



New South Wales

Electricity (Installation Safety) Amendment Regulation 1997

under the

Electricity Safety Act 1945

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Electricity Safety Act 1945*.

MICHAEL EGAN, M.L.C.,

Minister for Energy

Explanatory note

The object of this Regulation is to repeal certain provisions of the *Electricity (Installation Safety) Regulation 1992* (made under the *Electricity Safety Act 1945*) consequent on the making of an *Electricity Supply (Safety Plans) Regulation 1997* under the *Electricity Supply Act 1995*. The *Electricity Supply (Safety Plans) Regulation 1997* will require network operators to develop and implement plans in respect of their transmission and distribution systems that, generally, will cover matters presently prescribed in the provisions proposed to be repealed (and in other Regulations to be repealed separately).

This Regulation also inserts in the *Electricity (Installation Safety) Regulation 1992* certain provisions required following the repeal of the *Electricity (Overhead Line Safety) Regulation 1991* and the *Electricity (Workers' Safety) Regulation 1992* by the *Subordinate Legislation Act 1989*.

The *Electricity (Installation Safety) Regulation 1992* as to be amended is to be renamed the *Electricity Safety (General) Regulation 1992*.

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Explanatory note

Outline of provisions

Clauses 1-4 are machinery provisions.

Schedule 1 [1] changes the name of the amended Regulation.

Schedule 1 [2] is a statute law revision amendment.

Schedule 1 [3], [6], [7] and [13] are consequential amendments following the repeal of other Regulations.

Schedule 1 [4] and [8]-[12] repeal the provisions that are no longer required.

Schedule 1 [5] and [14] are consequential amendments following the repeal of those provisions.

Schedule 1 [15] inserts in the amended Regulation two provisions from the *Electricity (Workers' Safety) Regulation 1992* (to the extent that they are to be continued in force).

Schedule 1 [16] repeals certain savings and transitional provisions the operation of which has expired and inserts instead savings and transitional provisions that are necessary following the repeals referred to in this explanatory note.

This Regulation is made under the *Electricity Safety Act 1945*, including section 37 (the general regulation-making power).

Electricity (Installation Safety) Amendment Regulation 1997

1 Name of Regulation

This Regulation is the *Electricity (Installation Safety) Amendment Regulation 1997*.

2 Commencement

This Regulation commences on 1 September 1997.

3 Amendment of Electricity (Installation Safety) Regulation 1992

The *Electricity (Installation Safety) Regulation 1992* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

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Schedule 1 Amendments

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(Clause 3)

[1] Clause 1 Name of Regulation

Omit “(Installation Safety)”. Insert instead “Safety (General)”.

[2] Clause 5 Definitions

Omit the definition of *the Act*. Insert instead:

the Act means the *Electricity Safety Act 1945*.

[3] Clause 9 SAA Wiring Rules

Omit “designed and constructed in accordance with the *Electricity (Overhead Line Safety) Regulation 1991*” from clause 9 (2).

Insert instead “that satisfies the design and construction requirements of the electricity supply authority for the area”.

[4] Clause 10 Requirement etc of electricity supply authority

Omit the clause.

[5] Clause 11 Test

Omit “under clause 25” from clause 11 (2) (c).

Insert instead “for that purpose by the electricity supply authority for the area”.

[6] Clause 13 Notification of installation work

Omit “in accordance with the *Electricity (Overhead Line Safety) Regulation 1991*” from clause 13 (4) (b).

[7] Clause 14 Notification of test

Omit “in accordance with the *Electricity (Overhead Line Safety) Regulation 1991*” from clause 14 (4) (b).

[8] Part 3 Authority inspections of installation work

Omit the Part (clauses 15–19).

Part 4 Authority inspections of existing consumers' installations

Omit the Part (clauses 20–22).

[10] Part 5 Movable electrical equipment

Omit the Part (clause 23).

[11] Clause 24 Authority inspections: general

Omit the clause.

[12] Clause 25 Authorised persons

Omit the clause.

[13] Clause 26 Persons qualified to test

Omit “under the *Electricity (Workers' Safety) Regulation 1992*” from clause 26 (3).

[14] Clause 27 Notification to occupier of installation instead of owner

Omit subclauses (2) and (3).

Clauses 28A and 28B

Insert after clause 28:

28A Direction to rectify unsafe situation

- (1) The Corporation may, by order in writing, direct an electricity supply authority to rectify any situation within its transmission or distribution system that, in the opinion of the Corporation, is unsafe.

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Schedule 1 Amendments

- (2) An authority must comply with a direction given to it under subclause (1).

Maximum penalty: 100 penalty units in the case of a body corporate.

25 penalty units in any other case.

28B Notification of serious electrical accidents

- (1) For the purposes of section 27E (1) (b) of the Act, an electricity supply authority is a prescribed person in respect of any serious electrical accident arising out of work on its transmission or distribution system of which it becomes aware.
- (2) For the purposes of section 27E (2) of the Act, notice of a serious electrical accident must be given to the Corporation:
- (a) by telephone or facsimile in normal business hours at the first available opportunity after the time that the person required to give the notice became aware of the accident, and
 - (b) in writing, in a form approved by the Corporation, within 10 working days of that time.

[16] Part 7 Savings and transitional provisions

Omit clauses 30–33. Insert instead:

30 Provisions of certain repealed regulations to continue in force until lodgment of plans

- (1) The provisions of the *Electricity (Overhead Line Safety) Regulation 1991* and the *Electricity (Workers' Safety) Regulation 1992* repealed on 1 September 1997 by the operation of the *Subordinate Legislation Act 1989* are taken to continue in force in relation to an electricity supply authority's transmission or distribution system until a safety and operating plan for the system is lodged with the Director-General under the *Electricity Supply (Safety Plans) Regulation 1997* (made under the *Electricity Supply Act 1995*).

- (2) Any direction regarding pre-work hazard assessments or work procedures for overhead fuses given to an electricity supply authority and in effect under clause 8 of the *Electricity (Workers' Safety) Regulation 1992* immediately before 1 September 1997 is taken to be a direction given to that authority under clause 28A of this Regulation (but only until a safety and operating plan for the authority's transmission or distribution system is so lodged with the Director-General).
- (3) The provisions of the *Electricity (Installation Safety) Regulation 1992* repealed on 1 September 1997 by the *Electricity (Installation Safety) Amendment Regulation 1997* are taken to continue in force in relation to electrical installations connected or intended to be connected to an electricity supply authority's transmission or distribution system until a customer installation safety plan for the system is so lodged with the Director-General.

31 Savings

- (1) Any direction regarding work procedures for overhead fuses given to an employer (other than an electricity supply authority) and in effect under clause 8 of the *Electricity (Workers' Safety) Regulation 1992* immediately before 1 September 1997 is taken to continue in force as if that clause had not been repealed by this Regulation.
- (2) Any act, matter or thing that, immediately before 1 September 1997, had effect under clause 62 of the *Electricity (Workers' Safety) Regulation 1992* continues to have effect under clause 28B of this Regulation.