

Electricity Regulations 1947

STATUS OF THIS DOCUMENT

This document is from an electronic database of legislation maintained by the Parliamentary Counsel's Office of Western Australia.

DISCLAIMER

No warranty is given as to the accuracy or completeness of this document. The State of Western Australia and its agents and employees disclaim liability, whether in negligence or otherwise, for any loss or damage resulting from reliance on the accuracy or completeness of this document.

REPRINT AND CONSOLIDATION NUMBERING

The reprint number (in the footer of each page of the document) shows how many times the Act has been reprinted. For example, numbering a reprint as "Reprint 3" would mean that the reprint was the 3rd reprint since the Act was passed. A consolidation described as "Consolidation 3a" would be the result of updating Reprint 3 for the first time to reflect the amendments since the date as at which Reprint 3 was prepared.

Reprint and consolidation numbering was implemented as from 1 January 2003.

COPYRIGHT

Copyright in this document is reserved to the Crown in right of the State of Western Australia. Reproduction except in accordance with copyright law is prohibited.

THE TEXT OF THE LEGISLATION FOLLOWS

Electricity Regulations 1947

CONTENTS

Part I — Preliminary		
1.	Citation	1
2.	Interpretation	1
Part II — Energy efficiency labelling		
3.	Application of this Part	2
4.	Energy efficiency label to be displayed	2
5.	Display fronts	3
6.	Director may grant temporary exemptions	3
7.	Misleading information	4
8.	Use of unregistered labels	4
Part III — Minimum energy performance standards		
9.	Application of this Part	5
10.	Minimum standards for energy efficiency	5
11.	Director may grant temporary exemptions	5
Part VIII — Supply of electricity to consumers		
237.	Exemption applicable to the Electricity Corporation	7
238.	Application for connection	7
239.	Security deposit	7
240.	Accounts	7
241.	System	8

242.	Connection of supply	8
243.	Additions to installations	9
244.	Damage by overloading to supply authority's apparatus	9
249.	Fixing the leads in fuses, meters etc.	9
250.	Property	9
252.	Fuses	10
253.	Systems of inspection	10
254.	Service leads — aerial	14
255.	Service leads — underground	14
257.	Supply to large premises	15
265.	Pulsating and rapidly varying loads	15
268.	Rates	16
271.	Apparatus, interruptions, responsibility	16
272.	Disconnections	17
273.	Reconnections	17
274.	Consumer's liability for loss	17
275.	Extension of mains	18
276.	Alteration to system	18
277.	Supply authority's registration	18
279.	Service rendered by Commission to supply authorities	18
280.	Other costs and charges	19

**Part IX — General safety requirements
for electrical work**

281.	Employers to provide safety equipment	20
282.	Resuscitation instruction for employees	20
283.	First-aid outfit	20
284.	Safety equipment to be used properly	20
285.	Defective safety equipment	20
286.	Inspection of safety equipment	21
287.	Dangerous poles to be secured	21
288.	Timber ladders to be used	21
289.	Reinforced ladders	21
290.	Use of ladders	21
291.	Safety in relation to ladders	22
292.	Safety belts	22
293.	Clearing apparatus before starting	22
294.	Operator to check apparatus before starting	22
295.	Distance from live apparatus	22

296.	Low and high voltage conductors	23
297.	Low and high voltage apparatus	23
298.	Protection against accidental contact	23
299.	Work on live low voltage conductors and apparatus	23
300.	Low voltage work — further requirements	24
301.	Special authority for high voltage work	24
302.	Contact with high voltage conductors	24
303.	Work on high voltage apparatus	24
304.	Switches, fuses etc. to be locked	25
305.	Proving apparatus to be dead	25
306.	Barriers between dead and live items	25
307.	Proving high voltage apparatus to be dead	25
308.	Rotating machines	25
309.	Discharging dead apparatus	25
310.	Discharging where induced potentials suspected	26
311.	Earthing and short-circuiting	26
312.	Only apparatus provided to be used	26
313.	Where earthing etc. takes place	26
314.	Earthing when line is divided	26
315.	Recheck earthing if recommencing work	27
316.	Certain precautions required for some high voltage work	27
316A.	Vegetation control work near overhead power lines	27
317.	Rubber gloves	29
318.	Safety equipment that must be provided	29
319.	This Part to be supplied to relevant workers	29
Part X — Approval of electrical appliances		
321.	Definitions	30
322.	Application for approval	32
323.	Further testing of electrical appliances approved	33
326.	Certificate of approval	35
327.	Stamping and labelling of approved electrical appliances	37
328.	Modification of design or construction	38
329.	Transfer of certificate of approval	39
330.	Lost or destroyed certificates of approval	40
331.	Delegation by the Director	40
332.	Refusal or withdrawal of approval	41

Contents

333.	Notification of withdrawal of approval	42
334.	Deferment of approval	43
335.	Purchase of electrical appliances for inspection	43
336.	Obstruction of officers	45
337.	Register of Prescribed Electrical Appliances and Register of Approved Electrical Appliances	45
338.	Change of address	46
	Part XI — Penalties and proceedings	
340.	Penalties	47
341.	Proceedings	47
	Notes	
	Compilation table	48

Western Australia

Electricity Act 1945

Electricity Regulations 1947

Part I — Preliminary

[Heading inserted in Gazette 30 May 2000 p.2567.]

1. Citation

These regulations may be cited as the *Electricity Regulations 1947*¹.

[Regulation 1 inserted in Gazette 30 May 2000 p.2567.]

2. Interpretation

Unless the contrary intention appears, words defined in the Australian/New Zealand Standard AS/NZS 3000 — Wiring Rules, published by the Standards Association of Australia² and as amended from time to time, have the same respective meanings when used in these regulations.

[Regulation 2 inserted in Gazette 30 May 2000 p.2567.]

Part II — Energy efficiency labelling

[Heading inserted in Gazette 30 May 2000 p.2568.]

3. Application of this Part

This Part applies to an apparatus or installation of a type or class declared by the Director, by notice published in the *Gazette*, to be subject to this Part if and when that apparatus or installation is —

- (a) sold, whether by wholesale or retail, as a new apparatus or installation;
- (b) exposed or advertised for sale, whether by wholesale or retail, as a new apparatus or installation;
- (c) hired; or
- (d) exposed or advertised for hire.

[Regulation 3 inserted in Gazette 30 May 2000 p.2568.]

4. Energy efficiency label to be displayed

- (1) An apparatus or installation to which this Part applies must be labelled with a label that —
 - (a) sets out —
 - (i) the brand and model of the apparatus or installation; and
 - (ii) the comparative energy consumption, energy efficiency rating and energy efficiency star rating of the apparatus or installation,
whether with or without other particulars;
 - (b) is approved or registered as a label under a law specified in a notice published under subregulation (2); and
 - (c) is displayed on the apparatus or installation in a prominent and unobscured position.

- (2) The Director may, by notice published in the *Gazette*, specify all or part of a law of another State or of a Territory for the purposes of subregulation (1) and regulation 8.

[Regulation 4 inserted in Gazette 30 May 2000 p.2568; amended in Gazette 9 Nov 2004 p. 5005.]

5. Display fronts

A person must not, in connection with the sale or hiring of an apparatus or installation to which this Part applies, exhibit a model or display which is intended to represent all or part of that apparatus or installation unless the model or display is labelled in accordance with regulation 4 as if it were the apparatus or installation.

[Regulation 5 inserted in Gazette 30 May 2000 p.2568.]

6. Director may grant temporary exemptions

- (1) The Director may, by notice in writing, exempt an apparatus or installation, or a class or type of apparatus or installation, from all or any of the requirements of regulations 4 and 5, for such period, and on such conditions, as the Director considers appropriate and are set out in that notice.
- (2) The Director must not grant an exemption under subregulation (1) unless the Director is satisfied that —
- (a) there are special circumstances which justify exempting the apparatus or installation from the requirements of those regulations;
 - (b) those circumstances are temporary; and
 - (c) the exemption will not unduly disadvantage —
 - (i) the public; or
 - (ii) people who manufacture, or deal in, apparatus or installations which do comply with those regulations.

[Regulation 6 inserted in Gazette 30 May 2000 p.2568.]

r. 7

7. Misleading information

A person must not —

- (a) display a label on;
- (b) cause to be published any advertisement for the sale or hire of; or
- (c) produce, distribute or display any brochure, sign or other promotional material relating to,

an apparatus or installation to which this Part applies, if the label, advertisement or promotional material contains information of the kind referred to in regulation 4(1)(a)(ii) which the person knows, or ought reasonably to have known, is false, misleading or likely to mislead.

Penalty: In the case of an individual, \$5 000.

In the case of a body corporate, \$20 000.

[Regulation 7 inserted in Gazette 30 May 2000 p.2569.]

8. Use of unregistered labels

A person must not display on an apparatus or installation to which this Part applies, a label which is not approved or registered as a label under a law specified in a notice published under regulation 4(2) but which is deceptively similar to labels which are so approved or registered, if the person knows, or ought reasonably to have known, that the label was not so approved or registered.

Penalty: In the case of an individual, \$5 000.

In the case of a body corporate, \$20 000.

[Regulation 8 inserted in Gazette 30 May 2000 p.2569; amended in Gazette 9 Nov 2004 p. 5006.]

Part III — Minimum energy performance standards

[Heading inserted in Gazette 30 May 2000 p.2570.]

9. Application of this Part

This Part applies to an apparatus or installation of a type or class declared by the Director, by notice published in the *Gazette*, to be subject to this Part.

[Regulation 9 inserted in Gazette 30 May 2000 p.2570.]

10. Minimum standards for energy efficiency

(1) A person must not —

- (a) sell;
- (b) expose or advertise for sale; or
- (c) cause to be sold or exposed or advertised for sale,

as a new apparatus or installation, any apparatus or installation to which this Part applies unless the apparatus or installation complies with the minimum standards for energy efficiency set out in a law specified in a notice published under subregulation (2).

Penalty: In the case of an individual, \$5 000.

In the case of a body corporate, \$20 000.

(2) The Director may, by notice published in the *Gazette*, specify all or part of a law of another State or of a Territory for the purposes of subregulation (1).

[Regulation 10 inserted in Gazette 30 May 2000 p.2570.]

11. Director may grant temporary exemptions

(1) The Director may, by notice in writing, exempt an apparatus or installation, or a class or type of apparatus or installation, from the requirements of regulation 10, for such period, and on such

r. 11

conditions, as the Director considers appropriate and are set out in that notice.

- (2) The Director must not grant an exemption under subregulation (1) unless the Director is satisfied that —
- (a) there are special circumstances which justify exempting the apparatus or installation from the requirements of regulation 10;
 - (b) those circumstances are temporary; and
 - (c) the exemption will not unduly disadvantage —
 - (i) the public; or
 - (ii) people who manufacture, or deal in, apparatus or installations which do comply with that regulation.

[Regulation 11 inserted in Gazette 30 May 2000 p.2570.]

[Part IV revoked in Gazette 12 September 1956 p.2294.]

[Parts V-VII repealed in Gazette 14 October 1991 p.5294.]

Part VIII — Supply of electricity to consumers

[Heading inserted in Gazette 30 May 2000 p.2571.]

237. Exemption applicable to the Electricity Corporation

The Electricity Corporation, and the operation of the supply system of the Electricity Corporation, is exempt from the requirement to comply with the provisions of this Part other than regulations 242, 244, 249, 250, 252, 253, 254, 255, 257, 265, 271, 272, and 274.

[Regulation 237 inserted in Gazette 23 December 1994 p.7124.]

238.³ Application for connection

Every application for connection shall be made on the contract form provided by the supply authority, which contract form shall be approved by the Director, and must be signed by the applicant or some person duly authorised by him. The making of the application or the payment of a deposit shall not bind the supply authority to give supply until the application has been approved by the supply authority.

[Regulation 238 amended in Gazette 23 December 1994 p.7125.]

239.³ Security deposit

The supply authority may require the consumer to pay such deposit as may be considered sufficient to secure the payment of any moneys due to the supply authority for electricity supplied under the contract, and to cover the cost of the supply authority's property which may be on the consumer's premises.

240.³ Accounts

- (1) Accounts may be rendered weekly, monthly or quarterly at the discretion of the supply authority and at the ruling rates for the district in which the service is rendered.

r. 241

- (2) The supply authority may disconnect the consumer and discontinue supply without further notice if the accounts rendered are not paid within the times and conditions specified by the supply authority on its contract form and in its schedule of rates.

241.³ System

Electricity shall be supplied by the supply authority in accordance with the standard system in use on its distribution services. Where supply is available at different pressures the supply authority may require that consuming apparatus shall be connected to such pressures and conductors as will cause least interference with the pressure of the supply system in accordance with the details set out on its contract form.

242.³ Connection of supply

- (1) A supply authority shall not supply electricity to any place, building or premises unless —
- (a) the supply authority has ensured that all service apparatus which will be used for supplying electricity to the place or building or on the premises is installed and maintained in a safe condition for use and in accordance with the Act; and
 - (b) there has been produced to the supply authority a notice of completion, in a form approved by the Director and duly completed as required under the Act, from a person licensed under the Act as an electrical contractor, or who is the holder of an in-house electrical work licence under the Act, certifying that the electric installations and electric fittings on the premises to be supplied have been installed and fitted properly and as required by the Act.
- (2) The Director may, in a particular case or class of case, exempt a supply authority from subregulation (1)(b).

[Regulation 242 inserted in Gazette 23 December 1994 p.7125; amended in Gazette 19 December 2000 p.7274.]

243.³ Additions to installations

When first connected the consumer shall supply the supply authority with full details of all apparatus connected or proposed to be connected to the circuits. No additional loading shall be placed on any of the circuits until the supply authority has been notified.

244.³ Damage by overloading to supply authority's apparatus

The consumer shall be responsible for any damage caused to meters or other property of the supply authority caused through overloading, of which the supply authority has not had previous notification, and such consumer shall be liable to disconnection.

[245-248. Repealed in Gazette 19 December 2000 p.7274.]

249.³ Fixing the leads in fuses, meters etc.

Only an employee of, or a person authorised by, the supply authority may insert the ends of the consumer's wiring into any service fuse, meter, indicator, current limiter, or other device the property of the supply authority.

[Regulation 249 amended in Gazette 23 December 1994 p.7125.]

250.³ Property

The service mains and fuses, meters, and apparatus supplied and fixed by the supply authority on the consumer's premises shall remain the property of the supply authority.

[251. Repealed in Gazette 19 December 2000 p.7274.]

r. 252

252.³ Fuses

The fuses fixed by the supply authority on the mains side of the meter may or may not be sealed by the supply authority, but they shall not in any case be interfered with by the consumer who must provide suitable fuses on the load side of the consumer's main switch.

253.³ Systems of inspection

- (1) For the purpose of ensuring the safety of consumers' electric installations and consumers' apparatus which forms part of the consumers' electric installation to which the supply relates, and of monitoring the work of electrical contractors and other persons licensed under the Act, each supply authority shall establish and maintain an effective system of inspection.
- (2) The system of inspection to be established and maintained by a supply authority under subregulation (1) shall —
 - (a) relate to work on all types of consumers' electric installations, whether new or by way of alteration or addition;
 - (b) provide for —
 - (i) safety from fire and electrical shock; and
 - (ii) the investigation of incidents of fire or shock, including incidents related to apparatus connected (whether or not permanently) to the consumers' electric installation, which may have been associated with electricity supplied by the supply authority to a consumer;
 - (c) subject to subregulation (6), give effect —
 - (i) to such guidelines as are, for the purposes of the system of inspection referred to in subregulation (1), issued by the Director from time to time setting out the technical, investigative, reporting, administrative and other

-
- requirements with which the system is to comply;
- (ii) to a system plan, and a policy statement, complying with such guidelines and submitted by the supply authority to the Director for use during such period, which shall normally be one year and not exceed 2 years, as the Director may, at the time of giving that approval, specify; and
 - (iii) to any condition, relevant to the compliance by the supply authority with its obligation under subregulation (1) to establish and maintain an effective system of inspection, to which the approval of the Director is made subject.
- (3) Whether or not any inspection to which this regulation applies is to be carried out, and if it is carried out the nature and extent of it, is a matter within the discretion of the inspector authorised in accordance with that system to make the relevant inspection, subject to subregulation (4), unless —
- (a) a written law, or a term of an agreement, otherwise specifically requires; or
 - (b) the Director or a responsible officer of the supply authority otherwise directs, if the relevant approved system so provides.
- (4) If an inspection to which this regulation applies is proposed to be carried out —
- (a) after the installation or apparatus to which it relates has been energised; or
 - (b) by way of the examination only of a sample of the work,
- an inspection practice of that kind may be used if the relevant approved system so provides but otherwise only subject to the prior approval of the Director being obtained and to any condition, restriction, or limitation imposed.
- (5) If —

- (a) in good faith, the authorised inspector decides not to carry out an inspection;
- (b) the supply authority, or the system of inspection established by the supply authority, does not require that an inspection be carried out; or
- (c) the approval of the Director has been given to an inspection not being carried out,

in any particular case or in relation to any class of case, the inspector, the supply authority and the Director shall not be liable, in civil or criminal proceedings, for any injury or damage occasioned by reason that the inspection was not carried out.

- (6) Where a supply authority submits to the Director a system plan and a policy statement under subregulation (2)(c), or following a requirement made under subregulation (7)(b)(ii), the Director shall respond within 20 days and may —
 - (a) require that further particulars be supplied in relation to any matter, or that other matters specified by the Director be addressed, in a further submission;
 - (b) grant approval, or grant approval subject to any condition imposed relevant to the compliance by the supply authority with its obligation to establish and maintain an effective system of inspection under subregulation (1); or
 - (c) reject the submission, wholly or in part, and require a further submission,

and a supply authority aggrieved by the response of the Director under this regulation in relation to any matter may, in writing, seek the approval of the Minister to that matter and effect shall be given to any such matter which the Minister may approve as though the approval had been given by the Director.

- (7) The Director may audit the inspection practices of a supply authority against the system plan and policy statement approved

under this section for that supply authority by the Director, and may by order in writing —

- (a) require the modification of any inspection practice of that supply authority if it is found by the Director not to conform with the approved system plan and policy statement; or
- (b) require the supply authority —
 - (i) to review those practices, or such of those practices as are specified in the order; and
 - (ii) if in any respect the approved system of inspection is found to be inadequate to discharge the obligation of the supply authority under subregulation (1) to establish and maintain an effective system of inspection, to submit a revised system plan and policy statement, within such time as is specified in the order,

and the supply authority shall forthwith give effect to such order.

- (8) Although the Director may exercise the powers conferred by subregulation (7) at any time in so far as that may be necessary in relation to any particular accident, or to any incident or other matter related to safety, no full audit of the practices of the supply authority shall, unless the Minister otherwise authorises, be commenced within 9 months of the completion of the last preceding full audit, and the Director shall, on request by a supply authority, specify when such an audit was last completed.
- (9) A supply authority that —
 - (a) supplies electricity in contravention of subregulation (1); or
 - (b) otherwise fails to comply with a requirement of —
 - (i) this section; or

r. 254

- (ii) the system plan and policy statement, including any condition which may have been imposed in respect of the obligations of the supply authority under subregulation (1), relating to any system of inspection approved by the Director under this section,

commits an offence.

[Regulation 253 inserted in Gazette 23 December 1994 pp.7126-8.]

254.³ Service leads — aerial

The supply authority shall take its aerial service line to the point of attachment where the point of attachment is not a greater distance than 18 metres from the point where the service line would cross the street alignment boundary. Where the distance is greater than 18 metres the supply authority may insist upon the consumer installing his own aerial line from the distance of 18 metres to the approval of the supply authority. Where the supply authority carries out the installation the cost of same shall be charged to the consumer beyond distance of 18 metres.

[Regulation 254 amended in Gazette 28 June 1973 p.2469.]

255.³ Service leads — underground

- (1) Where the supply authority considers it necessary to install underground service cable to the consumer's terminals the same shall be laid by the supply authority the cost thereof from the building alignment boundary shall be charged to the consumer.
- (2) Where the consumer has requested that the service leads be installed underground and the supply authority has approved the supply authority may charge to the consumer the cost between the point of connection to the supply authority's mains and the consumer's terminals.

[256. Repealed in Gazette 19 December 2000 p.7274.]

257.³ Supply to large premises

Where supply is charged for premises of considerable size or with a large or a fluctuating load and the supply authority deems it necessary to install transformers at the site the consumer shall provide an accessible space and enclosure to the satisfaction of the supply authority for the transformers, switchgear and associated apparatus. The supply authority shall have the right to use such equipment in the usual manner for supply to other consumers. All circuit-breakers and fuses used on premises where transformers are installed on or near to the site shall be of adequate making and rupturing capacity to the satisfaction of the supply authority.

[258-264. Repealed in Gazette 19 December 2000 p.7274.]

265.³ Pulsating and rapidly varying loads

- (1) Motors driving pulsating loads such as reciprocating pumps, refrigerators, air compressors, etc., shall be fitted with a fly wheel or other device so that the load current taken by the motor does not fluctuate more than plus or minus 10% of the main load current.
- (2) Other apparatus such as welders, furnaces, instantaneous water heaters, cooking apparatus, etc., which causes rapid changes in demand, shall not be connected without the prior consent of the supply authority who may refuse to connect such apparatus where a variation in the load may unduly interfere with the supply to other consumers.
- (3) In the event of a consumer operating any such apparatus aforesaid, or any lift or motor, in such a manner as will, in the opinion of the supply authority, interfere with the supply to other consumers, the supply authority may require the consumer to make such necessary adjustments or alterations and so to operate the apparatus as will, in the opinion of the supply authority, ensure that the supply to other consumers will not be interfered with; and in the event of the consumer failing to do so

r. 268

the supply authority may cut off the supply of electricity to the consumer. The fact that the supply authority has connected and approved of the apparatus aforesaid shall not be deemed to exempt the consumer from the operation of this regulation.

[266, 267. Repealed in Gazette 19 December 2000 p.7274.]

268.³ Rates

Subject to the Act the supply authority may charge such rates for the supply of electrical energy as may be set out in its Schedule of Rates and contract form, or either of them, or in any agreement governing the supply; and those rates may make provision for a minimum charge in an amount not exceeding one dollar per month or such greater amount as the the Coordinator may, in the case of any particular supply authority, approve.

[Regulation 268 amended in Gazette 7 February 1963 p.597; 23 December 1994 p.7128.]

[269, 270.³ Repealed in Gazette 23 December 1994 p.7128.]

271.³ Apparatus, interruptions, responsibility

The supply authority:

- (a) shall have the right at all reasonable times to enter the premises of the consumer to inspect and test the installation and the supply authority's meter and to remove any of the supply authority's property;
- (b) may at any time interrupt the supply to make a test or to effect alterations, or repairs to the supply authority's system, or for any other purpose;
- (c) shall not be responsible or liable for any injury, damage or loss of any kind to the person, property, or business, of the consumer, or to the consumer's lamps or apparatus, resulting from fire or otherwise, through the supply of electricity or through interruptions or defects

of supply due to storm, accident, or breakdown of plant or mains or force majeure.

272.³ Disconnections

The supply authority shall have the right to disconnect without notice if the consumer:

- (a) is in arrears in payment of account;
- (b) his installation is faulty;
- (c) uses the service in a way that interferes with the general supply to other consumers;
- (d) uses apparatus not authorised by the supply authority;
- (e) connects increased load without first obtaining the consent of the supply authority;
- (f) interferes with the seals, fuses, meters, or other apparatus the property of the supply authority;
- (g) becomes bankrupt or assigns his estate for the benefit of his creditors; or
- (h) fails to conform to these regulations and to the conditions on the contract form in any way.

273.³ Reconections

If the supply is disconnected for any of the reasons contained in regulation 272 the supply authority may make a charge of 50 cents which shall be paid before reconnection is made.

274.³ Consumer's liability for loss

The consumer shall be liable for loss by fire, damage, or theft of the meters or other apparatus hired from or loaned by the supply authority on the consumer's premises, or which may be on the consumer's premises in connection with the supply of current to the consumer.

r. 275

275.³ Extension of mains

If the supply to a proposed consumer necessitates the extension of the distribution mains the supply authority may refuse to carry out such extension, but arrangements may be made to extend the mains if the supply authority approves, by the prospective consumer paying the cost of such extension or a proportion thereof. Such payment shall not be returnable.

276.³ Alteration to system

The supply authority shall not make any alteration to the system of supply until reasonable notice has been given to the consumer and then only after the proposal has been approved by the Director.

[Regulation 276 amended in Gazette 23 December 1994 p.7125.]

277.³ Supply authority's registration

Every supply authority shall apply to the Director on or before 31 August in each year for a Certificate of Registration as an approved supply authority. Such registration shall be made on the form which will be posted by the Director to each supply authority. The supply authority will return the completed form in time to reach the Director by 31 August in each year it shall be compulsory for the supply authority to supply all the information as set out on the registration form.

[Regulation 277 amended in Gazette 23 December 1994 p.7125.]

[278. Disallowed in Gazette 1 October 1948 p.2375.]

279.³ Service rendered by Commission to supply authorities

If any supply authority requests the Director (or the Director considers it necessary) to make any report, valuation or major

inspection, the supply authority will pay to the Director the fees as set out hereunder for the respective service —

	Supply authorities with consumers not exceeding 200. \$	Supply authorities with consumers not exceeding 500. \$	Supply authorities with consumers exceeding 500. \$
General inspection, report, and valuation of generation and distribution.....	40.00	60.00	90.00
General inspection and report only of generation and distribution.....	35.00	53.00	78.00
General inspection and report only of generation.....	18.00	28.00	40.00
General inspection and report only of distribution.....	18.00	28.00	40.00

*[Regulation 279 amended in Gazette 23 December 1994
p.7125.]*

280. Other costs and charges

- (a) The Director may require the supply authority to meet the cost of travelling and other expenses incurred by the Director in making such reports, inspections, and/or valuations.
- (b) For any service rendered by the Director to a supply authority, local authority or any other authority which cannot be classified under any of the items as mentioned in regulation 279, the Director will impose a reasonable charge for the service rendered.

*[Regulation 280 amended in Gazette 23 December 1994
p.7125.]*

Part IX — General safety requirements for electrical work

[Heading inserted in Gazette 30 May 2000 p.2571.]

281. Employers to provide safety equipment

Employers who employ persons to work on or about overhead lines and/or apparatus for the transmission and distribution of electrical energy shall provide such safety equipment, appliances, or materials, as may be required, to comply with the provisions of these regulations.

282. Resuscitation instruction for employees

Employers shall take all practicable steps to ensure that all employees working on or assisting in work on electrical apparatus are instructed in the method of resuscitation from apparent death due to electric shock, and every such employee shall keep himself familiar with the method.

283. First-aid outfit

A first-aid outfit shall be kept at each depot, attended sub-station, workshop and camp, and also on each motor truck attached to a party in the field.

284. Safety equipment to be used properly

It shall be the duty of every person working on electrical apparatus to use in a proper manner the safety equipment provided.

285. Defective safety equipment

No employee shall use any safety equipment that is not in good condition. Employees shall notify the employer of all defects in safety equipment of which they become aware.

286. Inspection of safety equipment

Employers shall issue all safety equipment in good order. Provision shall be made by the employer for the periodic inspection of all safety equipment and any such equipment found to be defective shall be withdrawn from service and suitable measures shall be taken to ensure that upon withdrawal such equipment shall not be returned to service whilst so defective.

287. Dangerous poles to be secured

Any person, before ascending a pole or structure or part thereof, which is subject to decay or deterioration, shall satisfy himself that there is no danger of the pole, structure, or part thereof, collapsing. If such a danger exists, the pole or structure shall be effectively secured before an ascent is made.

288. Timber ladders to be used

Either one-piece or extension ladders may be used for work on overhead lines. All ladders shall be made from first-class timber free from flaws and defects. All ladders that may be used against poles shall be provided with a pole-strap fixed to the top of the ladder.

289. Reinforced ladders

Ladders with stiles reinforced longitudinally with wire or other metal reinforcement may be used, provided the reinforcement does not reach within 1.22 metres of either end of the ladder, but shall not, in themselves, be regarded as insulated ladders for the purpose of these regulations.

[Regulation 289 amended in Gazette 28 June 1973 p.2469.]

290. Use of ladders

When in use the distance between the foot of the ladder and the pole or structure shall not exceed one quarter of the length of the

r. 291

ladder. Except in cases of emergency 2 ladders are not to be joined together when one ladder is of insufficient length, but when so used the ladders shall overlap at least one-fifth of the length of the longer and shall be securely lashed together.

291. Safety in relation to ladders

The provisions of regulations 284, 285 and 286 shall apply to ladders.

292. Safety belts

Linesmen's safety belts shall be provided by the employer and shall be worn and used when engaged in work in elevated positions, except on guarded platforms, or where special circumstances pertaining to the work may render their use unnecessary or undesirable.

293. Clearing apparatus before starting

Before new apparatus or apparatus which has been out of service is made alive, it shall be the responsibility of every person in charge of works on that apparatus to satisfy himself personally that all persons under his charge are clear of and that all earthing equipment and other plant and material used by him have been removed from the apparatus.

294. Operator to check apparatus before starting

Before carrying out or issuing instructions for the necessary switching, the authorised operator who is responsible for the switching shall satisfy himself by personal inspection or, where this is not possible, by information obtained from persons in charge of works that the apparatus is clear, as set out in regulation 293.

295. Distance from live apparatus

No person shall work on or within a distance of 762 millimetres of exposed conductors of live apparatus unless accompanied by

another person, except in cases of emergency, or cases covered by regulation 300.

Provided that this restriction shall not preclude the carrying out by an authorised person, when unattended, of normal operations (switching, fuse replacement, and the like) and investigations of apparatus performance for which it is essential that the apparatus be alive.

[Regulation 295 amended in Gazette 28 June 1973 p.2469.]

296. Low and high voltage conductors

For the sole purpose of this Part low voltage conductors are to be considered as those which in normal service are alive at a voltage of 650 volts or less between conductors, and high voltage conductors are those which in normal service are alive at a voltage of more than 650 volts between conductors.

297. Low and high voltage apparatus

Low voltage and high voltage apparatus means electrical equipment such as transformers, switch gear, machine lines, and feeders of which low voltage and high voltage conductors respectively form an integral part.

298. Protection against accidental contact

Where persons are working in positions where they are liable to make accidental contact with live low voltage conductors, they shall protect themselves against such accidental contact by means of the safety equipment provided by the employer for the purpose.

299. Work on live low voltage conductors and apparatus

Work on live low voltage conductors and apparatus may be carried out by authorised persons: Provided that persons so working are suitably insulated from the live conductor being worked on or from earth.

r. 300

300. Low voltage work — further requirements

Notwithstanding the requirements of regulation 295 work on live low voltage apparatus may be carried out by an authorised person without the presence of an assistant: Provided that the work is confined to such items as installation and testing of meters, running maintenance on machines, maintenance of control circuits and equipment, and the connection and disconnection of services, with the further provisions that, in overhead line work, the person does not place himself between or above bare line conductors.

301. Special authority for high voltage work

No person shall perform any switching on high voltage apparatus unless he has been specially authorised for this purpose. No work shall be performed on or near high voltage apparatus without the knowledge of the officer controlling that apparatus.

302. Contact with high voltage conductors

No person shall make personal contact, either directly or through any conducting object, with any high voltage conductor believed to be dead, unless the conductor has been effectively earthed and short-circuited, as provided for in regulations 311, 312 and 313, with the exception that personal contact with such high voltage conductors may be permitted if the contacting person uses an insulated platform in accordance with the requirements of these regulations.

303. Work on high voltage apparatus

High voltage apparatus, on which work other than live work permitted by these regulations is to be carried out, shall be isolated from all possible sources of supply by opening appropriate circuit breakers and/or switches, or removing appropriate fuses so that the apparatus then is not and cannot be made alive from the high or low voltage systems. Warning

against reclosing the circuit breakers, switches, or fuses so opened shall be given by danger notices suitably displayed.

304. Switches, fuses etc. to be locked

Access to such circuit breakers, switches, or fuses by unauthorised persons shall be prevented by means of suitable locks where practicable.

305. Proving apparatus to be dead

Subsequent to isolation and prior to commencement of the work, the apparatus must be proved dead, discharged, and earthed and short-circuited as provided for in regulations 307, 308, 309, 311, 312 and 313.

306. Barriers between dead and live items

Before beginning work on dead equipment which is adjacent to live conductors in substations and similar locations, suitable barriers must first be erected to prevent accidental contact with those conductors.

307. Proving high voltage apparatus to be dead

High voltage apparatus which is to be earthed and short-circuited shall be proved by suitable methods to be dead and safe for earthing and short-circuiting.

308. Rotating machines

In addition to the other requisite conditions, no rotating machine, nor the circuits connected thereto, are to be considered dead while the machine is revolving.

309. Discharging dead apparatus

Before touching, for the purpose of fitting an “earth and short circuit”, any part of the apparatus normally alive but made dead for the purpose of working thereon, the apparatus shall be

r. 310

discharged by connecting the conductors or terminals to earth by means of the standard equipment provided by the employer for the purpose of taking care to ensure good contact between the earthing wire and the conductors or terminals of the apparatus to be discharged.

310. Discharging where induced potentials suspected

Where there may be danger of induced potentials, discharging by this method does not ensure that the conductors are safe to touch, and the “earth and short circuit” referred to in regulations 311, 312 and 313 must in such cases be attached to the conductors by means of an insulating medium, or the discharging equipment must be left in position while the “earth and short circuit” is fitted.

311. Earthing and short-circuiting

After apparatus has been proved dead and has been discharged, earthing and short-circuiting shall be carried out by the parts normally alive being connected together and to earth.

312. Only apparatus provided to be used

No other apparatus other than that specially provided by the employer shall be used.

313. Where earthing etc. takes place

Earthing and short-circuiting shall be effected at or within sight of the work, except that when the nature of the apparatus, work or soil renders this impossible, the earth connection shall be placed as near as possible to the work.

314. Earthing when line is divided

When a line to be worked on is divided or has to be divided, both sides of the division shall be earthed and short-circuited.

315. Recheck earthing if recommencing work

All persons working on any high voltage apparatus which has been earthed and short-circuited who for any reason leave the site during the progress of the work on such apparatus shall, on return to the site, ensure that the apparatus is still earthed and short-circuited before recommencing work.

316. Certain precautions required for some high voltage work

Certain work on or near the conductors of live high voltage apparatus may be performed by authorised persons, provided either —

- (a) the work is performed through the medium of special appliances provided for the purpose; or
- (b) the persons so working are supported on insulated platforms, towers, or ladders, the design and construction of which has been approved by the Director.

Provided that in every such case the person using such special appliances or insulated platforms, towers, or ladders has been personally instructed in the precautions to be taken with each specific class of work.

[Regulation 316 amended in Gazette 23 December 1994 p.7125.]

316A. Vegetation control work near overhead power lines

- (1) A person performing vegetation control work for reward shall not do so within the danger zone of overhead power lines unless exempted by subregulation (4).
- (2) The danger zone of an overhead power line is anywhere that —
 - (a) is at the same height as, higher than, or not more than the specified distance lower than, the power line conductors; and

r. 316A

- (b) is directly above or below, or not more than the specified distance to either side of, the power line conductors.
- (3) The specified distance is —
 - (a) 3 metres for an overhead power line carrying electricity at a nominal voltage of not more than 33 000 volts; and
 - (b) 6 metres for an overhead power line carrying electricity at a nominal voltage of more than 33 000 volts.
- (4) A person is exempt from subregulation (1) if —
 - (a) the person —
 - (i) has been trained in electrical linework to the satisfaction of the Director; or
 - (ii) has been trained in vegetation control work by a person or training authority approved by the Director by notice published in the *Gazette*;and
 - (b) the work is carried out in accordance with —
 - (i) the electrical safety requirements described in the *Code of Practice for Personnel Electrical Safety for Vegetation Control Work Near Live Powerlines* issued by the Director (as from time to time amended and for the time being in force); or
 - (ii) such other safety requirements as the Director has approved in writing.
- (5) For the purposes of this regulation —
 - (a) **“overhead power lines”** means overhead lines for the transmission of electrical energy;
“conductors” includes active or neutral conductors (whether bare, insulated or double insulated), catenary supported conductors, neutral screened conductors, and aerial bundled cable;

- (b) a reference to performing work includes a reference to assisting to perform work;
- (c) performing work in the course of employment is to be regarded as being for reward; and
- (d) vegetation control work is performed within a danger zone if any part of —
 - (i) the vegetation; or
 - (ii) the body of, or any tool, vehicle, or other equipment used by, a person performing the work,

comes within the danger zone at any time while the work is being performed.

[Regulation 316A inserted in Gazette 30 August 1996 pp.4316-17.]

317. Rubber gloves

Rubber gloves shall not be used for handling by direct contact conductors carrying high voltage.

318. Safety equipment that must be provided

The safety equipment specified in these regulations and which must be provided by employers shall include: —

Linesmen's belts, rubber gloves, first-aid outfit, suitable earthing equipment, approved insulating equipment for working on live low voltage conductors, approved insulating platforms.

319. This Part to be supplied to relevant workers

A copy of this Part shall be supplied to each worker engaged on work covered by this Part and each employee shall make himself familiar with the requirements of the said Part.

Part X — Approval of electrical appliances

[Heading inserted in Gazette 7 September 1955 p.2143.]

[320. Repealed in Gazette 23 December 1994 p.7128.]

321.³ Definitions

Unless inconsistent with the context or subject matter, the following terms shall for the purpose of this Part have the meanings given to them hereunder —

“**Act**” means the *Electricity Act 1945*;

“**Applicant**” means a person who makes application for approval of an electrical appliance under these regulations or any person who has made application for approval of any electrical apparatus, appliance or fitting under the regulations repealed by these regulations and any person to whom a certificate of approval is transferred as provided for in regulation 329;

“**Approved**” in relation to an electrical appliance means approved —

- (a) by the State Energy Commission, prior to the coming into operation of section 6 of the *Energy Corporations (Transitional and Consequential Provisions) Act 1994*; or
- (b) thereafter, by the Director,
for the purposes of the Act;

“**Approvals marking**” means the mark, words, symbol or figures or all or any of them as the case may be shown on the certificate of approval of an approved electrical appliance;

“**Appliances of the same class**” means appliances which come within the scope of the definition of a class of appliance included in any notice published by the Director in the *Government Gazette* pursuant to section 33B of the Act;

“Appliances of the same type” means prescribed appliances of the same class which in the opinion of the Director are constructed to the same design and of corresponding materials;

“Duly constituted authority in another State of the Commonwealth” means —

- (a) the Department of Mines and Energy, Queensland;
- (b) the Department of Energy, New South Wales;
- (c) the Office of the Chief Electrical Inspector, Victoria;
- (d) the Office of Energy Policy, South Australia;
- (e) the Hydro Electric Corporation of Tasmania; or
- (f) the Department of Urban Services, Australian Capital Territory;

“Published specification” means the relevant Approval and Test Specification published by the Standards Association of Australia² and which is that relating to prescribed appliances which are prescribed in a notification published in the *Government Gazette* by direction of the Director by reference —

- (i) to the classification letters, numbers, month (if any) and year of publication or title of Approval and Test Specifications published by the Standards Association of Australia²;
- (ii) to any amendment of the Approval and Test Specifications published by that Association;
- (iii) to any part of the Approval and Test Specifications or any amendment thereof published by that Association.

[Regulation 321 inserted in Gazette 7 September 1955 p.2143; amended in Gazette 22 May 1987 p.2189; 23 December 1994 pp.7128-9; 23 May 1997 p.2418.]

r. 322

322.³ Application for approval

- (1) An application for approval of an electrical appliance is to be made to the Director, in writing in a form approved by the Director.
- (1a) An applicant must give to the Director, with the application or when subsequently requested, such samples of, and information (including drawings, photographs and labels) relating to, the electrical appliance as the Director may require.
- (2) Notwithstanding the requirements of subregulation (1), if an appliance of the same type is approved, within the meaning of the Act, by a duly constituted authority in another State of the Commonwealth, the provisions of regulation 326(1) shall apply and an application for approval need not be made, in respect of that appliance.
- (3) To each electrical appliance delivered to the Director pursuant to this regulation the applicant or his agent shall attach or affix a label bearing the signature of the applicant or his agent and showing in legible writing —
 - (a) the name in full of the applicant;
 - (b) the date of application to the Director for the approval of the electrical appliance;
 - (c) the designation of the class of electrical appliance under which it is prescribed;
 - (d) the type and description of the electrical appliance;
 - (e) the manufacturer's catalogue number, type number, or other means of distinguishing the type of electrical appliance,

and shall also deliver with that appliance the original of a test report, from a test laboratory or facility recognised by the Director for the purpose of these regulations, containing references as to the compliance of that appliance with all

relevant provisions of a specification published in respect to the appliance and acceptable to the Director.

- (4) There shall be payable in respect of any application for an approval under this regulation —
- (a) a fee of such amount as is determined by the Director having regard to the cost and nature of the type of investigation, examination and other action necessary prior to the issue, or refusal, of approval; and
 - (b) such other expenses related to that application as the Director may certify to have been incurred,

by the applicant to the Director, within 30 days of demand by the Director.

[Regulation 322 inserted in Gazette 7 September 1955 p.2143; amended in Gazette 22 December 1964 p.4081; 23 December 1994 p.7125 and pp.7129-30; 23 May 1997 p.2418.]

323.³ Further testing of electrical appliances approved

- (1) The Director, at any time, may —
- (a) direct the holder of an approval certificate to make available for examination or testing, or both, electrical appliances of the class or type to which that approval relates; and
 - (b) arrange for another or further examination or testing, or both, of those appliances,

for the purpose of determining the electrical safety of that class or type of appliance or its compliance with an applicable specification or Australian Standard.

- (2) The holder of the certificate shall be responsible —
- (a) for submitting the appliance to any examination, or testing, or both, required for the purpose of ascertaining

r. 323

- compliance with relevant provisions of the specification applicable in respect of the appliance;
- (b) for the arrangements required by the Director, at a test laboratory or facility recognised by the Director, in respect of that examination or testing;
 - (c) for ascertaining what, if any, specification in respect to the appliance is acceptable to the Director and applicable for the purpose of these regulations; and
 - (d) for the submission of evidence, additional to, or in verification of, the test report, if so required by the Director, as to the performance and suitability of the appliance.
- (3) A direction under subregulation (1) shall be given in writing and specify —
- (a) the period, being not less than 1 month, within which the appliances are to be made available; and
 - (b) the place to which the appliances are to be delivered.
- (4) If an electrical appliance is found not to be in accordance with the approval previously given there shall be payable in respect of testing under this regulation —
- (a) a fee of such amount as is determined by the Director having regard to the cost and nature of the testing; and
 - (b) such other expenses related to that testing as the Director may certify to have been incurred,

by the holder of the approval certificate to the Director, within 30 days of demand by the Director.

[Regulation 323 inserted in Gazette 23 December 1994 pp.7130-1.]

[324, 325.³ Repealed in Gazette 23 December 1994 p.7130.]

326.³ Certificate of approval

- (1) Approval of an electrical appliance may be granted by the Director —
 - (a) on the issue to the applicant of a certificate of approval, in or to the effect of Form No. 38 in the Appendix; or
 - (b) without the issue of a certificate of approval, where a duly constituted authority in another State of the Commonwealth has issued any such certificate, and in that event the form of approval of that authority shall be deemed to be a certificate of approval issued by the Director under the provisions of these regulations.
- (2) Approval of an electrical appliance may be granted unconditionally or may at the discretion of the Director be granted on and subject to conditions requiring warning to be given to persons using or purchasing or hiring the electrical appliance of precautions to be observed in the use of the electrical appliance or as to other matters tending to safety in the use of the electrical appliance. The conditions shall be endorsed on the certificate of approval.
- (3) No person shall sell, hire, expose for sale or hire or advertise for sale or hire, an electrical appliance so as not to comply with any conditions specified on the certificate of approval issued by the Director in respect of that electrical appliance.
- (4) The issue of a certificate of approval in respect of an electrical appliance shall not authorise any person to use, sell, hire or expose for sale or hire or connect or install the electrical appliance for use in any place or in any manner —
 - (a) forbidden by the Act or any regulations or by-laws made thereunder; or
 - (b) for which the consent of the supply authority is required.

r. 326

- (5) No electrical appliance shall be, or be deemed to be approved at any time when —
- (a) a certificate of approval has not been issued for the electrical appliance; or
 - (b) the approval of the electrical appliance has been withdrawn; or
 - (c) it does not comply in full with every term, provision or condition endorsed upon the certificate of approval thereof given by the Director in respect of the electrical appliance.
- (6) No person shall, in connection with an electrical appliance which has not been approved, represent that such electrical appliance has been approved or shall be approved or that the electrical appliance complies with the requirements of the Director for the purpose of this Part.
- (7) A certificate of approval, at all times, shall —
- (a) remain the property of the Director; and
 - (b) be made available, upon request, for inspection by an inspector.
- (8) A certificate of approval —
- (a) has effect for such period, not exceeding 5 years, as is determined by the Director and endorsed on the certificate of approval; and
 - (b) may be renewed, within that period, on application to the Director and, if required by the Director, subject to re-examination or re-testing of the appliance.

[Regulation 326 inserted in Gazette 7 September 1955 p.2143; amended in Gazette 22 December 1964 p.4081; 23 December 1994 pp.7125 and 7131.]

327.³ Stamping and labelling of approved electrical appliances

- (1) No person shall sell, hire or expose for sale or hire or advertise for sale or hire or cause to be sold or hired or exposed for sale or hire or advertised for sale or hire any electrical appliance for which a certificate of approval has been issued unless the electrical appliance is permanently and clearly stamped or labelled with the mark, words, symbols or figures or all or any of them as the case may be shown as the approvals marking on the certificate of approval of the electrical appliance. For the purpose of these regulations an electrical appliance shall be deemed to have been stamped if the approvals marking is moulded, embossed, engraved, incised or indented or otherwise permanently marked on the electrical appliance to the satisfaction of the Director.
- (2) If in the opinion of the Director as notified on the certificate of approval of an electrical appliance, the electrical appliance is too small to be stamped in compliance with subregulation (1) or for any other sufficient reason should not be so stamped, the electrical appliance shall be deemed to comply with this regulation if it is packed by the manufacturer or applicant in a container or wrapping marked, or to which container or wrapping is affixed, a label marked with —
 - (a) the approvals marking on the certificate of approval issued for the electrical appliance; and
 - (b) the nature of the electrical appliance.
- (3) An applicant to whom has been issued a certificate of approval endorsed with any conditions as set out in regulation 326 shall clearly label the electrical appliance for which the certificate of approval was issued with a label setting out the conditions under which the certificate was issued.
- (4) No person shall sell or hire or expose for sale or hire any electrical appliance which has been approved on conditions in accordance with regulation 326(2) unless the person adequately notifies the purchaser or hirer of the conditions.

r. 328

- (5) In respect of an electrical appliance which has not been approved under these regulations, no person shall whilst the appliance remains unapproved —
- (a) stamp or label or cause or permit to be stamped or labelled the appliance; or
 - (b) place or cause or permit the appliance to be placed in any container or wrapping which is stamped or labelled or marked; or
 - (c) affix or attach or cause or permit to be affixed or attached to the container or wrapping of the appliance a label which is stamped or marked,

with a marking similar to, or so nearly resembling, a marking authorised by the Director as an approvals marking as to be likely to deceive.

[Regulation 327 inserted in Gazette 7 September 1955 p.2143; amended in Gazette 23 December 1994 p.7125.]

328.³ Modification of design or construction

- (1) A person to whom has been issued a certificate of approval in respect of an electrical appliance may, if the Director in writing so approves, alter the design, materials or construction of the electrical appliance in any particular, but the approval shall be given only after examination of a sample or samples of the altered electrical appliance. The Director shall cause to be endorsed on the relevant certificate of approval particulars of the alteration or alterations so approved and thereupon the electrical appliance so altered shall be approved and shall be deemed to be the approved electrical appliance to which that certificate relates. The applicant shall pay to the Director any fees demanded by the Director for any examination under this regulation and, where the Director determines that any testing may be required as a result of any alteration in design, materials or construction, the cost of that testing shall also be paid for by the applicant.

- (2) If the Director does not approve the alteration of the electrical appliance in any particular the Director shall so notify in writing the person applying for the approval.
- (3) No person shall sell or hire or expose for sale or hire or advertise for sale or hire any electrical appliance purporting to be identical with or similar to an electrical appliance for which a certificate of approval has been issued, but which in the opinion of the Director is not identical with or similar to the approved electrical appliance by reason of change of design, materials or construction.

[Regulation 328 inserted in Gazette 7 September 1955 p.2143; amended in Gazette 23 December 1994 pp.7125 and 7131.]

329.³ Transfer of certificate of approval

- (1) When an applicant to whom a certificate of approval of an electrical appliance has been issued, disposes of his business or that part of the business to which that certificate of approval is relevant, the applicant may apply in writing to the Director to have the certificate of approval of the electrical appliance transferred to the person to whom the business or portion of the business has been disposed. Every such application shall be countersigned by the person to whom the business or portion of the business has been disposed and shall be accompanied by the prescribed fee.
- (2) The Director may, if the Director approves of an application made under subregulation (1), transfer the certificate of approval to the person to whom the business or portion of the business has been disposed.
- (3) From the date of the transfer the person to whom the certificate of approval has been transferred shall, in respect of the certificate of approval be entitled to all rights and privileges under and be responsible for all liabilities, responsibilities, duties and penalties under these regulations in the same manner as the original applicant.

[Regulation 329 inserted in Gazette 7 September 1955 p.2143; amended in Gazette 23 December 1994 pp.7125 and 7131.]

r. 330

330.³ Lost or destroyed certificates of approval

If any certificate of approval issued by the Director is lost, stolen, destroyed, mutilated or defaced, a duplicate certificate of approval may be issued by the Director upon proof to its satisfaction of the loss, theft or destruction or upon surrender of the mutilated or defaced certificate of approval and on payment of the prescribed fee.

[Regulation 330 inserted in Gazette 7 September 1955 p.2143; amended in Gazette 23 December 1994 pp.7125 and 7131.]

331.³ Delegation by the Director

- (1) The Director may, either generally or as otherwise provided by the instrument of delegation, by writing signed by the Director, delegate to a person authorised by the Director the power of making any assessment, examination or test for the purposes of this Part, or of granting or refusing to grant any approval under this Part.
- (2) A person on whom power is conferred under subregulation (1) may exercise a discretion whether or not to treat as acceptable any non-compliance with the detail of a technical standard or specification, subject to —
 - (a) compliance with all requirements where safety is an issue; and
 - (b) the approval of the Director having first been obtained to the exercise of that discretion in a matter of that kind.
- (3) Subject to subregulation (2), a person on whom power is conferred under subsection (1) may exercise discretion to grant dispensation, for a period specified in writing with the prior approval of the Director, to an applicant with regard to any requirement of, or under, these regulations, and any such dispensation may be made subject to such conditions, qualifications, limitations or exceptions as are specified in the instrument of dispensation.

[Regulation 331 inserted in Gazette 23 December 1994 p.7132.]

332.³ Refusal or withdrawal of approval

- (1) Without in any way limiting the power of the Director to grant approval of any electrical appliance the Director may refuse to grant approval to any application made under this Part —
 - (a) if any specification, drawing, photograph, label or other information delivered to the Director in accordance with this Part is found to be misleading;
 - (b) if the applicant shall fail or refuse to submit either for examination for testing or both the sample or samples of the electrical appliance as required under this Part;
 - (c) if an electrical appliance of the same type or of the same class for which approval is sought when examined and tested in accordance with the provisions of the relevant published specifications, fails to comply with the published specifications;
 - (d) if in the opinion of the Director the electrical appliance for which approval is sought is dangerous or is likely to be or to become dangerous in normal use;
 - (e) if in the opinion of the Director representations are made by the applicant or advertisements are employed by the applicant in connection with the selling or hiring of electrical appliances of that type or class for which approval is sought which would mislead as to the significance of approval or the use for which approval may be granted.
- (2) The Director may withdraw approval already granted in respect of any electrical appliance whether the approval was granted under this Part or under the regulations repealed by this Part —
 - (a) if an electrical appliance of the same class or of the same type for which approval has been granted is, when examined and tested in accordance with the provision of the relevant specifications, found at any time not to conform to the published specifications;

r. 333

- (b) if in the opinion of the Director the electrical appliance for which approval has been granted is dangerous or is likely to be or to become dangerous in normal use;
- (c) if the applicant shall at any time fail or refuse to submit either for examination or testing or both the sample or samples of the electrical appliance as required under this Part;
- (d) if the applicant shall at any time fail or refuse to supply particulars required under this Part;
- (e) if in the opinion of the Director representations are made by the applicant or advertisements are employed by the applicant in connection with the selling or hiring of electrical appliances of the type or class for which approval has been granted which would mislead as to the significance of approval or the use for which approval is granted;
- (f) if any information delivered to the Director pursuant to this Part is found to be false or misleading;
- (g) if the applicant has been convicted by a Court of competent jurisdiction for a contravention or a breach of the Act or of this Part;
- (h) if the certificate of approval granted in the State where the electrical appliance was originally approved is withdrawn by the duly constituted authority of that State;
- (i) if the applicant so requests.

[Regulation 332 inserted in Gazette 7 September 1955 p.2143; amended in Gazette 23 December 1994 p.7125; 23 May 1997 p.2418.]

333.³ Notification of withdrawal of approval

- (1) When the Director withdraws approval of an electrical appliance otherwise than at the request of the applicant, the Director shall advertise in the *Government Gazette* notice of the withdrawal of

approval, therein specifying the name of the applicant, the class or type of electrical appliance, the date of the certificate of approval, the approvals marking (if any) thereon referred to and the date on or from which the withdrawal of approval is to take effect. The Director shall send to the applicant by prepaid post at the address of the applicant recorded in the Register of Approved Electrical Appliances a copy of that notice, and after the date specified in the notice as the date on or from which withdrawal of approval is to take effect, no person shall —

- (a) sell or hire or expose for sale or hire or advertise for sale or hire an electrical appliance in respect of which the certificate of approval was withdrawn; or
 - (b) stamp or label any electrical appliance with the approvals marking referred to on the certificate of approval issued in respect of the electrical appliance the approval to which was withdrawn.
- (2) The applicant shall within 14 days of the despatch by the Director of the notice referred to in subregulation (1) return to the Director, the certificate of approval in respect of the electrical appliance referred to in the notice.

[Regulation 333 inserted in Gazette 7 September 1955 p.2143; amended in Gazette 23 December 1994 p.7125; 23 May 1997 p.2418.]

334.³ Deferment of approval

The Director may at discretion defer any decision as to the approval or non-approval of any application under this Part.

[Regulation 334 inserted in Gazette 7 September 1955 p.2143; amended in Gazette 23 December 1994 pp.7125 and 7132.]

335.³ Purchase of electrical appliances for inspection

The Director may purchase an electrical appliance from any person dealing in electrical appliances. Any person (hereinafter referred to as the dealer) who deals whether by wholesale, retail

or otherwise in any electrical appliance shall, when requested so to do by a person who is an employee within the meaning of the *Public Sector Management Act 1994* and who is authorised to make the request on behalf of the Director, sell to the Director any electrical appliance sought to be purchased by the officer on behalf of the Director for the same price as the dealer charges other purchasers for the electrical appliance and, if the price cannot be identified, for a fair price. The officer shall at the time of the purchase and before carrying away the electrical appliance inform the dealer or his servant or agent, that he is purchasing the electrical appliance on behalf of the Director for the purpose of these regulations and shall if required by the dealer produce evidence of his authority and shall affix to the electrical appliance or (as the case requires) its container —

- (a) A label showing in legible writing —
 - (i) the name and address of the dealer;
 - (ii) the date of purchase as aforesaid;
 - (iii) the nature of the electrical appliance;
 - (iv) if the electrical appliance is of a class or type that is prescribed, the designation of the class or type under which it is prescribed;
 - (v) the type of flexible cord (if any) supplied with or sold for use with the electrical appliance purchased;
 - (vi) the signature of the authorised officer;and
- (b) any pamphlet, leaflet, or other writing descriptive of the electrical appliance or instructions for use thereof supplied with the electrical appliance so purchased; and
- (c) the receipt of the dealer (or his servant or agent) for the money paid for the electrical appliance so purchased,

and the dealer shall if he is then or thereafter requested by the authorised officer forthwith inform the officer when and from

whom he obtained the electrical appliance so purchased and shall produce for inspection by the authorised officer all vouchers, invoices or accounts in his possession showing when and from whom the dealer obtained the electrical appliance.

[Regulation 335 inserted in Gazette 7 September 1955 p.2143; amended in Gazette 23 December 1994 p.7132.]

336.³ Obstruction of officers

- (1) No person shall in any way obstruct, hinder, interfere with or aid or abet, encourage, invite or instruct any person to obstruct, hinder or interfere with any authorised officer exercising any powers conferred under these regulations.
- (2) No person shall give any false information either verbally or in writing to the Director, or to any other person who is authorised by the Director to perform any function under these regulations, in relation to an electrical appliance or its sale or hire or exposure for sale or hire or as to its marking or labelling, or as to the marking or labelling of any container or wrapping in which it is sold or hired or exposed for sale or hire.

[Regulation 336 inserted in Gazette 7 September 1955 p.2143; amended in Gazette 23 December 1994 pp.7125 and 7132.]

337.³ Register of Prescribed Electrical Appliances and Register of Approved Electrical Appliances

- (1) The Director shall cause to be kept —
 - (a) a register to be called the “Register of Prescribed Electrical Appliances” setting out a list of the classes and types of electrical appliances prescribed by notice in the *Gazette* and a reference to the date of the *Gazette* in which such list was published;
 - (b) a register to be called the “Register of Approved Electrical Appliances” containing the following information in respect to each class or type of electrical appliance approved by the Director —
 - (i) particulars of the electrical appliance;

r. 338

- (ii) the marking required by these regulations;
- (iii) all conditions imposed by the Director upon approval;
- (iv) the purpose or purposes for which approval has been given;
- (v) the date of approval;
- (vi) the name (in full), place of abode and place of business of the applicant;
- (vii) particulars of approved modifications of design, materials or construction (if any);
- (viii) such further or other particulars as the Director may from time to time think fit.

- (2) A person upon payment of the prescribed fee or fees may —
- (a) inspect the registers during the normal business hours of the Director;
 - (b) obtain certified copies of entries in the registers.

[Regulation 337 inserted in Gazette 7 September 1955 p.2143; amended in Gazette 23 December 1994 p.7125.]

338.³ Change of address

An applicant who changes his address after the issue to him of a certificate of approval shall within one (1) month of changing his address give notice to the Director of his new address.

[Regulation 338 inserted in Gazette 7 September 1955 p.2143; amended in Gazette 23 December 1994 p.7125.]

[339.³ Repealed in Gazette 23 December 1994 p.7133.]

Part XI — Penalties and proceedings

[Heading inserted in Gazette 23 December 1994 p.7133.]

340.³ Penalties

A person who, either by act or omission, contravenes these regulations commits an offence.

Penalty: In the case of an individual — \$5 000.

In the case of a body corporate — \$20 000.

[Regulation 340 inserted in Gazette 23 May 1997 p.2419.]

341.³ Proceedings

All proceedings in respect of penalties or forfeitures may be taken in the name of any person authorised in that behalf by the Director.

*[Regulation 341 inserted in Gazette 7 September 1955 p.2143;
amended in Gazette 23 December 1994 p.7125.]*

[Schedule repealed in Gazette 23 December 1994 p.7133.]

[Appendix repealed in Gazette 23 December 1994 p.7133.]

Notes

¹ This is a compilation of the *Electricity Regulations 1947* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Citation	Gazettal	Commencement	Miscellaneous
<i>Electricity Act Regulations 1947</i>	27 June 1947 pp.1156-94	27 June 1947	Citation subsequently amended (see regulation 1)
	11 July 1947 p.1263	11 July 1947	
Disallowance	5 December 1947 p.2209	5 December 1947	
<i>Change of Frequency Regulations</i>	11 March 1949 p.466	11 March 1949	
	7 September 1955 pp.2143-56	7 September 1955	
	12 September 1956 p.2294-6	12 September 1956	
	5 March 1958 p.448	15 March 1958	
	31 May 1960 p.1522	31 May 1960	
	29 December 1961 pp.3960-1	29 December 1961	
	1 May 1962 p.1027	1 May 1962	
	7 February 1963 p.597	7 February 1963	
	22 December 1964 pp.4081-2	22 December 1964	
	31 August 1965 pp.2560-2	31 August 1965	
	14 June 1967 pp.1608-9	14 June 1967	

Citation	Gazettal	Commencement	Miscellaneous
	25 June 1969 p.1868	25 June 1969	
	25 September 1970 pp.3061-3 (Erratum 9 October 1970 p.3145)	25 September 1970	
	8 February 1972 p.265	8 February 1972	
	7 June 1972 p.1707	7 June 1972	
	7 July 1972 pp.2346-7 (Erratum 14 July 1972 p.2467)	7 July 1972	
	24 November 1972 pp.4512-14	1 January 1973	
	28 June 1973 p.2469	1 July 1973	
	21 February 1975 pp.667-9	1 March 1975 (see regulation 2)	
	5 March 1976 p.688	1 March 1976 (see regulation 2)	
	9 September 1977 pp.3307-10	9 September 1977	
	15 June 1979 pp.1620-3	1 June 1979	
<i>Electricity Amendment Regulations (No. 2) 1981</i>	2 October 1981 pp.4214-17	2 October 1981	
<i>Electricity Amendment Regulations 1982</i>	7 January 1983 pp.30-2	7 January 1983	
<i>Electricity Amendment Regulations 1985</i>	20 December 1985 p.4881	1 January 1986 (see regulation 2)	
<i>Electricity Amendment Regulations 1987</i>	22 May 1987 pp.2187-8	22 May 1987	

Electricity Regulations 1947

Citation	Gazettal	Commencement	Miscellaneous
<i>Electricity Amendment Regulations (No. 2) 1987</i>	22 May 1987 p.2188	1 July 1987 (see regulation 3)	
<i>Electricity Amendment Regulations (No. 3) 1987</i>	22 May 1987 pp.2188-9	1 January 1988 (see regulation 2)	
<i>Electricity Amendment Regulations (No. 4) 1987</i>	22 May 1987 pp.2189-93	22 May 1987	
<i>Electricity Amendment Regulations 1988</i>	31 March 1988 p.971	31 March 1988	
<i>Electricity Amendment Regulations 1989</i>	27 October 1989 p.3911	31 October 1989 (see regulation 2)	
<i>Electricity Amendment Regulations (No. 2) 1989</i>	29 December 1989 p.4701	29 December 1989	
<i>Electricity (Licensing) Regulations 1991, regulation 66</i>	14 October 1991 p.5294	1 November 1991 (see regulation 2)	
<i>Electricity (Amendment) Regulations 1995</i>	23 December 1994 pp.7124-33	1 January 1995 (see regulation 3 and <i>Gazette</i> 23 December 1994 p.7069)	
<i>Electricity (Amendment) (No. 2) Regulations 1995</i>	20 June 1995 p.2400	20 June 1995	
<i>Electricity Amendment Regulations 1996</i>	30 August 1996 pp.4316-17	30 November 1996 (see regulation 2)	
<i>Electricity Amendment Regulations 1997</i>	23 May 1997 pp.2417-19	23 May 1997	
<i>Electricity Amendment Regulations 2000</i>	30 May 2000 pp.2567-72	30 May 2000	
<i>Electricity Amendment Regulations (No. 2) 2000</i>	19 December 2000 p.7274	19 December 2000	
<i>Electricity Amendment Regulations 2004</i>	9 Nov 2004 p. 5005-6	9 Nov 2004	

² The Standards Association of Australia has changed its corporate status and its name. It is now Standards Australia International Limited (ACN 087 326 690). It also trades as Standards Australia.

³ The heading to this provision was deleted by the *Electricity Amendment Regulations 2000*, see *Gazette* 30 May 2000 pp.2567-72.