



New South Wales

Electricity Safety (Electrical Installations) Regulation 2005

under the

Electricity Safety Act 1945

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

DIANE BEAMER, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to remake, without any substantial changes of substance (other than the omission of an expired provision), the *Electrical Safety (Electrical Installations) Regulation 1998*, which is repealed on 1 September 2005 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation deals with the following matters:

- (a) compliance of installation work with AS/NZS 3000:2000, *Electrical installations*, and exemption from the requirement for compliance (clause 6),
- (b) the commissioning of installation work (clause 7),
- (c) the notification of installation work that has been commissioned (clause 8),
- (d) the conduct of safety and compliance tests (clause 9),
- (e) the notification of the results of such tests (clause 10),
- (f) the prohibition on unqualified persons from conducting such tests (clause 11),
- (g) the maintenance requirements for consumers' installations for the purposes of section 29 of the *Electricity Safety Act 1945* (clause 12),
- (h) other minor, consequential and ancillary provisions (Part 1 and clauses 13 and 14).

This Regulation adopts AS/NZS 3000:2000, *Electrical installations* (known as the Australian/New Zealand Wiring Rules and published jointly by Standards Australia and Standards New Zealand) as in force for the time being.

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

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Clause 1

Preliminary

Part 1

Electricity Safety (Electrical Installations) Regulation 2005

under the

Electricity Safety Act 1945

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Electricity Safety (Electrical Installations) Regulation 2005*.

2 Commencement

This Regulation commences on 1 September 2005.

Note. This Regulation replaces the *Electricity Safety (Electrical Installations) Regulation 1998* which is repealed on 1 September 2005 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Application of Regulation

This Regulation does not apply to a consumer's installation, or to installation work, to which any of the following Acts or instruments applies:

- (a) the *Coal Mines Regulation Act 1982*, and any rules and regulations under that Act, or
- (b) the *Mines Inspection Act 1901*, and any rules under that Act.

4 Definitions

(1) In this Regulation:

Australian/New Zealand Wiring Rules means Australian and New Zealand Standard AS/NZS 3000:2000, *Electrical installations* (known as the Australian/New Zealand Wiring Rules), as in force for the time being, published jointly by Standards Australia and Standards New Zealand.

commission, in relation to installation work, means to complete a connection between the installation work and the electricity supplied by an electrical supply main.

consumer's installation means all the electric wires, cables, appliances, fittings, insulators and apparatus installed in, on, under or over any land or premises and used for, or for purposes incidental to, the conveyance,

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measurement, control or use of electricity supplied (or intended to be supplied) by an electricity distributor, but does not include:

- (a) an electricity supply main or service line, meter or apparatus the property of an electricity distributor or retail supplier and used solely for the conveyance, measurement or control of electricity supplied to any land or premises, or
- (b) moveable electrical equipment.

Director-General means the Director-General of the Department of Commerce.

installation work means:

- (a) when used to describe an activity, the work of installing, adding to, altering, disconnecting, reconnecting or replacing a consumer's installation, and
- (b) when used to describe a thing, the electric wires, cables, appliances, fittings, insulators and apparatus arising from the work referred to in paragraph (a).

installing contractor means an electrical contractor who carries out installation work or tests (whether himself or herself or through any partner, subcontractor or employee and whether or not for fee, gain or reward).

local electricity distributor, in relation to any consumer's installation or installation work, means the electricity distributor within whose distribution district the installation is situated or the work is carried out.

moveable electrical equipment means:

- (a) any electrical appliance or apparatus (including its associated wires and fittings) connected to, or designed for connection to, an outlet socket of:
 - (i) a consumer's installation, or
 - (ii) a moveable dwelling (within the meaning of the *Local Government Act 1993*),
- (b) a moveable dwelling (within the meaning of the *Local Government Act 1993*) connected to, or designed for connection to, an outlet socket of a consumer's installation,

but does not include any appliance or apparatus connected to an outlet socket by means of wiring which is fixed in position externally to the appliance or apparatus itself.

qualified person, in relation to the testing of a particular class of installation work, means a person who holds a licence or certificate issued under the *Home Building Act 1989* which entitles the holder to perform installation work of that class without supervision and, in relation to the testing of a consumer's aerial wiring system (within the

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meaning of the Australian/New Zealand Wiring Rules), includes a person who is authorised to test the local electricity distributor's overhead lines.

safe means not posing a risk to life, health or property.

safety and compliance test means a test referred to in clause 9, being a test carried out to establish that installation work operates safely and complies with the Australian/New Zealand Wiring Rules.

the Act means the *Electricity Safety Act 1945*.

- (2) Notes included in this Regulation do not form part of this Regulation.

5 Work by installing contractor

- (1) In this Regulation, a reference to something done by an installing contractor is a reference to something actually done by the installing contractor, or done by a partner, subcontractor or employee of the installing contractor.
- (2) If by this Regulation something is required to be done by an installing contractor, the requirement is sufficiently complied with if the thing is actually done by the installing contractor, or is done by a partner, subcontractor or employee of the installing contractor.

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Part 2 Installation work

Part 2 Installation work

6 Installation work to comply with Australian/New Zealand Wiring Rules

- (1) A person who carries out installation work otherwise than in accordance with the Australian/New Zealand Wiring Rules is guilty of an offence. Maximum penalty: 20 penalty units.
- (2) However, the Director-General may:
 - (a) by order published in the Gazette, exempt a class of persons or all persons from the operation of subclause (1) in relation to a specified provision or provisions of the Australian/New Zealand Wiring Rules, or
 - (b) by order in writing given to a specified person, exempt the person from the operation of subclause (1) in relation to a specified provision or provisions of those Rules.
- (3) Such an exemption may be given unconditionally or subject to conditions.

7 Commissioning of installation work

(1) A person must not commission any installation work:

- (a) unless its safe operation and compliance with the Australian/New Zealand Wiring Rules have been established by a safety and compliance test, and
- (b) in the case of a consumer's installation in respect of which the following installation work has been carried out:
 - (i) installation work associated with the installation, addition, alteration, disconnection, reconnection or replacement of a consumer's mains (within the meaning of the Australian/New Zealand Wiring Rules) unless the work only consists of the repair of a consumer's mains,
 - (ii) installation work associated with the installation, disconnection, reconnection or replacement of a main switchboard (within the meaning of the Australian/New Zealand Wiring Rules) unless the work only consists of the alteration or repair of, or additions to, a main switchboard and its associated equipment,
 - (iii) installation work forming part of a consumer's high voltage installation (that is, a consumer's installation designed for, or operating at, a voltage over 1,000 volts (alternating current) or 1,500 volts (direct current)),

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- (iv) installation work located in a hazardous area (within the meaning of the Australian/New Zealand Wiring Rules), unless the local electricity distributor has permitted its connection to the electricity supply main.

Maximum penalty: 20 penalty units.

- (2) This clause does not prohibit a qualified person from temporarily connecting installation work to the electricity supplied by an electricity supply main for the purpose of conducting a safety and compliance test.

8 Notification of installation work that has been commissioned

- (1) Within 14 days after the commissioning of any installation work with respect to a consumer's installation, particulars of the work are to be notified:

- (a) to the local electricity distributor, and
- (b) to the owner of the consumer's installation.

- (2) Notice to the owner of a consumer's installation may instead be given to the occupier of the premises in which the installation is situated if the occupier is one of the parties who agreed or arranged for the relevant installation work to be carried out on the installation.

- (3) The notice:

- (a) must be in a form approved by the electricity distributor, and
- (b) must identify:
 - (i) the person who actually carried out the installation work, and
 - (ii) the installing contractor (if any) in whose employment that person carried out the installation work, and
 - (iii) any other installing contractor who carried out the installation work through a partner or subcontractor, and
- (c) must be signed by the person notifying the particulars.

- (4) If the particulars are not notified in accordance with this clause, each person referred to in subclause (3) (b) is guilty of an offence.

Maximum penalty: 20 penalty units.

- (5) This clause does not require notice to be given of any work that relates only to the disconnection, reconnection, replacement or repair of:

- (a) appliances, switches, lighting points or outlet sockets without an increase in their number or the electrical load imposed by them, or

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- (b) switchgear or switchboard equipment (so long as any such replacement equipment has the appropriate current and performance ratings), or
- (c) wiring or switchboard wiring (so long as any such replacement wiring has the appropriate current, insulation and performance ratings).

(6) A person who notifies particulars for the purposes of this clause:

- (a) must keep a copy of the notice for at least 2 years from when the notice was given, and
- (b) must produce a copy of the notice to the local electricity distributor on demand made by the distributor at any time during that 2-year period.

Maximum penalty: 10 penalty units.

9 Conduct of safety and compliance tests

A safety and compliance test must be carried out by a qualified person and must include procedures to check such of the following matters as are relevant to the installation work being tested:

- (a) that there is earth continuity and that the earth resistance is safe,
- (b) that the insulation resistance is safe,
- (c) that polarity is correct,
- (d) that there is no transposition of earthing and neutral conductors,
- (e) that there is no short circuit between conductors,
- (f) that there is no intermix between conductors of different circuits,
- (g) that switchboard equipment is correctly marked to indicate:
 - (i) the corresponding active and neutral connections for each circuit, and
 - (ii) the relationship of the equipment to the various sections of the consumer's installation,
- (h) that the consumer's installation will operate in the manner intended by the parties who agreed or arranged for it to be carried out.

10 Notification of results of safety and compliance tests

(1) Within 14 days after the completion of any safety and compliance test on a consumer's installation, the results of the test are to be notified:

- (a) to the local electricity distributor, and
- (b) to the owner of the consumer's installation.

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- (2) Notice to the owner of a consumer's installation may instead be given to the occupier of the premises in which the installation is situated if the occupier is one of the parties who agreed or arranged for the relevant installation work to be carried out on the installation.
- (3) The notice:
 - (a) must be in a form approved by the local electricity distributor, and
 - (b) must identify:
 - (i) the person who actually carried out the test, and
 - (ii) the installing contractor (if any) in whose employment that person carried out the test, and
 - (iii) any other installing contractor who carried out the test through a partner or subcontractor, and
 - (c) must be signed by the person notifying the results of the test.
- (4) If the results of the test are not notified in accordance with this clause, each person referred to in subclause (3) (b) is guilty of an offence.
Maximum penalty: 20 penalty units.
- (5) This clause does not require notice to be given of any test that relates only to the disconnection, reconnection, replacement or repair of:
 - (a) appliances, switches, lighting points or outlet sockets without an increase in their number or the electrical load imposed by them, or
 - (b) switchgear or switchboard equipment (so long as any such replacement equipment has the appropriate current and performance ratings), or
 - (c) wiring or switchboard wiring (so long as any such replacement wiring has the appropriate current, insulation and performance ratings).
- (6) A person who notifies the results of a test for the purposes of this clause:
 - (a) must keep a copy of the notice for at least 2 years from when the notice was given, and
 - (b) must produce a copy of the notice to the local electricity distributor on demand made by the distributor at any time during that 2-year period.
Maximum penalty: 10 penalty units.

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Part 2 Installation work

11 Unqualified persons not to carry out safety and compliance tests

A person must not carry out a safety and compliance test on a consumer's installation of a particular class if he or she is not a qualified person in relation to work of that class.

Maximum penalty: 10 penalty units.

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Clause 12

Miscellaneous

Part 3

Part 3 Miscellaneous

12 Maintenance of consumers' installations: section 29

For the purposes of section 29 (1) of the Act:

- (a) all parts of a consumer's installation are prescribed, and
- (b) the following requirements apply to the maintenance of all parts of a consumer's installation, that is, they must be maintained so as to ensure that:
 - (i) the safe and satisfactory operation of the installation is not impaired by interference or damage, and
 - (ii) the live parts of the installation remain properly insulated, or protected, against inadvertent contact with any person, and
 - (iii) the installation is not used in a manner that exceeds the operating limits imposed by its design or installation.

13 Crown bound

This Regulation binds the Crown.

14 Savings

Any act, matter or thing that, immediately before the repeal of the *Electricity Safety (Electrical Installations) Regulation 1998*, had effect under that Regulation is taken to have effect under this Regulation.

BY AUTHORITY