s 7(2)
- def **“electrical portable outlet device”** ins 2008 SL No. 154 s 20(2)
- def **“eligible person”** ins 2009 SL No. 276 s 6
- def **“ENA”** ins 2007 SL No. 146 s 34(2)
- def **“equivalent non-Queensland training organisation”** ins 2003 SL No. 149 s 28
- def **“ESAA”** om 2007 SL No. 146 s 34(1)
- def **“estimated final price”** ins 2005 SL No. 308 s 65(1)
- def **“excavation”** ins 2005 SL No. 28 s 24(2)
- def **“exclusion zone”** amd 2007 SL No. 146 s 34(3)
- def **“existing type”** om 2011 Act No. 4 s 19(1)
- def **“external approval”** om 2011 Act No. 4 s 19(1)
- def **“external approvals entity”** om 2011 Act No. 4 s 19(1)
- def **“externally approved”** om 2011 Act No. 4 s 19(1)
- def **“false declaration”** ins 2011 Act No. 4 s 19(2)
- def **“false information”** ins 2011 Act No. 4 s 19(2)
- def **“family”** ins 2011 Act No. 4 s 19(2)
- def **“financial year”** om 2003 SL No. 32 s 23(1)
- def **“insulated cable”** sub 2002 SL No. 300 s 21
amd 2006 SL No. 142 s 3 sch.
- def **“jurisdiction”** om 2011 Act No. 4 s 19(1)
- def **“level 1”** ins 2011 Act No. 4 s 19(2)
- def **“level 2”** ins 2011 Act No. 4 s 19(2)
- def **“level 3”** ins 2011 Act No. 4 s 19(2)
- def **“live work”** sub 2005 SL No. 28 s 24(1)–(2)

- def “**manufacturing work**” ins 2006 SL No. 14 s 14(2)
amd 2006 SL No. 142 s 20(2)
- def “**meets**” ins 2011 Act No. 4 s 19(2)
- def “**new**” ins 2005 SL No. 244 s 13(1)
- def “**new type**” om 2011 Act No. 4 s 19(1)
- def “**non-capable circuit**” ins 2010 SL No. 274 s 7(2)
- def “**nonprescribed electrical equipment**” om 2011 Act No. 4 s 19(1)
- def “**non-profit organisation**” ins 2006 SL No. 14 s 5(2)
- def “**particular electrical equipment**”, for part 6, ins 2010 SL No. 274 s 7(2)
- def “**particular electrical equipment**”, for part 6A, ins 2011 Act No. 4 s 19(2)
- def “**portable outlet device**” om 2008 SL No. 154 s 20(1)
- def “**prescribed activity**” ins 2005 SL No. 308 s 65(1)
- def “**prescribed class**” om 2011 Act No. 4 s 19(1)
- def “**prescribed details**” ins 2007 SL No. 146 s 34(2)
- def “**prescribed information**” ins 2005 SL No. 28 s 24(2)
- def “**principal contractor**” ins 2005 SL No. 28 s 24(2)
- def “**qualification**” ins 2003 SL No. 149 s 28
amd 2004 SL No. 87 s 23(1)
- def “**qualified business person**” ins 2003 SL No. 32 s 23(3)
- def “**qualified individual**” om 2003 SL No. 32 s 23(2)
- def “**qualified person**” om 2003 SL No. 32 s 23(2)
- def “**qualified technical person**” ins 2003 SL No. 32 s 23(3)
- def “**Queensland approval**” om 2011 Act No. 4 s 19(1)
- def “**Queensland approved**” om 2011 Act No. 4 s 19(1)
- def “**RCM**” ins 2011 Act No. 4 s 19(2)
- def “**reasonable interval**” ins 2003 SL No. 149 s 28
- def “**registered**” ins 2011 Act No. 4 s 19(2)
- def “**registered responsible supplier**” ins 2011 Act No. 4 s 19(2)
- def “**registered training organisation**” ins 2003 SL No. 149 s 28
amd 2004 SL No. 87 s 23(2)
- def “**relevant assessing authority**” ins 2008 SL No. 154 s 20 (2)
- def “**relevant person**” ins 2011 Act No. 4 s 19(2)
- def “**relevant responsible supplier**” ins 2011 Act No. 4 s 19(2)
- def “**relevant standard**” sub 2011 Act No. 4 s 19
- def “**rural industry**” om 2006 SL No. 14 s 14(1)
- def “**rural industry work**” ins 2006 SL No. 14 s 14(2)
amd 2006 SL No. 142 s 3 sch
- def “**safety observer**” ins 2006 SL No. 142 s 20(1)
- def “**second-hand**” ins 2011 Act No. 4 s 19(2)
- def “**service work**” ins 2006 SL No. 14 s 14(2)
- def “**statement of attainment**” ins 2003 SL No. 149 s 28
amd 2004 SL No. 87 s 23(3)
- def “**test report**” ins 2011 Act No. 4 s 19(2)
- def “**training person**” ins 2005 SL No. 28 s 24(2)

def **“training plan”** ins 2003 SL No. 149 s 28
amd 2004 SL No. 87 s 23(4)
def **“type”** om 2011 Act No. 4 s 19(1)
def **“type approval certificate”** om 2011 Act No. 4 s 19(1)
def **“type approval holder”** om 2011 Act No. 4 s 19(1)
def **“type approval number”** om 2011 Act No. 4 s 19(1)
def **“underground electrical service”** ins 2005 SL No. 28 s 24(2)
def **“WHS Act”** amd 2011 Act No. 18 s 404 sch 4 pt 1

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