

Western Australia

Electricity Act 1945

**Electricity (Supply Standards and System
Safety) Regulations 2001**

As at 30 Sep 2009

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Electricity (Supply Standards and System Safety) Regulations 2001

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Western Australia

Electricity Act 1945

Electricity (Supply Standards and System Safety) Regulations 2001

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Electricity (Supply Standards and System Safety) Regulations 2001*.

2. Commencement

These regulations come into operation on the day 28 days after the day on which they are published in the *Gazette*.

3. Definitions

(1) In these regulations, unless the contrary intention appears — ***accepted safety case*** means a safety case that —

- (a) has been accepted, or is to be regarded as having been accepted, by the Director under Part 4 Division 3; and
- (b) has been implemented by the network operator under that Division,

and includes an accepted safety case amended under regulation 31 or 32;

AG followed by a designation consisting of a number and a reference to a year, refers to the text of the document, published by the Australian Gas Association;

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AS followed by a designation consisting of a number and a reference to a year, refers to the text, as from time to time amended and for the time being in force, of the document so designated, published by Standards Australia;

AS/NZS followed by a designation consisting of a number and a reference to a year, refers to the text, as from time to time amended and for the time being in force, of the document so designated, jointly published by Standards Australia and Standards New Zealand;

employee, in relation to a network operator, means —

- (a) a person employed or engaged by the operator;
- (b) a contractor or subcontractor to the operator; or
- (c) a person employed or engaged by a person referred to in paragraph (b);

high voltage means an operating voltage of more than 1 000 Vac or 1 500 Vdc between phase conductors or between a phase conductor and an earth;

implementation day, in relation to a safety case, means the day notified to the Director under regulation 27(2) in respect of the safety case;

meter means a device used to measure and record the amount of electricity passing through the device;

network means —

- (a) a transmission or distribution works that is used to convey electricity under the authority of a consent given under section 7(1) of the Act or under any other Act; and
- (b) any line, switch, transformer, or apparatus on a generating station through which the output of the station's generating works passes to that transmission or distribution works;

network operator means a supply authority and any other person lawfully operating transmission or distribution works and includes the Electricity Networks Corporation and the

Regional Power Corporation established by section 4 of the *Electricity Corporations Act 2005*;

nominated auditor, in relation to the safety case or accepted safety case of a network operator, means the person whose nomination by the network operator has been accepted under regulation 22;

prescribed activity means anything related to the conveyance, control, supply or use of electricity done by, for or with the authority of, the network operator in the course of the construction, maintenance, repair or operation of a network;

quarter means the period of 3 months beginning on 1 January, 1 April, 1 July or 1 October in any year;

safety case means a document that sets out the safety management and technical practices and procedures to be followed by a network operator in the operation of a network;

utilised, in relation to a purpose, includes capable of being, or intended to be, utilised for that purpose;

working day means a day that is not a Saturday, Sunday or public holiday.

- (2) In these regulations, unless the contrary intention appears, the numerical values prescribed are subject to tolerances according to normal industry practice.
- (3) To avoid doubt, it is declared that the word “network” does not include a line, pole, switch, transformer, or apparatus on or part of premises to which electricity is supplied by a network operator that is situated beyond the point at which electricity is so supplied to the premises.
- (4) To avoid doubt, it is declared that the term “network operator” does not include the owner of premises to which electricity is supplied who distributes the electricity to a person who occupies a part or all of the premises.

*[Regulation 3 amended in Gazette 13 Dec 2005 p. 5978;
31 Mar 2006 p. 1348.]*

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[4. Deleted in Gazette 29 Sep 2009 p. 3845.]

[Part 2 (s. 5-7) deleted in Gazette 13 Dec 2005 p. 5978.]

Part 3 — Metering

8. Definition

In this Part —

commencement means the day on which these regulations come into operation.

9. Maximum error for revenue meters

- (1) A network operator must prepare and implement a metering management plan (the *plan*) expressed in mandatory terms to ensure that a meter registers within the margin of error of the correct registration referred to in section 41(4) of the Act.
- (2) The plan must —
 - (a) provide for the systematic sampling and testing of in-service meters and meters taken out of service to enable the network operator to determine whether particular types or models of meters exceed the margin for error referred to in subregulation (1); and
 - (b) set out the technical, investigative, reporting, remedial action, and administrative practices to be adopted by the network operator.
- (3) A network operator must submit a plan to the Director for approval within 6 months of commencement and biennially after commencement.
- (4) The Director may approve a plan or, if the Director considers that a plan submitted to the Director for approval is inadequate, the Director may direct the network operator to amend the plan before it is implemented.
- (5) If the Director directs that a plan be amended, the network operator must submit a plan amended in accordance with the Director's direction to the Director not more than 20 working days after the direction was given to the operator.

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- (6) If not more than 12 months after commencement or after the date of a biennial review the Director has not approved a network operator's plan, the Director may, after consulting the network operator, prepare a plan and that plan is to be taken to be a plan approved under subregulation (4).
- (7) A network operator must comply with the requirements of a plan approved by or prepared under subregulation (6) by the Director.
- (8) After 30 June and before 1 September in each year, a network operator must give to the Director a report on the extent to which the operator has complied with the plan during the 12 months preceding that date.
- (9) The Director may, by notice in writing, exempt from inclusion in a plan meters of a type specified in the notice or meters relating to electricity supplied to consumers or classes of consumers specified in the notice.

Part 4 — Network safety

Division 1 — Obligations related to the carrying out of prescribed activities

10. Management of prescribed activities

- (1) A network operator must ensure that each prescribed activity is, so far as is reasonable and practicable, carried out in such a way as to —
 - (a) provide for the safety of persons, including employees of and contractors to the operator;
 - (b) avoid or minimise the exposure of persons, including employees of and contractors to the operator, to electric and magnetic field effects; and
 - (c) avoid or minimise any damage to property, inconvenience or other detriment as a result of the activity.

- (2) Without limiting subregulation (1), a network operator must ensure that —
 - (a) adequate work procedures and practices are developed and implemented;
 - (b) proper plans are developed and implemented for the inspection, maintenance and (if necessary) replacement of the network or parts of the network;
 - (c) adequate records of the location of the network are maintained and made available on request to —
 - (i) the Director; or
 - (ii) a person who, for reasons of safety, requires access to the records;
 - (d) adequate instruction, training and supervision is provided taking into account the nature of the activity and the competency of the personnel carrying out the activity; and

- (e) the design, engineering and operation of, and the work practices used on, the network are regularly reviewed for safety and effectiveness.

11. Evidence of compliance: standards and codes

- (1) Compliance by a network operator to whom Division 2 applies with a relevant provision of—
 - (a) a standard or code published under a law of any jurisdiction in Australia;
 - (b) a standard or code published by Standards Australia, the Electricity Supply Association of Australia, or any other body approved by the Director;
 - (c) a standard or code published by any other body and approved by the Director; or
 - (d) a standard or code specified in Schedule 2,

is evidence of compliance by that network operator with regulation 10 if the provision is not inconsistent with a provision referred to in regulation 16(4).

- (2) A network operator may submit a standard or code to the Director for approval under subregulation (1)(c).

12. Evidence of compliance: accepted safety case

Compliance by a network operator to whom Division 3 applies with a practice, procedure or provision described in regulation 29 is evidence of compliance by that network operator with regulation 10.

13. Persons carrying out prescribed activities

- (1) In subregulation (2) —
 - (a) the reference to doing anything includes a reference to omitting to do anything; and
 - (b) the reference to permitting anything to be done includes a reference to permitting an omission to do anything.

- (2) A person must avoid, so far as is reasonable and practicable, doing anything, or permitting anything to be done, in the course of carrying out a prescribed activity, that results, or is likely to result, in —
- (a) a person sustaining any personal injury; or
 - (b) damage to any property or significant inconvenience or other detriment to any person.

14. Network operator to notify Director of proposed major activities

- (1) In this regulation —
major activity means any of the following kinds of prescribed activity —
- (a) installation of a high voltage underground cable circuit of a length of 500 m or more or a high voltage overhead power line of a length of 500 m or more;
 - (b) construction of a high voltage transformer substation with an installed capacity of more than 1 MVA or a high voltage switching station.
- (2) A network operator must —
- (a) give to the Director written notice of each major activity not less than 5 working days before it is carried out; or
 - (b) submit to the Director, not less than 5 working days before the beginning of each quarter, a written outline of the major activities that the network operator proposes to carry out in that quarter.
- (3) If, in a particular quarter, a network operator proposes to carry out a major activity that was not mentioned in an outline submitted in respect of that quarter under subregulation (2)(b), the network operator must give to the Director written notice of that major activity not less than 5 working days before it is carried out.
- (4) A notice or outline under this regulation —

- (a) is to be in a form acceptable to the Director;
 - (b) may advise the Director whether part or all of the information is commercially sensitive; and
 - (c) may be submitted by facsimile transmission or other electronic means approved by the Director.
- (5) The network operator must provide the Director with information on any major activity referred to in a notice or outline under this regulation that the Director considers necessary to enable the Director to assess whether or not the activity complies with these regulations.

Division 2 — Provisions applicable in absence of accepted safety case

15. Application of Division

This Division applies to a network operator unless an accepted safety case has effect in relation to the network of the network operator.

16. Obligatory standards and codes

- (1) A network operator must ensure that a prescribed activity is carried out in such a way as to comply with any provision of a standard or code specified in Schedule 3.
- (2) If the Director is satisfied that the purpose of any provision described in subregulation (1) would be achieved at least as effectively if a provision of an alternative standard, code, guideline, or other similar document were complied with, the Director may give approval in writing to compliance with the alternative provision.
- (3) Subregulation (1) does not apply, when there is a failure to comply with a provision described in that subregulation, to the extent that an alternative provision is complied with in accordance with an approval under subregulation (2).

- (4) Compliance with a provision described in subregulation (1) or with an alternative provision in accordance with an approval under subregulation (2) is evidence of compliance with regulation 10 in so far as the scope of the prescribed activity is covered by the standard or code or the alternative standard, code, guideline, or other similar document, as the case may be.
- (5) Despite subregulation (1), a network operator is not required to comply with the provisions of HB C(b)1 – 1999 *Guidelines for design and maintenance of overhead distribution and transmission lines* if —
 - (a) an overhead distribution or transmission line is designed by or under the supervision of a professionally qualified engineer using engineering methods other than those set out in that guideline;
 - (b) within 20 working days of commissioning the line, the network operator gives the Director a notice in writing to the effect that those other engineering methods have been used;
 - (c) the network operator has prepared a document recording —
 - (i) the reasons for using those other engineering methods; and
 - (ii) the details of the design work;and
 - (d) the operator keeps that document for 10 years after the date that the notice is given to the Director.

17. Information and training

- (1) A network operator must ensure, so far as is reasonable and practicable, that any employee engaged in carrying out a prescribed activity —
 - (a) is provided with documents setting out appropriate work standards, procedures and practices; and

- (b) is given instruction and training, and tested for competency, in how safely to apply and use those standards, procedures and practices.
- (2) Work standards, procedures and practices are not appropriate for the purposes of subregulation (1) unless they are consistent with these regulations.

18. Action when danger reported

- (1) In subregulation (2) —
former network means anything owned by the network operator that would be a network or part of a network if it were still utilised for a purpose for which it previously was, but no longer is, utilised.
- (2) If a network operator becomes aware that —
 - (a) anything at a place where a prescribed activity is being carried out; or
 - (b) the condition of any part of a network or former network at any place,

is a threat to the safety of any person or property, the network operator must investigate the matter as soon as is practicable.

- (3) If an employee, agent, or contractor of a network operator becomes aware of some thing referred to in subregulation (2), the employee, agent, or contractor must report the matter as soon as practicable to the network operator and the network operator must investigate the matter as soon as practicable.
- (4) If the investigation reveals that there is a threat to the safety of any person or property, the network operator must take appropriate remedial action as soon as is practicable.

Division 3 — Safety case provisions

19. Submission of safety case

- (1) A network operator may submit a safety case to the Director for specific parts, systems, or all systems of the operator's network.
- (2) A safety case submitted under subregulation (1) may with the prior approval of the Director exclude certain segments or systems and such network segments or systems must comply with the prescribed requirements of Division 2.
- (3) A safety case submitted under subregulation (1) must not cover generating works.
- (4) A safety case submitted under subregulation (1) is to be based on AG606 — 1997, *Code of Practice for the Preparation of a Safety and Operating Plan for Gas Networks*.

20. Exemption

- (1) The Director may, by instrument —
 - (a) exempt a network operator from compliance with a provision of the code referred to in regulation 19(4) if the Director is satisfied that compliance with the provision would be inappropriate having regard to the size or complexity of the network; or
 - (b) revoke an exemption commencing on the day 3 months after the day on which the instrument is served on the network operator.
- (2) The Director may —
 - (a) make the exemption subject to any condition; and
 - (b) impose any further condition or vary or revoke a condition at any time.

21. Guidelines

- (1) The Director may from time to time issue guidelines to assist in the preparation of a safety case.
- (2) Subject to any guidelines issued under subregulation (1), the *National Electricity Network Safety Code 2000* (Electricity Supply Association of Australia) are guidelines for the scope of risk management required under a safety case.

22. Nomination of person to perform auditing role

- (1) Before submitting a safety case under regulation 19, a network operator must nominate to the Director a person who, in the opinion of the network operator, is —
 - (a) independent of the network operator; and
 - (b) competent to perform the functions of a nominated auditor under this Division,

and provide the Director with enough information to enable the Director to decide whether or not to accept the nomination.

- (2) The Director may issue guidelines as to —
 - (a) the qualifications for nomination under subregulation (1); and
 - (b) the information to be provided under that subregulation.
- (3) The Director may accept a nomination under subregulation (1) or reject it.
- (4) A nomination is to be regarded as having been accepted unless, within 10 working days after receiving the nomination, the Director notifies the network operator that the Director has decided to reject the nomination.
- (5) If the Director decides to reject a nomination, the network operator may make an alternative nomination to the Director in accordance with subregulation (1).

- (6) Notification under subregulation (4) is to be in writing and is to give reasons for the Director's decision.

23. Preliminary certification of safety case

- (1) A safety case submitted under regulation 19 is to be accompanied by a certificate signed by the nominated auditor certifying that —
- (a) the safety case complies with the requirements of this Division;
 - (b) the safety case is appropriate having regard to the size and complexity of the network and the possible risks;
 - (c) the safety case adequately identifies the measures necessary —
 - (i) to prevent hazardous events identified in the safety case from occurring; and
 - (ii) to protect consumers, the public, employees, plant, equipment, and the environment, should such events occur;
 - (d) the safety case adequately identifies the training and equipment requirements necessary for personnel to be able to implement the various procedures set out in it; and
 - (e) the network operator has in place a plan (the *implementation plan*) for —
 - (i) implementing the measures referred to in paragraph (c); and
 - (ii) meeting the requirements referred to in paragraph (d).
- (2) The certificate is to —
- (a) include a summary of the procedures, standards, tests, inspections, and maintenance measures contained in the safety case; and

- (b) specify the estimated time for completion of the matters covered by the implementation plan.
- (3) A person must not, in a certificate referred to in subregulation (1) —
 - (a) make a statement or representation recklessly or carelessly that is false in a material particular; or
 - (b) make a statement or representation that the person knows to be false or misleading in a material particular.

[Regulation 23 amended in Gazette 29 Sep 2009 p. 3845-6.]

24. Approval of safety case for purposes of final certification

- (1) The Director must assess any safety case submitted in accordance with this Division.
- (2) Following an assessment under subregulation (1), the Director may approve the safety case for the purposes of certification under regulation 25(1) or refuse approval, and is to notify the network operator in writing of the decision.
- (3) If the Director has not given notification under subregulation (2) within 30 working days after receiving the safety case (and the accompanying certificate), the safety case is to be regarded as having been approved for the purposes of certification under regulation 25(1).
- (4) Notification under subregulation (2) of a refusal to approve the safety case is to give —
 - (a) reasons for the refusal; and
 - (b) guidance as to the changes needed to make the safety case acceptable.
- (5) If the Director refuses to approve the safety case, the network operator may review and amend the safety case and submit it to the Director again in accordance with this Division.

25. Final certification of safety case

- (1) If a safety case is approved, or regarded as having been approved, under regulation 24, the network operator may, within such period as the Director allows having regard to the time specified under regulation 23(2)(b), submit to the Director a certificate signed by the nominated auditor certifying that —
 - (a) the measures referred to in regulation 23(1)(c) have been implemented; and
 - (b) the requirements referred to in regulation 23(1)(d) have been met.
- (2) The certificate is to specify the day on which the network operator proposes to implement the safety case if it is accepted under regulation 26(1).

26. Acceptance or rejection of safety case

- (1) On receipt of a certificate under regulation 25(1), the Director may accept the safety case or reject it, and is to notify the network operator in writing of the decision.
- (2) The Director may only reject the safety case if the Director is satisfied that —
 - (a) the measures referred to in regulation 23(1)(c) have not been implemented; or
 - (b) the requirements referred to in regulation 23(1)(d) have not been met.
- (3) If the Director has not given notification under subregulation (1) within 15 working days after receiving the certificate, the safety case is to be regarded as having been accepted.
- (4) Notification under subregulation (1) of the rejection of the safety case is to give reasons for the rejection and specify the measures to be taken or requirements to be met to make the safety case acceptable.

- (5) If the Director rejects a safety case, the network operator may submit to the Director a certificate signed by the nominated auditor certifying that —
- (a) measures specified in the notification under subregulation (4) have been taken; or
 - (b) requirements specified in that notification have been met,

and this regulation applies, with all necessary changes, as if the certificate were a certificate under regulation 25(1).

27. Implementation of safety case

- (1) The acceptance of a safety case ceases to have effect for the purposes of these regulations if the network operator has not implemented it within 6 months after —
- (a) notification of its acceptance is received under regulation 26(1); or
 - (b) it is regarded as having been accepted under regulation 26(3),

as the case may be.

- (2) The network operator must notify the Director of the day on which the safety case is to be implemented not less than 7 days before that day.
- (3) Notification under subregulation (2) is to be in writing.

28. Period of operation of accepted safety case

Subject to regulation 32(6), an accepted safety case has effect in relation to a network for the period of 5 years beginning on implementation day.

29. Compliance with accepted safety case

If an accepted safety case has effect in relation to a network, the network operator must ensure that a prescribed activity is carried out in such a way as to comply with —

- (a) any practice or procedure set out in the accepted safety case; and
- (b) any provision of a code, standard or specification compliance with which is required under the accepted safety case.

30. Periodical audit

- (1) In subregulation (2) —

auditing period means —

- (a) if a report is being lodged under subregulation (2) for the first time in respect of the accepted safety case, a period of 12 months commencing on the implementation day; or
- (b) otherwise, a period of 12 months, or such further period as the Director allows, commencing on the day on which a report was last lodged under subregulation (2) in respect of the accepted safety case.

- (2) A network operator must, within 20 working days after the end of each auditing period, lodge with the Director in respect of an accepted safety case a report by a person appointed by the network operator —

- (a) certifying that —
 - (i) the measures referred to in regulation 23(1)(c) are still in place; and
 - (ii) there continue to be properly trained and equipped personnel available to implement the various procedures set out in the accepted safety case;

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- (b) reviewing the accepted safety case for its adequacy and appropriateness having regard to any changes in the network since a report was last lodged under this subregulation; and
 - (c) making recommendations as to the amendments (if any) required to the accepted safety case.
- (3) The person appointed for the purposes of subregulation (2) is to be a person who, in the opinion of the network operator, is suitably qualified to provide an independent and objective report, but nothing in this subregulation prevents the appointment of an employee of the network operator.
- (4) A person must not, in a report referred to in subregulation (2) —
 - (a) make a statement or representation recklessly or carelessly that is false in a material particular; or
 - (b) make a statement or representation that the person knows to be false or misleading in a material particular.

[Regulation 30 amended in Gazette 29 Sep 2009 p. 3846.]

31. Amendment of accepted safety case

- (1) A network operator may submit amendments to an accepted safety case to the Director for approval.
- (2) If a report under regulation 30 recommends amendments to an accepted safety case, the network operator must submit amendments consistent with those recommendations to the Director for approval.
- (3) The Director may approve or refuse to approve amendments submitted under subregulation (1) or (2), and is to notify the network operator in writing of the decision.
- (4) Notification under subregulation (3) of a refusal to approve amendments is to give reasons for the refusal and guidance as to any changes needed to make the amendments acceptable.

32. Director may require amendment of accepted safety case

- (1) In subregulations (2), (3) and (4) —
specified means specified in the notice concerned.
- (2) If the Director is satisfied that an accepted safety case will no longer produce a safe outcome, the Director may, by notice in writing, require the network operator to make specified amendments to the accepted safety case within a specified period.
- (3) A network operator must comply with a requirement under subregulation (2) within the specified period.
- (4) If a network operator contravenes subregulation (3), the Director may, by notice in writing, suspend the operation of the accepted safety case with effect from the specified day until the relevant requirement is complied with.
- (5) Before giving notice under subregulation (4), the Director is to give the network operator a reasonable opportunity to make submissions in relation to the day to be specified in the notice for the purposes of that subregulation.
- (6) An accepted safety case does not have effect for the period of any suspension under subregulation (4).

33. Records

- (1) A network operator must establish and maintain a system for keeping records required to be kept under subregulation (2) in relation to an accepted safety case.
- (2) The records required to be kept are copies of —
 - (a) the accepted safety case;
 - (b) any amendment of the accepted safety case;
 - (c) the certificates under regulations 23(1) and 25(1) and under regulation 26(5) (if any);

- (d) each report in respect of the accepted safety case under regulation 30; and
 - (e) each notification and each report given by the network operator to the Director as required by Division 4.
- (3) The network operator must ensure that the records are kept —
- (a) at the address nominated by the network operator in the accepted safety case;
 - (b) in a manner that makes their retrieval reasonably practicable; and
 - (c) in a secure manner.
- (4) The network operator must ensure that each of the records is kept for a period of 5 years after its creation.

Division 4 — Notification, investigation and reporting of incidents

34. Definitions

In this Division —

electrical incident means an incident or event in, on or associated with a network, other than a notifiable incident, that —

- (a) materially affects or is likely materially to affect the supply of electricity; or
- (b) is caused by electricity;

notifiable incident means an incident, event, or other thing of which the Director must be given a notification under regulation 35;

private property means property that does not belong to —

- (a) a network operator; or
- (b) a contractor or subcontractor to a network operator;

serious damage means —

- (a) damage to private property if the value of the damage is likely to exceed \$5 000 in total; or
- (b) damage to a facility of a network, or to property belonging to the network operator or a contractor or subcontractor to the network operator, if —
 - (i) the damage was caused by a fire or explosion and fire or other emergency services attended the scene of the fire or explosion; or
 - (ii) the value of the damage is likely to exceed \$50 000 in total;

serious injury means an injury that is fatal or requires the victim to be admitted to hospital whether for assessment, monitoring or treatment.

35. Notifiable incidents

- (1) A network operator must notify the Director of any incident or event that is caused, or significantly contributed to, by electricity and that results in —
 - (a) serious injury; or
 - (b) serious damage.
- (2) Notification under subregulation (1)(a)(i) is to be given by telephone immediately after the network operator becomes aware that serious injury has occurred.
- (3) Notification under subregulation (1)(a)(ii) is to be given in a form acceptable to the Director within 24 hours after the network operator becomes aware of the serious damage.

[(4) deleted]

[Regulation 35 amended in Gazette 13 Dec 2005 p. 5979.]

36. Network operator to investigate and report on notifiable incidents

- (1) If a notifiable incident occurs, the network operator must —

- (a) investigate the incident; and
 - (b) prepare a written report on the outcome of the investigation in a form acceptable to the Director.
- (2) The network operator must give the report to the Director within 20 working days after the day on which the notifiable incident occurred or within such further period as the Director allows.

37. Investigation of notifiable incidents by Director

- (1) If the Director intends to investigate a notifiable incident, the Director must notify the network operator of that intention.
- (2) Notification under subregulation (1) is to —
- (a) include notification of any proposed examination of the site of the notifiable incident; and
 - (b) be given by telephone and confirmed in writing by facsimile transmission or electronic means.
- (3) The Director must carry out the investigation as soon as is practicable after giving notification under subregulation (1).

38. Examination of site of notifiable incident

- (1) If a network operator is given notification as described in regulation 37(2)(a), the network operator must ensure that, so far as is practicable, the site of the notifiable incident is not disturbed in such a way as to prejudice the examination of the site except —
- (a) as authorised by or on behalf of the Director; or
 - (b) as is necessary to restore the supply of electricity or to guard against the risk of personal injury, damage or interruption to the supply of electricity.
- (2) The Director must notify the network operator when the examination of the site has been completed.

- (3) Notification under subregulation (2) is to be given by telephone and is to be confirmed in writing by facsimile transmission or by other electronic means.

39. Reporting requirements for electrical incidents

- (1) As soon as is practicable after each quarter, or such other period as the Director allows, a network operator must give to the Director a report of electrical incidents that have occurred in that quarter or period.
- (2) The report is to be in a summary statistical form acceptable to the Director.

r. 40.

Part 5 — Review of decisions

40. Definitions

In this Part —

application for review means an application made under regulation 42(1);

review panel means a panel mentioned in regulation 43.

41. Decisions to which this Part applies

This Part applies to a decision of the Director —

- (a) to refuse to approve a plan under regulation 9(4);
- (b) to refuse approval of a standard or code submitted under regulation 11(2);
- (c) to refuse approval of an alternative provision under regulation 16(2);
- (d) to refuse to grant an exemption under regulation 20(1);
- (e) to revoke an exemption under regulation 20(1);
- (f) to impose, vary or revoke a condition under regulation 20(2);
- (g) to reject a nomination under regulation 22(3);
- (h) to refuse approval of a safety case under regulation 24(2);
- (i) to reject a safety case under regulation 26(1);
- (j) to refuse approval of an amendment submitted under regulation 31(1) or 31(2);
- (k) to impose a requirement under regulation 32(2).

[(l) deleted]

[Regulation 41 amended in Gazette 13 Dec 2005 p. 5979.]

42. Application for review

- (1) A person who is aggrieved by a decision to which this Part applies may apply in writing to the Director for a review of the decision.
- (2) An application for review is to be made within 10 working days after the applicant receives notice of the decision or within such further period as the Director in a particular case allows.

43. Review panel

- (1) The Director may convene a panel of 3 independent professional engineers to advise the Director in relation to an application for review.
- (2) A review panel may inform itself about a relevant matter in any manner it considers appropriate.

44. Procedure on review

- (1) The Director must give the applicant a reasonable opportunity to make submissions in relation to the application for review.
- (2) The operation of a decision is not affected by an application for review unless, on application made by the applicant, the Director determines otherwise.
- (3) The Director, after considering submissions (if any) made under subregulation (1) and, if a review panel is convened, the recommendations (if any) made by the panel, may determine the application by —
 - (a) confirming the decision;
 - (b) varying the decision; or
 - (c) reversing the decision,and the determination of the Director is final.
- (4) The Director must give written notice of his or her determination and the reasons for it to the applicant.

r. 45.

- (5) If a review panel is convened, the notice under subregulation (4) is to set out the recommendations (if any) made by the panel.
- (6) The Director may publicise his or her determination in such manner as the Director thinks fit.

45. Costs

- (1) If the Director confirms the decision under regulation 44(3)(a), the applicant is liable to pay the reasonable costs of the review.
- (2) Any costs payable by the applicant under subregulation (1) are recoverable by the Director in a court of competent jurisdiction as a debt due to the State.

Part 6 — Penalties

46. General penalty

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

Penalty: In the case of an individual — a fine of \$50 000.

In the case of a body corporate — a fine of \$250 000.

[Regulation 46 amended in Gazette 29 Sep 2009 p. 3846.]

[Schedule 1 deleted in Gazette 13 Dec 2005 p. 5979.]

Schedule 2 — Standards and codes containing provisions compliance with which may be evidence

[r. 11(1)]

General Standards

Guidelines for Electricity Transmission and Distribution work in Western Australia (Office of Energy WA).

Code of Practice, Safe electrical work on low voltage electrical installations (Office of Energy WA).

Utility Providers Code of Practice for Western Australia.

AS 1824.1 – 1995 *Insulation Coordination – Definitions, principles and rules.*

AS 1824.2 – 1985 *Insulation Coordination – Application Guide.*

AS/NZS 3000: 2000 *Electrical installations (known as the Australia/New Zealand Wiring Rules).*

Western Australian Electrical Requirements (WAER).

EC5 – 1992 *Guide to Protective Earthing* published by the Electricity Council of New South Wales.

EC7 – 1992 *Guide to the Prevention of Unauthorised Access* published by the Electricity Council of New South Wales.

EC 09 – 1993 *Guide to high voltage live line work* published by the Electricity Council of New South Wales.

EC 11 – 1993 *Guide to inspection procedures for plant and equipment* published by the Electricity Council of New South Wales.

EC 12 – 1993 *Guide to working on underground cables* published by the Electricity Council of New South Wales.

EC 16 – 1993 *Guide to safe electrical work procedures* published by the Electricity Council of New South Wales.

EC 17 – 1993 *Guide to working in electrical stations* published by the Electricity Council of New South Wales.

EA 6 – 1998 *Safety Rules Guidelines* published by the Electricity Association of New South Wales.

EA 18 – 1998 *Guide to the Training of Personnel working on or near Electricity Works* published by the Electricity Association of New South Wales.

ISSC 24 – 1997 *Guide to Electricity Workers' Escape and Rescue Procedures* published by the Electricity Association of New South Wales.

ISSC 25 – 1996 *Elevating Work Platform Purchasing Specification and Operating Guide* published by the Electricity Association of New South Wales.

Overhead lines

EC 1 – 1991 *Guide to the maintenance of protective devices for subtransmission and distribution overhead lines* published by the Electricity Council of New South Wales.

EC 2 – 1992 *Guide to the manual reclosing of overhead lines* published by the Electricity Council of New South Wales.

EC 4 – 1992 *Guide to the inspection of overhead lines* published by the Electricity Council of New South Wales.

EC 10 – 1992 *Guide to aerial inspection and patrol of overhead lines* published by the Electricity Council of New South Wales.

EC 15 – 1993 *Guide to working on overhead lines* published by the Electricity Council of New South Wales.

AS 3891.1:1991 *Air navigation – Cables and their supporting structures – Mapping and marking – Permanent marking of overhead cables and their supporting structures.*

AS 3891.2:1992 *Air navigation – Cables and their supporting structures – Mapping and marking – Marking of overhead cables for low-level flying.*

AS 1768 – 1991 *Lightning protection.*

Switchyards, substations and power stations

AS 1319 – 1994 *Safety signs for the occupational environment.*

AS 2374.1 – 1997 *Power Transformers – General.*

AS/NZS 2650:2000 *Common specifications for high voltage switchgear and controlgear standards.*

AS 2735 – 1984 *Dry-type power transformers.*

AS 2865 – 1995 *Safe working in a confined space.*

ESAA: *Specification for Pole Mounting Distribution Transformers: 1998.*

Underground cables

ESAA:D(b)31 – 1989 *Guide for the maintenance of High Voltage paper/oil insulated cables and Accessories.*

AS/NZS 2832.1:1998 *Cathodic protection of metals – Pipes and cables.*

AS/NZS 2648.1 – 1995 *Underground marking tape – Non detectable tape.*

Power coordination

HB87 – 1997 (CJC1) *Joint use of poles: The placement on poles of power lines and paired cable telecommunications lines.*

HB100 – 2000 (CJC4) *Coordination of power and telecommunications – Manual for the establishment of safe work practices and the minimisation of operational interference between power systems and paired cable telecommunications systems.*

HB101 – 1997 (CJC5) *Coordination of power and telecommunications – Low frequency induction (LFI): Code of practice for the mitigation of hazardous voltages induced into telecommunications lines.*

HB103 – 1997 (CJC7) *Coordination of power and telecommunications – Crossings code. : The arrangement of overhead power and telecommunications lines, pole stay wires, and suspension wires.*

AS 3835.3(Int) – 1998 *Coordination of power and telecommunications – Earth Potential Rise (EPR) – Isolation arrangements for paired cable telemetering/telecontrol services in LV areas and HV sites.*

Schedule 3 — Standards and codes containing obligatory provisions for network operators

[r. 16(1)]

General Standards

AS 2067 – 1984 *Switchgear assemblies and ancillary equipment for alternating voltages above 1kV.*

ESAA:D(b)26 – 1995 *Guide for Working on Cables and Ancillary Equipment Under Induced Voltage Conditions and Transferred Earth Potentials.*

EC 14 – 1993 *Guide to Electrical workers' safety equipment* published by the Electricity Association of New South Wales.

ESAA:EG1(97) *Substation Earthing Guide.*

Overhead lines

HB C(b)1 – 1999 *Guidelines for design and maintenance of overhead distribution and transmission lines.*

HB ESAA LLM01 – 2000 *Guidelines for Live Line Bare Hand Work.*

HB ESAA LLM02 – 2000 *Guidelines for Live Line Stick Work.*

HB ESAA LLM03 – 2000 *Guidelines for Live Line Glove and Barrier Work.*

ESAA – ND/NL – 04 – 1995 *Guidelines for Use of Helicopters for Live Line Work.*

AS 1222.1 – 1992 *Steel conductors and stays – Bare overhead Galvanized (SC/GZ).*

AS 1222.2 – 1992 *Steel conductors and stays – Bare overhead Aluminium clad (SC/AC).*

AS 1531 – 1991 *Conductors – Bare overhead – Aluminium and aluminium alloy.*

AS 1746 – 1991 *Conductors– Bare overhead – Hard drawn copper.*

AS 3607 – 1989 *Conductors– Bare overhead – Aluminium and aluminium alloy – Steel reinforced.*

AS 1720.1 – 1997 *Timber structures – Design methods.*

AS 1720.2 – 1990 *Timber structures – Timber properties.*

AS 2209 – 1994 *Timber – Poles for overhead lines.*

AS/NZS 2878 – 2000 *Timbers – Classification.*

AS 3600 – 2001 *Concrete structures.*

AS/NZS 4065:2000 *Concrete Utility Service Poles.*

AS 4100 – 1998 *Steel structures.*

AS/NZS 4677:2000 *Steel Utility Service Poles.*

AS 3995 – 1994 *Design of steel lattice towers and masts.*

Switchgear and Protection

AS 2006 – 1986 *High voltage a.c. switchgear and controlgear – Circuit breakers for rated voltages above 1000V.*

AS 1025.1 – 1984 *High voltage a.c. switchgear and controlgear – Switches and switch disconnectors – For rated voltages above 1kV and less than 52kV.*

AS 1025.2 – 1989 *High voltage a.c. switchgear and controlgear – Switches and switch disconnectors – For rated voltages 52kV and above.*

AS 1306 – 1985 *High voltage a.c. switchgear and controlgear – Disconnectors (isolators) and earthing switches.*

AS 2024 – 1991 *High voltage a.c. switchgear and controlgear – Switch-fuse combinations.*

AS 2086 – 1995 *A.C. metal enclosed switchgear and controlgear for rated voltages above 1kV and up to and including 72.5kV.*

AS 2264 – 1995 *A.C. insulation – enclosed switchgear and controlgear for rated voltages above 1kV and up to and including 38kV.*

AS/NZS 3947.1:1998 *Low voltage switchgear and controlgear – General rules.*

AS 1033.1 – 1990 *High voltage fuses (for rated voltages exceeding 1000V) – Expulsion type.*

AS 1033.2 – 1988 *High voltage fuses (for rated voltages exceeding 1000V) – Current limiting (powder filled) type.*

AS/NZS 60269.1:2000 *Low-voltage fuses – General requirements.*

[Schedules 4 and 5 deleted in Gazette 13 Dec 2005 p. 5979.]

Notes

¹ This is a compilation of the *Electricity (Supply Standards and System Safety) Regulations 2001* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Citation	Gazettal	Commencement
<i>Electricity (Supply Standards and System Safety) Regulations 2001</i>	7 Dec 2001 p.6223-73	4 Jan 2001 (see r.2)
<i>Electricity (Supply Standards and System Safety) Amendment Regulations 2005</i>	13 Dec 2005 p. 5978-9	1 Jan 2006 (see r. 2)
<i>Electricity Corporations (Consequential Amendments) Regulations 2006 r. 77</i>	31 Mar 2006 p. 1299-57	1 Apr 2006 (see r. 2)
<i>Electricity (Supply Standards and System Safety) Amendment Regulations (No. 2) 2009</i>	29 Sep 2009 p. 3845-6	r. 1 and 2: 29 Sep 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 30 Sep 2009 (see r. 2(b))