

Occupational Licensing Act 2005

Occupational Licensing (Standards of Electrical Work) Code of Practice 2013

COP015, Revised 14 August 2013

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I, Kerrie Davidia Crowder, Administrator of Occupational Licensing, establish the following Code of Practice under section 53 of the *Occupational Licensing Act 2005*.

PART I - PRELIMINARY

1. Short title

This Code of Practice may be cited as the *Occupational Licensing (Standards of Electrical Work) Code of Practice 2013*.

2. Commencement

This Determination takes effect on 14 August 2013.

3. Revocation

The *Occupational Licensing (Standards of Electrical Work) Code of Practice 2008*, is revoked.

4. Purpose

This code of practice sets the -

- (a) minimum standards for electrical work; and
- (b) duties in relation to the reporting and notification of -
 - (i) defective electrical work; and
 - (ii) dangerous electrical installations or electrical infrastructure.

5. Application of Acts Interpretation Act 1931

The *Acts Interpretation Act 1931* applies to this Determination.

6. Interpretation

For the purposes of this determination, the following terms have the following meanings -

“**Act**” means the *Occupational Licensing Act 2005*;

“**Administrator**” means the Administrator of Occupational Licensing appointed under the Act;

“**AS 2067**” means AS 2067-2008, Substation and high voltage installations exceeding 1 kV a.c. issued by Standards Australia and distributed by SAI Global Limited (ACN 050 611 642), as amended, revised or superseded from time to time;

“**AS/NZS 3000**” means AS/NZS 3000:2007, Electrical installations (known as Australian/New Zealand Wiring Rules) issued by Standards Australia and distributed by SAI Global Limited (ACN 050 611 642), as amended, revised or superseded from time to time;

“**AS/NZS 7000**” means AS/NZS 7000:2010, Overhead line design – Detailed procedures issued by Standards Australia and distributed by SAI Global Limited (ACN 050 611 642), as amended, revised or superseded from time to time;

“**Australian Standards**” means the standards issued by Standards Australia and distributed by SAI Global Limited (ACN 050 611 642);

“**Chief Electrical Inspector**” means the person for the time being holding, occupying or performing the duties of the Chief Electrical Inspector, Electricity Standards and Safety, Workplace Standards Division of the Department of Justice;

“**contractor**” has the meaning given by section 3 of the Act, in respect of electrical work;

“dangerous electrical installation or electrical infrastructure” means an electrical installation or electrical infrastructure that poses an immediate danger to life or serious threat to property;

“defective electrical work” has the meaning given by the definition of ‘defective work’ in section 3 of the Act, with regard to electrical work;

“electricity generator” means an electricity generating device or a number of such devices, whether or not connected to electrical infrastructure, that has, or have when combined, the capacity to generate more than 10 kilowatts per phase but less than a total of 5 megawatts of electricity;

“Electrical Safety Inspection Service” (ESIS) means the contract entered into between the Department of Justice and the contracted service provider, for the provision of an electrical safety inspection service, in accordance with the *Electricity Supply Industry Act 1995*;

“electrical work” has the meaning given it by regulation 4 of the Regulations;

“engineering design” means the process a competent engineer, or engineering department, uses to devise a system, component, or process to meet minimum standards;

“good electricity industry practice” means a level and standard of skill, diligence, prudence and foresight that reasonably would be expected of those who work on, operate or maintain electrical installations and electrical infrastructure consistent with applicable laws, regulations, licences, codes, reliability, safety and environmental protection obligations;

“nominated manager” means -

- (a) a person who is named in a licence or a notice under section 26(1)(c) of the Act as a nominated manager for electrical work; or
- (b) where there is no obligation for a contracting licence to perform the electrical work and there is no person named in paragraph (a) above, the person having the management and control of the electrical work;

“person in training” means a person who falls within the terms of section 22(1)(b) and (c) of the Act;

“practitioner” has the meaning given it by section 3 of the Act in respect of electrical work;

“premises” means has the meaning given it by section 3 of the Act;

“Regulations” means the *Occupational Licensing (Electrical Work) Regulations 2008*;

“severely defective electrical work” means defective electrical work that poses an immediate danger to life or property with regard to -

- (a) any exposed electrical conductive parts that do not have appropriate insulation or guarding;
- (b) inadequate insulation resistance;
- (c) incorrect polarity; interconnection; or transposition of circuit connections;
- (d) open circuit or high impedance active, neutral connections;
- (e) high voltage, electrical infrastructure or electrical installations;
- (f) hazardous area electrical installations;
- (g) electricity generator electrical installations;
- (h) an electrical installation, its parts or equipment, not being connected to earth, or having inadequate earth continuity; or
- (i) failure to adequately inspect, verify and test electrical work.

“site occupant” means the owner, occupier or person (other than the practitioner and electrical contractor), that is directly and immediately responsible for the site or premises

where there is an electrical installation, electrical infrastructure or electrical work is being performed;

“supervisor” has the meaning given it by the *Occupational Licensing (Supervision of Prescribed Work) Code of Practice 2010*.

PART 2 – STANDARDS OF ELECTRICAL WORK

7. Compliance with Standards

- (1) Incorporated into this Code of Practice are -
 - (a) AS 2067;
 - (b) AS/NZS 3000;
 - (c) AS/NZS 7000; and
 - (d) any additional obligations imposed by AS 2067, AS/NZS 3000 and AS/NZS 7000 referring to further Australian Standards or documents, including any amendments or revisions of those Australian Standards or documents from time to time.
- (2) Any -
 - (a) person in training;
 - (b) practitioner; or
 - (c) contractor –performing electrical work, must comply with the Australian Standards mentioned in clause 7(1).
- (3) Where there is any inconsistency between or amongst the Australian Standards mentioned in clause 7(1), the most onerous provision shall be complied with unless good electricity industry practice or engineering design, and a documented favorable risk assessment, supports the application of the less onerous provision.
- (4) Where there is any aspect of the electrical work not otherwise governed by the Australian Standards or documents mentioned in clause 7(1), then the electrical work must comply with good electricity industry practice.

8. Commencement of Standards of Electrical Work and any Amendments

- (1) Any Australian Standards incorporated into this Code of Practice by clause 7(1) takes effect from the date of publication of the relevant standard unless -
 - (a) any such standard states it takes effect on a date different to the date of publication, in which case any such standard takes effect on that stated date; or
 - (b) the Chief Electrical Inspector sets another commencement date, in which case any such standard takes effect on that other commencement date; or
 - (c) on written application, the Chief Electrical Inspector otherwise approves another date for a specific project or premises.
- (2) The written application to the Chief Electrical Inspector, required by clause 8(1)(c), must set out -
 - (a) the proposed alternative commencement date;
 - (b) all the reasons why an alternative commencement date is sought;
 - (c) which specific requirements of which Australian Standards are sought to be subject to an alternative commencement date -and include an acknowledgement by the applicant of the application of section 101 of the Act – see appendix B.

PART 3 - DUTY TO REPORT OR NOTIFY

9. Reporting and Notification of Defective Electrical Work

- (1) A person in training who identifies any defective electrical work must, as soon as practicable, advise their supervisor of the defective electrical work.
- (2) A supervisor that has been advised of any defective electrical work must, as soon as practicable, ascertain if it is defective electrical work and, if so, must as soon as practicable thereafter advise -
 - (a) the site occupant; and
 - (b) their nominated manager -
of the defective electrical work.
- (3) A practitioner who identifies any defective electrical work must, as soon as practicable, advise -
 - (a) the site occupant; and
 - (b) their nominated manager -
of the defective electrical work.
- (4) A supervisor or practitioner who identifies any severely defective electrical work must immediately advise -
 - (a) the site occupant; and
 - (b) their nominated manager -
in that sequence, of the severely defective electrical work.
- (5) Subject to clause (6), a nominated manager who has been advised of severely defective electrical work must immediately verbally advise, and subsequently report in writing, the severely defective electrical work to the Electrical Safety Inspection Service provider.
- (6) Clause 9(5) does not apply where -
 - (a) the practitioner advised the site occupant of the severely defect electrical work; and
 - (b) the severely defect electrical work has been -
 - (i) made safe; and
 - (ii) rectified, or planned to be rectified as soon as practicable, under the management and control of that nominated manager, as part of that electrical work being undertaken by that electrical contractor.
- (7) The Electrical Safety Inspection Service provider, when advised of any severely defective electrical work, must -
 - (a) initiate an inspection of the severely defective electrical work;
 - (b) take action as required by regulation 22(8) of the Regulations, for severely defective electrical work; and
 - (c) notify the Administrator of the severely defective electrical work.
- (8) The written report required by clause 9(5) must include -
 - (a) the address of the site or premises;
 - (b) the site occupant's name and contact details;
 - (c) the name, licence number and phone contact details of the electrical practitioner who identified the severely defective electrical work, and the date identified;

- (d) the name, licence number and phone contact details of the electrical contractor reporting the severely defective electrical work, and the date of the report;
- (e) a full description of the severely defective electrical work, including where it is and why it is considered to be severely defective electrical work; and
- (f) a description of any actions undertaken to make safe the severely defective electrical work.

Note: An example of the written report for severely defective electrical work is provided in Appendix A.

10. Reporting dangerous electrical installation or electrical infrastructure

- (1) Subject to clause 10(2), a practitioner or nominated manager who believes that an electrical installation or electrical infrastructure poses an immediate danger to life or property must -
 - (a) immediately advise the site occupant where the danger exists of that danger;
 - (b) immediately recommend to the site occupant actions to control or remove the immediate danger to life or property; and
 - (c) as soon as possible, verbally advise the Electrical Safety Inspection Service provider, and subsequently confirm the advice in writing to the ESIS provider.
- (2) Clause 10(1)(c) does not apply where -
 - (a) the practitioner or nominated manager advised the site occupant of the dangerous electrical installation or electrical infrastructure; and
 - (b) the dangerous electrical installation or electrical infrastructure has been -
 - (i) made safe; and
 - (ii) rectified, or planned to be rectified as soon as practicable, under the management and control of that nominated manager, as part of that electrical work being undertaken by that electrical contractor.

Note: The Electrical Safety Inspection Service contractor contact details are available on the Workplace Standards web page at www.workplacestandards.tas.gov.au

- (3) The written report for dangerous electrical installation or electrical infrastructure must include -
 - (a) the address of the site or premises;
 - (b) the site occupant's name and contact details;
 - (c) the name, licence number and phone contact details of the electrical practitioner who identified the dangerous electrical installation or electrical infrastructure, and the date identified;
 - (d) the name, licence number and phone contact details of the electrical contractor reporting the dangerous electrical installation or electrical infrastructure, and the date of the report;
 - (e) a full description of the dangerous electrical installation or electrical infrastructure; and
 - (f) a description of any actions undertaken to make the dangerous electrical installation or electrical infrastructure safe.

Note: An example of the written report for dangerous electrical installation or electrical infrastructure is provided in Appendix A.

Kerrie Davidia Crowder
Administrator of Occupational Licensing

5 August 2013

Explanatory Note

(These notes are not part of the Code of Practice and are provided to help with clarification)

This Code of Practice does not remove any other legal obligation, including those relating to the management and control of safe workplaces, making hazards and dangers safe, and workplace health and safety.

The obligations of electrical contractors and nominated managers under the *Occupational Licensing Act 2005* apply to a person having the management and control of an organisation's electrical work; e.g. the management and control of a licensed practitioner performing electrical work on that organisation's electrical infrastructure or electrical installation, where there is no requirement for a contracting licence to perform the electrical work.

Appendix A – Example of report format

Severely Defective Electrical Work Report

Dangerous Electrical Installation/Electrical Infrastructure Report

Site Address:
.....

Site Occupant name: Contact phone number:

Detailed description of Defects or Dangers:

Details of action taken to make safe or rectify:

Electrical practitioner (who identified the defect/danger) Name:

Licence number: Phone number:

Electrical contractor (making report) Name:

Licence number: Phone number:

Orally advised, of the ESIS provider, time date
.../.../.....

Written report to, of the ESIS provider, time date
.../.../.....

Nominated Manager Name:

Nominated Manager Signature: Date: .../.../.....

Appendix B

Extract from the *Occupational Licensing Act 2005*

101. Immunity from liability

No liability attaches to the Crown, the Administrator, an authorised officer, a person appointed under section 56 of this Act or any other person appointed by the Administrator acting under this Act for an act done, or omission made, in good faith in performing or exercising, or purportedly performing or exercising, functions or powers under this Act.