

ELECTRICAL CONTRACTORS AND ELECTRICIANS LICENSING (FURTHER AMENDMENT) ACT.

Act No. 45, 1928.

An Act to amend the Electrical Contractors and Electricians Licensing Act, 1924, and certain other Acts in certain respects; to repeal the Electrical Contractors and Electricians Licensing (Amendment) Act, 1927, and the Electrical Contractors and Electricians Licensing (Amendment) Act, 1928; and for purposes connected therewith. [Assented to, 29th December, 1928.]

George V,
No. 45, 1928.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the “Electrical Contractors and Electricians Licensing (Further Amendment) Act, 1928,” and shall be read with the Electrical Contractors

Short title.

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Contractors and Electricians Licensing Act, 1924, as amended by subsequent Acts, which Act as so amended is in this Act referred to as the Principal Act.

(2) The Principal Act as amended by this Act may be cited as the Electrical Contractors and Electricians Licensing Act, 1924-1928.

Amendment of
Act No. 47,
1924.

Sec. 6.

2. (1) The Principal Act is amended—

(a) by omitting subsection two of section six and by inserting in lieu thereof the following new subsection :—

(Constitution
of board.)

(2) The board shall consist of certain members, that is to say :

- (a) One member appointed by the Governor as president. Such appointment shall be for a term of five years.
- (b) One member appointed by the Governor for a term of three years to represent the public electricity supplying bodies in New South Wales.
- (c) One member appointed by the Governor for a term of three years to represent the Fire Underwriters Association of New South Wales.
- (d) One member who shall be a licensed electrical contractor appointed by the Governor for a term of three years to represent the electrical contractors licensed under this Act.
- (e) One member who shall be a licensed electrician appointed by the Governor for a term of three years to represent the electricians licensed under this Act.

Any member appointed under this subsection shall be eligible for reappointment.

Consequential.
Sec. 7.
(Elections.)
Sec. 9.

- (b) by omitting section seven ;
- (c) (i) by omitting from section nine paragraph (g) of subsection one ;
- (ii) by omitting subsections two, three and four of the same section ;
- (d) by omitting paragraph (a) of subsection one of section sixteen.

(Vacation of
office.)
Sec. 16 (1).
(Regulations.)

(2)

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(2) Upon the commencement of this Act the members of the board appointed under paragraphs (d), (e) and (f) of subsection two of section six of the Principal Act prior to such commencement shall cease to hold office. Retirement of certain members of the board.

(3) The elected members of the board in office at the commencement of this Act representing the public electricity supply bodies and the Fire Underwriters Association of New South Wales respectively shall continue in office for a period of three years from the respective dates of their election.

3. The Principal Act is further amended—

Further amendment of Act No. 47, 1924.

(a) by omitting from subsection two of section eleven the word "Four" and by inserting in lieu thereof the word "Three"; Sec. 11. (Procedure.)

(b) by omitting subsection three of section twelve, and by inserting in lieu thereof the following new subsection :— Sec. 12. (Officers.)

(3) The secretary of the board and such other officers, permanent or temporary, as may be necessary to conduct the business of the board, shall be appointed under and be subject to the provisions of the Public Service Act, 1902.

(c) (i) by omitting from subsection one of section thirteen the words "on the recommendation of the board"; Sec. 13. (Issue of licenses.)

(ii) by omitting subsection four of the same section and by inserting in lieu thereof the following new subsection :—

(4) The board may without examination issue an electrical contractor's license to any firm, company, partnership, society, association, or body of persons, corporate or unincorporate, upon being satisfied that at least one member or employee of such firm, company, partnership, society, association, or body of persons is licensed as an electrical contractor or an electrician under this Act.

(iii)

- (iii) by inserting after subsection (5B) of the same section the following new subsections :—

(5C) The board may issue an electrical contractor's or an electrician's license without examination to the holder of a license to contract for or carry out electrical installation work issued in another State or territory of the Commonwealth or in another country, provided that the board is satisfied with the standard of competency required for the issue of such a license in such State territory or country.

(5D) Electrical contractors' and electricians' licenses shall be interchangeable at the discretion of the board.

An additional fee to be prescribed shall be paid upon the granting to an electrician of an electrical contractor's license.

- (iv) by inserting after subsection six of the same section the following new subsection :—

(6A) A license as an electrical contractor shall not be issued to any person under the age of twenty-one years.

- (v) by inserting after subsection thirteen of the same section the following new subsection :—

(13A) The board may in its discretion grant a provisional license to an applicant for examination which shall hold good for the period stated therein, such period to be approximately sufficient to allow for the holding of the examination and for the communication of the result thereof to the applicant.

Any such provisional license shall be returned to the board immediately upon expiration, and shall not be renewable.

- (d) by omitting paragraph (h) of subsection one of section fourteen and by inserting in lieu thereof the following paragraph :—

(h) has infringed any provision of this Act or of the regulations thereunder.

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4. (1) The Principal Act is further amended—

- (a) by omitting section fifteen and by inserting in lieu thereof the following new section :—

Further amend-
ment of Act
No. 47, 1924.
Sec. 15.

15. From and after a day to be appointed by the Governor and notified in the Gazette, the following provisions shall have effect :—

Restriction
of work by
unlicensed
persons.

- (a) A person shall not undertake or carry out any electrical installation work unless he is licensed under this Act, or unless he is in the employment of and carries out such work under the personal supervision of a person so licensed.
- (b) An electrical contractor undertaking any electrical installation work, if he does not himself carry out the work, with or without assistance, shall constantly employ on the work until it is completed at least one person licensed under this Act.

When the work is carried out under the personal supervision of a person licensed under this Act, and consists of fixing, connecting, and maintaining overhead electrical conductors not in conduits, or of other work usually carried out by a linesman, this paragraph shall not extend to such work.

- (c) The holder of an electrician's license shall not undertake or carry out any electrical installation work save as the employee of an electrical contractor :

But this provision shall not apply where a licensed electrician undertakes or carries out electrical installation work on his own premises.

- (d) Nothing in this section shall prevent the employment of or the carrying out of electrical installation work by an apprentice working under the supervision of his master under regulations made under the Industrial Arbitration

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Act, 1912, as amended by subsequent Acts, or any other Act governing the electrical industry in the State.

Sec. 15A.
(General
contractors
excluded.)

- (b) by omitting from section 15A the words "if the installation is subject to the provisions of this Act, carried out by a person holding a license as an electrical contractor or a licensed electrician" and by inserting in lieu thereof "if the installation is carried out by or under the personal supervision of a person holding a license as an electrical contractor or a licensed electrician";

New s. 15B.

- (c) by inserting after section 15A the following new section 15B:—

Circum-
stances in
which a
license is not
required.

15B. Notwithstanding anything contained in this Act any person, firm, company, partnership, society, association or body of persons, corporate or unincorporate, not trading as an electrical contractor, and who is employing a licensed electrician for the purpose of maintaining the installations necessary for the conduct of the business of such person, firm, company, partnership, society, association or body of persons, need not be licensed under this Act, and any licensed electrician so employed may carry out the duties of such employment.

Sec. 16.
(Regula-
tions.)

- (2) The Principal Act is further amended by omitting from subsection one of section sixteen the words "on the recommendation of the board."

Repeal of
Act No. 53,
1927, and
Act No. 21,
1928.

5. The Electrical Contractors and Electricians Licensing (Amendment) Act, 1927, and the Electrical Contractors and Electricians Licensing (Amendment) Act, 1928, are hereby repealed.

SYDNEY