



New South Wales

Electricity Safety (Equipment Efficiency) Amendment Regulation 2006

under the

Energy and Utilities Administration Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Energy and Utilities Administration Act 1987*.

CARL SCULLY, M.P.,
Minister for Utilities

Explanatory note

Among other things, the *Electricity (Consumer Safety) Act 2004* repeals the *Electricity Safety Act 1945* and amends the *Energy and Utilities Administration Act 1987* (**the Principal Act**) to save the *Electricity Safety (Equipment Efficiency) Regulation 1999* (**the Principal Regulation**) as a regulation under the Principal Act. It also amends the Principal Act to enable offences against that Act or the regulations that are prescribed by the regulations to be dealt with by way of penalty notices. The repeal and amendments take effect on 3 February 2006.

The objects of this Regulation are:

- (a) to amend the Principal Regulation as a consequence of the repeal of the *Electricity Safety Act 1945*, and the amendment of the Principal Act, by the *Electricity (Consumer Safety) Act 2004*, and
- (b) to make provision in relation to standards for, and registration and labelling of, power transformers, and
- (c) to prescribe certain offences, relating to the labelling of electrical equipment, as penalty notice offences, and
- (d) to make other amendments to the Principal Regulation of a consequential or machinery nature.

This Regulation is made under the *Energy and Utilities Administration Act 1987*, including sections 38, 46A and 53 (the general regulation-making power).

2006 No 35

Clause 1 Electricity Safety (Equipment Efficiency) Amendment Regulation 2006

Electricity Safety (Equipment Efficiency) Amendment Regulation 2006

under the

Energy and Utilities Administration Act 1987

1 Name of Regulation

This Regulation is the *Electricity Safety (Equipment Efficiency) Amendment Regulation 2006*.

2 Commencement

This Regulation commences on 3 February 2006.

3 Amendment of Electricity Safety (Equipment Efficiency) Regulation 1999

The *Electricity Safety (Equipment Efficiency) Regulation 1999* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 1 Name of RegulationOmit “*Electricity Safety (Equipment Efficiency) Regulation 1999*”.Insert instead “*Energy and Utilities Administration Regulation 1999*”.**[2] Clause 3 Definitions**Omit “an electrical article” wherever occurring in the definitions of *approved energy efficiency label*, *energy efficiency label*, *registration holder* and *relevant standard* in clause 3 (1).

Insert instead “electrical equipment”.

[3] Clause 3 (1), definitions of “approved energy efficiency label”, “energy efficiency label” and “relevant standard”

Omit “the article” wherever occurring. Insert instead “the equipment”.

[4] Clause 3 (1), definitions of “display front” and “register”

Omit “articles” wherever occurring. Insert instead “equipment”.

[5] Clauses 3 (4), 7 (1)–(4), 8 (1), 9 (2), 10, 12, 13 (1), 14 (1), 15 (1), 15A (2), 16 (1), 22, 24, 25 and 26 and Schedule 1

Omit “an electrical article” wherever occurring.

Insert instead “electrical equipment”.

[6] Clauses 3 (4) and 7 (3)

Omit “of article” wherever occurring. Insert instead “of equipment”.

[7] Clauses 5 (1) and (2) and 6

Omit “An electrical article” wherever occurring.

Insert instead “Electrical equipment”.

[8] Clauses 6 and 18, heading

Omit “articles” wherever occurring. Insert instead “equipment”.

[9] Clauses 7 (3), 10, 12, 14 (1), 15 (1), 16 (1), 21 (2) and 22

Omit “the article” wherever occurring. Insert instead “the equipment”.

2006 No 35

Electricity Safety (Equipment Efficiency) Amendment Regulation 2006

Schedule 1 Amendments

- [10] **Clauses 7 (5), 8 (2), 24 and 25 (2)**
Omit “the electrical article” wherever occurring.
Insert instead “the equipment”.
- [11] **Clause 10 Requirements for registration**
Omit “an article” wherever occurring. Insert instead “equipment”.
- [12] **Clause 12 Cancellation of registration**
Omit “sample article” wherever occurring in clause 12 (1).
Insert instead “sample of the equipment”.
- [13] **Clause 12 (2)**
Omit “other electrical article”. Insert instead “other electrical equipment”.
- [14] **Clause 14 Sale of certain electrical equipment**
Omit “new articles” from clause 14 (2). Insert instead “new equipment”.
- [15] **Clause 14 (2)**
Omit “following articles”. Insert instead “following equipment”.
- [16] **Clauses 14 (2) (a), 15 (3), 15A (1) and 18 (1)**
Omit “articles” wherever occurring. Insert instead “equipment”.
- [17] **Clause 14 (2) (b)**
Omit “articles that, at the time of sale, are approved”.
Insert instead “equipment that, at the time of sale, is approved”.
- [18] **Part 4, heading**
Omit “articles”. Insert instead “equipment”.
- [19] **Clause 15 Certain electrical equipment to be labelled with approved label when sold**
Omit clause 15 (1B) and (1C).
- [20] **Clause 15A Other electrical equipment may be appropriately labelled when sold**
Insert “, power transformers” after “ballasts” in clause 15A (1).

[21] Clause 15B

Insert after clause 15A:

15B Sale of certain equipment labelled as “high efficiency”

- (1) A person must not sell a rotating electrical machine (three phase) that is labelled with the text “high efficiency” unless the machine satisfies the requirements of the relevant standard.
- (2) A person must not sell a refrigerated display cabinet that is labelled with the text “high efficiency” unless the refrigerated display cabinet satisfies the requirements of the relevant standard.
- (3) A person must not sell a power transformer that is labelled with the text “high efficiency” unless the transformer satisfies the requirements of the relevant standard.

Maximum penalty: 20 penalty units.

[22] Clause 17 Approval of energy efficiency label

Omit “each electrical article” from clause 17 (1).

Insert instead “any electrical equipment”.

[23] Clause 17 (1A)

Omit “any electrical article”. Insert instead “any electrical equipment”.

[24] Clause 17 (1A)

Insert “, power transformer” after “ballast”.

[25] Clause 21 Testing by the Corporation

Omit “registered electrical article” wherever occurring in clause 21 (1) and (2).

Insert instead “registered electrical equipment”.

[26] Part 8

Insert after Part 7:

Part 8 Miscellaneous

27 Penalty notice offences

For the purposes of section 46A of the Act:

- (a) each offence created by a provision specified in Column 1 of Schedule 4 is prescribed as a penalty notice offence, and

2006 No 35

Electricity Safety (Equipment Efficiency) Amendment Regulation 2006

Schedule 1 Amendments

- (b) the penalty prescribed for any such offence is the amount specified in Column 2 of Schedule 4 opposite the offence.

[27] Schedules 2 and 3, heading

Omit “articles that require” wherever occurring.

Insert instead “equipment that requires”.

[28] Schedule 3 Standards for electrical equipment that requires registration but not labelling with an energy efficiency label

Insert after clause 3:

3A Power transformers

The following are the relevant standards for power transformers:

- (a) AS 2735—1984, *Dry-type power transformers*,
- (b) AS 2374.1—1997, *Power transformers, Part 1: General*,
- (c) AS 2374.1.2—2003, *Power transformers, Part 1.2: Minimum Energy Performance Standard (MEPS) requirements for distribution transformers*.

[29] Schedule 4

Insert after Schedule 3:

Schedule 4 Penalty notice offences

(Clause 27)

Column 1	Column 2
Offence	Amount of penalty
Offences under this Regulation	
Clause 14	\$550
Clause 15	\$550
Clause 15A	\$550
Clause 15B	\$550
Clause 16	\$550

BY AUTHORITY