

No. 30 of 1971

AN ORDINANCE

To provide for the Licensing of Electrical Contractors and Electricians, to control the carrying out of Electrical Wiring Work and for related purposes.

I THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1970*.

Dated this twenty-sixth day of November, 1971.

PAUL HASLUCK
Governor-General.

By His Excellency's Command,

RALPH J. HUNT
Minister of State for the Interior.

ELECTRICITY ORDINANCE 1971

PART I.—PRELIMINARY.

1. This Ordinance may be cited as the *Electricity Ordinance 1971*.* Short title.
2. Subject to section 43 of this Ordinance, this Ordinance shall come into operation on the first day of January, One thousand nine hundred and seventy-two. Commencement.
3. This Ordinance is divided into Parts as follows:— Parts.
 - Part I.—Preliminary (Sections 1-5).
 - Part II.—The Register of Electrical Contractors and Electricians (Sections 6-8).
 - Part III.—Electrical Wiring Work (Sections 9-14).
 - Part IV.—Licences (Sections 15-26).
 - Part V.—Cancellation and Suspension of Licences (Sections 27-30).
 - Part VI.—Appeals (Section 31).
 - Part VII.—Prohibition of the Sale of Certain Electrical Articles (Section 32).
 - Part VIII.—Special Powers of the Authority (Sections 33-36).
 - Part IX.—Miscellaneous (Sections 37-44).

* Notified in the *Commonwealth Gazette* on 2 December 1971.

Interpretation.

4.—(1.) In this Ordinance, unless the contrary intention appears—

“ article of electrical equipment ” means—

- (a) a wire, cable, fitting, meter, insulator, switchboard, or apparatus designed or intended for use in an electrical installation; and
- (b) an appliance, fitting or apparatus operated by electricity and the cable and other things required for its connection to an electrical installation;

“ electrical contractor’s licence ” means an electrical contractor’s licence granted under Part IV. that is in force;

“ electrical installation ” means the wires, cables, fittings, appliances, meters, insulators, switchboards, outlet sockets and apparatus in, on, under or over any land and premises for the transmission to, and use on, the land and premises of electricity supplied by the Authority, but does not include—

- (a) appliances, fittings or apparatus capable of being connected to an outlet socket—
 - (i) at which fixed wiring terminates; and
 - (ii) that is installed for the purposes of connecting appliances, fittings or apparatus operated by electricity; and
- (b) the cables and other things required for connecting the appliances, fittings or apparatus to an electrical outlet socket;

“ electrical wiring work ” means the actual physical work of—

- (a) installing;
 - (b) altering; or
 - (c) repairing,
- an electrical installation;

“ electrician’s licence, Grade A ” means an electrician’s licence, Grade A granted under Part IV.;

“ electrician’s licence, Grade B ” means an electrician’s licence, Grade B granted under Part IV.;

“ licence ” means a licence granted under Part IV.;

“ the Act ” means the *Australian Capital Territory Electricity Supply Act 1962-1966*;

“ the Authority ” means the Australian Capital Territory Electricity Authority constituted by the Act;

“ the Chairman ” means the Chairman of the Authority and includes an Acting Chairman and the Deputy of the Chairman;

“ the Registrar ” means the Registrar of Electrical Contractors and Electricians appointed under section 6 of this Ordinance;

“wireman’s licence” means a wireman’s licence issued or renewed under the Canberra and Jervis Bay Electric Supply Regulations, being a licence in force in the period that commences on the day on which the notification of the making of this Ordinance is notified in the *Gazette* and ends immediately before the commencement of this Ordinance.

(2.) For the purposes of this Ordinance, a person carries on business as an electrical contractor if, in the course of carrying on business in the Territory, he carries out for other persons electrical wiring work or holds himself out as being prepared to carry out for other persons electrical wiring work.

(3.) For the purposes of this Ordinance, a person whose licence has been suspended shall, while the suspension is in force, be deemed not to be a person who is the holder of the licence, and the licence shall be deemed not to be in force while the suspension is in force.

5. The *Electricity Ordinance* 1963 is repealed.

Repeal.

PART II.—THE REGISTER OF ELECTRICAL CONTRACTORS AND ELECTRICIANS.

6. The Authority shall appoint an officer of the Authority to be the Registrar of Electrical Contractors and Electricians.

Registrar.

7. The Registrar shall keep a register called “The Register of Electrical Contractors and Electricians”.

Register of
Electrical
Contractors
and
Electricians.

8.—(1.) When the Authority has granted a licence under Part IV., the Registrar shall enter in the Register the following particulars—

Entries in
Register.

- (a) the name of the holder of the licence;
- (b) his address in the Territory;
- (c) the kind of licence that has been granted to him; and
- (d) the date of grant of the licence.

(2.) Where a licence granted under Part IV. is suspended, is cancelled or is not renewed, the Registrar shall enter that fact in the Register.

(3.) Where an appeal against the suspension or cancellation of a licence issued under Part IV. is heard and determined, the Registrar shall enter in the Register the result of the appeal.

PART III.—ELECTRICAL WIRING WORK.

9.—(1.) A person, other than a company, shall not carry on business as an electrical contractor unless—

Prohibition of
carrying on
business as
electrical
contractor
unless licensed.

- (a) he holds an electrical contractor’s licence; or
- (b) he carries on business in partnership with a person who is the holder of an electrical contractor’s licence.

(2.) A company shall not carry on business as an electrical contractor unless—

- (a) it holds an electrical contractor's licence; and
- (b) a director of the company or an employee of the company holds an electrician's licence, Grade A.

Penalty: Two hundred dollars.

Persons by whom electrical wiring work may be carried out.

10. A person shall not carry out any electrical wiring work unless he is—

- (a) the holder of an electrician's licence, Grade A;
- (b) the holder of an electrician's licence, Grade B; or
- (c) a person who is apprenticed to, or employed by, the holder of an electrical contractor's licence and is working under the direction and supervision of—
 - (i) the holder of an electrician's licence, Grade A who is the holder, or is employed by the holder, of the electrical contractor's licence; or
 - (ii) in the circumstances referred to in paragraph (a) of sub-section (2.) of the next succeeding section, the holder of an electrician's licence, Grade B who is employed by the holder of the electrical contractor's licence.

Penalty: Two hundred dollars.

Persons who may direct and supervise carrying out of electrical wiring work.

11.—(1.) Subject to the next succeeding sub-section, the holder of an electrical contractor's licence shall not cause, permit or direct—

- (a) a person other than the holder of an electrician's licence, Grade A who is employed by him to direct and supervise other persons in carrying out electrical wiring work; or
- (b) a person employed by him to carry out electrical wiring work except under his direction and supervision or the direction and supervision of the holder of an electrician's licence, Grade A who is employed by the holder of the electrical contractor's licence.

Penalty: Two hundred dollars.

(2.) It is not an offence against the last preceding sub-section if the holder of an electrical contractor's licence causes, permits or directs—

- (a) an employee who is the holder of an electrician's licence, Grade B to direct and supervise other persons in carrying out any electrical wiring work on an electrical installation for the use of a single phase supply of electricity having a working pressure not exceeding two hundred and fifty volts; or
- (b) other employees to carry out electrical wiring work on such an installation under the direction and supervision of the holder of an electrician's licence, Grade B who is employed by the holder of the electrical contractor's licence.

12.—(1.) Subject to the next succeeding sub-section, the holder of an electrician's licence, Grade A shall not, except as the holder, or an employee of the holder of, an electrical contractor's licence, carry out, for fee or reward, any electrical wiring work for another person.

Carrying out of electrical wiring work by holder of electrician's licence, Grade A.

Penalty: Two hundred dollars.

(2.) It is not an offence against the last preceding sub-section if the holder of an electrician's licence, Grade A who is employed by a person who is not the holder of an electrical contractor's licence carries out as such an employee electrical wiring electrical wiring work for his employer on premises occupied by his employer.

13.—(1.) Subject to the next succeeding sub-section, the holder of an electrician's licence, Grade B shall not carry out, whether or not for fee or reward, any electrical wiring work except as an employee of a person who is the holder of an electrical contractor's licence and under the direction and supervision of the holder of that licence or of the holder of an electrician's licence, Grade A who is employed by that person.

Electrician's licence, Grade B.

Penalty: Two hundred dollars.

(2.) It is not an offence against the last preceding sub-section if the holder of an electrician's licence, Grade B carries out electrical wiring work while he is not under the direction and supervision of a person who is the holder of an electrician's licence, Grade A if—

- (a) the electrical wiring work is carried out by him on premises owned or occupied by him or is carried out by him as an employee of the holder of an electrical contractor's licence; and
- (b) the electrical installation on which the work is carried out is an electrical installation for the use of a single phase supply of electricity having a working pressure not exceeding two hundred and fifty volts.

14. A person shall not, without the written permission of the Authority or of a person authorized by the Authority—

Testing and passing of electrical installations, &c., before connexion to mains.

- (a) connect an electrical installation to the supply mains of the Authority;
- (b) increase the number of light or power outlets in an electrical installation; or
- (c) increase the connected loading of an electrical installation,

until the work has been tested and passed by an officer of the Authority authorized by it for the purposes of this section.

Penalty: Two hundred dollars.

PART IV.—LICENCES.

15. A person, other than a company, is eligible for the grant of an electrical contractor's licence if he—

Eligibility for grant of electrical contractor's licences—individuals.

- (a) holds, or is eligible for the grant of, an electrician's licence, Grade A;
- (b) has attained the age of twenty-one years;

- (c) is a person of good fame and character; and
- (d) is, by reason of his experience in carrying out electrical wiring work and in the direction and supervision of persons engaged in carrying out electrical wiring work, whether before or after the commencement of this Ordinance and whether in or outside the Territory, competent to carry on business on his own account as an electrical contractor.

Eligibility for grant of electrical contractor's licence to a company.

16. A company is eligible for the grant of an electrical contractor's licence if—

- (a) at least one of the directors or an employee of the company is a person who holds or is eligible for the grant of an electrical contractor's licence; and
- (b) each of the directors of the company is a person of good fame and character.

Eligibility for grant of electrician's licence, Grade A.

17.—(1.) A person is eligible for the grant of an electrician's licence Grade A if—

- (a) he has the prescribed qualifications; and
- (b) his practical experience in electrical wiring work has been such as to enable him to carry out satisfactorily electrical wiring work without supervision.

(2.) For the purposes of the last preceding sub-section, a person has the prescribed qualifications if—

- (a) he has completed in the Territory, in a State or another Territory of the Commonwealth or partly in the Territory and partly in a State or another Territory of the Commonwealth, an apprenticeship as an electrical mechanic, as an electrical fitter-mechanic or as an electrical fitter and he holds—
 - (i) in the case of a person who has completed his apprenticeship in the Territory or in the State of New South Wales, a certificate issued by the Department of Technical Education of that State certifying that he has completed the electrical fitter's and mechanic's trade course conducted by that Department; or
 - (ii) in any other case, a certificate issued by the appropriate Department or authority in the State or the Territory in which he completed his apprenticeship certifying that he has completed a trade course of a standard equivalent to the standard of the course referred to in the last preceding paragraph;
- (b) he possesses qualifications in the field of electrical engineering that make him eligible for corporate membership of the Institution of Engineers, Australia;
- (c) he holds or has held a wireman's licence marked by the Authority as a Grade A licence;

- (d) he is a person who, under the law of a State or other Territory of the Commonwealth relating to the carrying out of electrical wiring work, is authorized to carry out all kinds of electrical wiring work in that State or Territory without any restriction or limitation; or
- (e) he satisfies the Authority, whether by passing such written, oral or practical examinations or tests as the Authority considers necessary for the purpose or by other evidence, that he has the qualifications and skill for the performance of, and experience in, electrical wiring work that make him as capable of carrying out electrical wiring work as a person who has the qualifications referred to in paragraph (a) or (b) of this sub-section.

18. A person is eligible for the grant of an electrician's licence, Grade B if he holds or has held a wireman's licence marked by the Authority as a Grade B licence or—

Eligibility for grant of electrician's licence, Grade B.

(a) he has—

- (i) served, whether in or outside the Territory or partly in or partly outside the Territory and whether before or after the commencement of this Ordinance, as an apprentice in the trade of electrical mechanic, electrical fitter-mechanic or electrical fitter; or
- (ii) holds a certificate of recognition as a recognized tradesman issued under Part V. of the *Tradesmen's Rights Regulation Act 1946-1966*; and

(b) he has—

- (i) been, whether in or outside the Territory and whether before or after the commencement of this Ordinance, employed in carrying out electrical wiring work for a period of not less than four years immediately before his application for the grant of the licence or for periods that, in the period of eight years before that date, aggregate not less than five years; and
- (ii) passed such written, oral and practical examinations or tests as the Authority considers necessary for the purpose of establishing that he can carry out satisfactorily, under direction and supervision, electrical wiring work.

19.—(1.) An application by a person other than a company for the grant of an electrical contractor's licence—

Application for electrical contractor's licence.

- (a) shall be in writing in accordance with a form made available by the Authority for the purpose;
- (b) shall be accompanied by evidence of the applicant's age;

- (c) shall be accompanied by certificates by two persons certifying with respect to the fame and character of the applicant;
- (d) shall be accompanied by a written statement specifying—
 - (i) that he is the holder of an electrician's licence, Grade A or that he has made application for the issue of an electrician's licence, Grade A; and
 - (ii) particulars showing his experience in carrying out electrical wiring work and in the direction and supervision of persons carrying out electrical wiring work; and
- (e) shall be lodged with the Registrar.

(2.) An application by a company for the grant of an electrical contractor's licence—

- (a) shall be in writing and signed on behalf of the company by a director of the company;
- (b) shall be accompanied by a certified copy of the certificate of incorporation of the company;
- (c) shall be accompanied by certificates, in respect of each of the directors of the company, by two persons certifying with respect to the fame or character of each of the directors;
- (d) shall be accompanied—
 - (i) in a case where a director of the company or an employee is the holder of an electrical contractor's licence—by a statement setting out particulars relating to the licence held by that director or employee; or
 - (ii) in any other case—by a written statement specifying the name of the director or employee who is the holder or has made application for the issue of, an electrician's licence, Grade A and particulars relating to that licence or that application and to the experience of that director or employee in carrying out electrical wiring work and in the direction and supervision of persons carrying out electrical wiring work; and
- (e) shall be lodged with the Registrar.

Application
for
electrician's
licence.

20. An application for the grant of an electrician's licence, Grade A or an electrician's licence, Grade B—

- (a) shall be in writing;
- (b) shall be accompanied by evidence showing the grounds on which the applicant relies for the grant of the licence; and
- (c) shall be lodged with the Registrar.

False
statements
in licence.

21. A person shall not, in an application for a licence or in a statement accompanying such an application make a statement or furnish information that is false or misleading in a material particular.

Penalty: Four hundred dollars.

22.—(1.) The Authority shall consider each application for a licence and— Grant or refusal of licence.

(a) shall approve the application and authorize the Registrar to grant the licence; or

(b) may, subject to the next succeeding sub-section, refuse the application.

(2.) The Authority shall only refuse an application for a licence if—

(a) it has reason to believe that the applicant is not eligible for the grant of the licence;

(b) it has given to the applicant notice in writing specifying the grounds on which it bases its belief that the applicant is not eligible for the grant of the licence; and

(c) the applicant fails to satisfy the Authority that he is eligible for the grant of the licence.

23. Where the Authority refuses an application for a licence, the Registrar shall notify the applicant in writing of the refusal and the reasons for the refusal. Notification of refusal to grant licence.

24. Where the Authority approves an application and authorizes the grant of a licence, or the court before which an appeal under Part VI. against a refusal of the Authority to grant an application is heard, orders that a licence be granted to an applicant, the Register shall notify the applicant in writing of the grant and shall, upon payment of the prescribed fee, issue to the applicant a licence in the prescribed form. Grant of licence.

25.—(1.) An electrical contractor's licence, unless sooner surrendered or cancelled, continues in force until the expiration of a period of two years commencing on the date as from which it is expressed to take effect. Term of licences.

(2.) An electrician's licence, Grade A, unless sooner surrendered or cancelled, continues in force until the expiration of a period of five years commencing on the date as from which it is expressed to take effect.

(3.) An electrician's licence, Grade B, unless sooner surrendered or cancelled, continues in force until the expiration of a period of two years commencing on the date as from which it is expressed to take effect.

(4.) A reference in this section to a licence shall be read as including a licence that is renewed.

26. The Registrar shall—

(a) on an application made in writing by the holder of a licence before the expiration of the term of the licence; and

(b) on payment of the prescribed fee, issue to the applicant a renewal of the licence. Renewal of licences.

PART V.—CANCELLATION AND SUSPENSION OF LICENCES.

Grounds for
cancellation
or suspension
of licences.

27.—(1.) Each of the following is a ground upon which the Authority may cancel or suspend a licence:—

- (a) that the licence was granted in error or in consequence of a false statement made, or misleading information furnished, by the holder of the licence;
- (b) that the holder of the licence has carried out electrical wiring work that does not comply with the conditions specified in a determination made by the Authority under section 18 of the Act;
- (c) that the holder of the licence has permitted a person working under his direction and supervision to carry out electrical wiring work that did not comply with the conditions referred to in the last preceding paragraph;
- (d) that the holder of the licence, on becoming aware that a person working under his direction and supervision had carried out electrical wiring work that does not comply with the conditions referred to in paragraph (b) of this section, did not forthwith take such action as was required to ensure that the electrical wiring work complied with those conditions;

(e) that—

- (i) the holder of the licence has; or
- (ii) a person working under the direction and supervision of the holder of the licence has, with the knowledge of the holder,

furnished to the Authority or to an officer or employee of the Authority information, with respect to electrical wiring work carried out by the holder or that person or with respect to the safety of an electrical installation, that is false or misleading;

(f) that—

- (i) the holder of the licence has; or
- (ii) a person working under his direction and supervision has, with the knowledge of the holder,

contravened or failed to comply with, a provision of this Ordinance or has contravened sub-section (3.) of section 36 or section 38 of the Act;

(g) that, in the case of an electrical contractor's licence issued to a person other than a company, the holder—

- (i) has ceased to be a person of good fame and character; or
- (ii) has, after the expiration of the period of three months commencing on the date on which the electrical contractor's licence was granted to him, become or continued to be an employee of a person;

- (h) that, in the case of an electrical contractor's licence granted to a company, the company no longer has a director, or an employee, who is the holder of an electrician's licence, Grade A; and
- (i) that, in the case of an electrical contractor's licence or of an electrician's licence, Grade A, the holder has failed to exercise adequate direction and supervision of persons carrying out electrical wiring work under his direction and supervision.

(2.) Where the Authority has reason to believe that there exists one or more of the grounds specified in the last preceding sub-section for the cancellation or suspension of a licence, the Authority may, by notice in writing served on the holder of the licence, require the holder to show cause why his licence should not be cancelled or suspended.

(3.) A notice under the last preceding sub-section shall—

- (a) contain full particulars of the facts or circumstances on which the Authority has formed its opinion that the ground exists or grounds exist;
- (b) specify a time not less than ten days after the date of the service of the notice on which the Authority will enquire into the matter;
- (c) specify the place at which the inquiry will be held; and
- (d) inform the holder that at the inquiry he is entitled to appear personally, examine witnesses and address the Authority or to be represented by a barrister and solicitor who may examine witnesses and address the Authority on his behalf.

28.—(1.) Where the Authority has caused a notice under sub-section (2.) of the last preceding section to be served on the holder of a licence, the Authority shall, at the time and place specified in the notice or, with the consent of the holder, at an earlier time, hold the inquiry into the matter referred to in the notice. Inquiry.

(2.) For the purposes of an inquiry, the Authority has the same powers to summon witnesses, to require the production of books and documents and to take evidence on oath as a Board of Enquiry appointed under the *Enquiry Ordinance* 1938-1970 has under that Ordinance.

29. Where the Authority has caused a notice under sub-section (2.) of section 27 of this Ordinance to be served on the holder of a licence, it may, if it considers that the circumstances justify it in so doing, suspend the licence until the completion of the inquiry to be held under the last preceding section. Suspension of licence pending inquiry.

30.—(1.) Where, after having held an inquiry under section 28 of this Ordinance, the Authority is satisfied that, in relation to the holder of the relevant licence, one or more of the grounds referred to in sub-section (1.) of section 27 of this Ordinance exists, the Authority may— Powers of Authority after inquiry.

- (a) suspend the licence for such period as the Authority sees fit; or
- (b) cancel the licence,

or, if the Authority is satisfied that, in the circumstances, the licence should not be suspended or cancelled, reprimand the holder of the licence.

(2.) The Authority shall—

- (a) record in writing its decision on an inquiry and the reasons for that decision;
- (b) cause to be served on the holder of the licence or, if the licence is suspended or cancelled, the person who was the holder, notice of its decision; and
- (c) if that person so requests, cause to be served on him a copy of the reasons for its decision.

PART VI.—APPEALS.

Appeals.

31.—(1.) Where the Authority—

- (a) refuses to grant an electrical contractor's licence to an applicant; or
- (b) after having held an inquiry under section 28 of this Ordinance suspends or cancels an electrical contractor's licence,

the applicant or the holder of the licence may, within twenty-one days after the date on which notice of the refusal, suspension or cancellation, as the case may be, is served on him, appeal to the Supreme Court against the refusal, suspension or cancellation.

(2.) Jurisdiction to hear and determine appeals under the last preceding sub-section is vested in the Supreme Court.

(3.) Where the Authority—

- (a) refuses to grant an electrician's licence, Grade A or an electrician's licence, Grade B to an applicant; or
- (b) after having held an inquiry under section 28 of this Ordinance, suspends or cancels an electrician's licence, Grade A or an electrician's licence, Grade B,

the applicant or the holder of the licence may, within twenty-one days of the date on which notice of the refusal, suspension or cancellation, as the case may be, is served on him, appeal to the Court of Petty Sessions against the refusal, suspension or cancellation.

(4.) Jurisdiction to hear and determine appeals under the last preceding sub-section is vested in the Court of Petty Sessions.

(5.) An appeal under this section shall be by way of a re-hearing.

(6.) The Authority shall be the respondent on an appeal under this section.

(7.) The court hearing an appeal under this section may—

- (a) give such judgment as to the court seems proper;
- (b) affirm, set aside or vary the decision of the Authority; and
- (c) make such other order as justice requires.

PART VII.—PROHIBITION OF THE SALE OF CERTAIN ELECTRICAL ARTICLES.

32.—(1.) A person shall not—

- (a) sell;
- (b) hire;
- (c) expose for sale or hire;
- (d) advertise for sale or hire; or
- (e) install in, or connect to, an electrical installation,

Sale, &c., of certain articles prohibited.

an article of electrical equipment, being an article of electrical equipment included in a class, description or type specified in a proclamation under section 21 of the Electricity Development Act, 1945-1965 of the State of New South Wales, unless the article of electrical equipment is, for the time being, approved within the meaning of that section by the Electricity Authority of the State of New South Wales or by another authority that is the approving authority in another State within the meaning of that section.

(2.) The regulations may prohibit the sale of specified articles of electrical equipment.

(3.) A person shall not—

- (a) sell;
- (b) hire;
- (c) expose for sale or hire;
- (d) advertise for sale or hire; or
- (e) install in, or connect to, an electrical installation,

an article of electrical equipment the sale of which is prohibited by the regulations.

Penalty: Two hundred dollars.

PART VIII.—SPECIAL POWERS OF THE AUTHORITY.

33.—(1.) Where the Authority considers that any tree, shrub or other natural growth growing on a parcel of land is interfering or may interfere with a wire, cable or other apparatus by which electricity is transmitted, the Authority may, by notice in writing under the hand of the Chairman served on the owner of the parcel of land and, if the owner of the parcel of land is not the occupier of the parcel of land, on the occupier of the parcel of land, on which the tree, shrub or natural growth is growing, require him or them to fell, lop, prune or trim the tree, shrub or other natural growth within such period, not being less than seven days, as is specified in the notice.

Felling, &c., of trees, &c., interfering with power lines.

(2.) If the requirements of a notice duly served under the last preceding sub-section are not complied with within the period specified in the notice, the Authority may, by its employees, enter upon the parcel of land and fell, lop, prune or trim the tree, shrub or other natural growth.

(3.) Where, in pursuance of the last preceding sub-section, the Authority, by its employees, enters upon a parcel of land and fells, lops, prunes or trims a tree, shrub or other natural growth, the expenses incurred by it in so doing are payable to the Authority by the person or

persons on whom the notice under sub-section (1.) of this section was served on demand in writing by or on behalf of the Authority and, in default of payment, are recoverable in a court of competent jurisdiction as a debt due to the Authority from him or them.

(4.) In this section, "owner", in relation to a parcel of land, means—

- (a) if the land is held in fee simple—the person in whom the fee simple is vested;
- (b) if the land is held from the Commonwealth under a lease for a term of years—the lessee under the lease; and
- (c) if the land is held under a tenancy from the Commonwealth—the tenant of the land.

Entry upon
land, &c.

34.—(1.) A person authorized by the Authority for the purpose of this section may, at all reasonable times, enter upon any land or premises—

- (a) on which electrical wiring work is being, or has been, carried out; or
- (b) on which an article of electrical equipment or an electrical installation is being, or has been, installed,

for the purposes of—

- (c) ascertaining whether the electrical wiring work is being, or has been, carried out in accordance with the conditions specified in a determination made by the Authority under section 18 of the Act as the conditions upon or subject to which electricity will be supplied by the Authority; or
- (d) inspecting the article of electrical equipment or the electrical installation.

(2.) A person who enters upon land or premises in pursuance of the last preceding sub-section is not authorized to remain on the land or premises if, on request by the occupier of the land or premises, he does not produce a certificate in writing under the hand of the Chairman that he is authorized by the Authority for the purpose of this section.

(3.) A person shall not, without reasonable excuse, obstruct a person authorized by the Authority for the purpose of this section in the exercise of his powers under this section.

Penalty: Two hundred dollars.

Labelling, &c.,
defective
electrical
equipment.

35.—(1.) Where a person authorized by the Authority for the purpose of the last preceding section finds an article of electrical equipment or an electrical installation that is, in the opinion of the person a source of danger, the person may—

- (a) in the case of an article of electrical equipment—attach in a conspicuous position to the article a label indicating that the article is dangerous and that it shall not be used until it has been repaired or otherwise rendered safe for use; or
- (b) in the case of an electrical installation—disconnect the installation.

(2.) A person shall not—

- (a) use an article of electrical equipment to which a label has been attached under the last preceding sub-section until the article has been repaired or otherwise rendered safe to use; or
- (b) without reasonable excuse, remove, destroy, damage or interfere with a label that has been attached to an article of electrical equipment under the last preceding sub-section.

Penalty: Four hundred dollars.

36. A person shall not, without the permission in writing of the Authority or of a person authorized by the Authority for the purposes of this section, connect or affix an electrical installation or an article of electrical equipment to the mains or other plant of the Authority.

Connexion to
Authority's
installation.

Penalty: Two hundred dollars.

PART IX.—MISCELLANEOUS.

37. The holder of a licence shall, on the request of—

- (a) a person authorized for the purposes of section 34 of this Ordinance;
- (b) the owner or occupier, or a person who is authorized by the owner or occupier, of premises on which the holder of the licence is carrying out or proposes to carry out electrical wiring work; or
- (c) a member of the Police Force of the Territory,

produce his licence for inspection by the person who made the request.

Production of
licence for
inspection.

Penalty: One hundred dollars.

38.—(1.) Where the name or address of the holder of a licence is changed, the holder shall forthwith furnish to the Registrar notice in writing of the change and forward the licence to the Registrar.

Change of
name or
address.

Penalty: One hundred dollars.

(2.) The Registrar shall, as soon as practicable after receipt of the licence, enter the particulars of the change in the Register and on the licence and return the licence to the holder.

39. If the Registrar is satisfied that a licence has been lost, defaced or destroyed, the Registrar may, upon payment of the prescribed fee issue to the holder of the licence a certified copy of the licence and that copy is, for the purposes of this Ordinance, of the same effect as the licence.

Loss &c., of
licence.

40. A person who, having been the holder of a licence, did not apply for the renewal of the licence shall, within fourteen days after the date on which it expired, forward it to the Registrar.

Expired
licences.

Penalty: One hundred dollars.

Evidence.

41.—(1.) The Chairman may, by writing under his hand, certify—

- (a) that a document annexed to the certificate is a true copy of a determination made by the Authority under section 18 of the Act; and
- (b) whether the determination is still in force and, if not, the period during which the determination was in force.

(2.) The Registrar may, by writing under his hand, certify that a person was or was not on a date or dates or during a period specified in the certificate the holder of an electrical contractor's licence, an electrician's licence, Grade A or an electrician's licence, Grade B.

(3.) A document that purports to be a certificate under either of the last two preceding sub-sections shall, unless the contrary is proved, be deemed to be such a certificate and to have been duly given.

(4.) A certificate under sub-section (1.) of this section is evidence of the matters specified in it and of the determination a copy of which is annexed to it.

(5.) A certificate under sub-section (2.) of this section is evidence of the matters specified in it.

(6.) A document that purports to be a document signed on behalf of the Electricity Authority for the State of New South Wales or an authority in another State that is an approving authority within the meaning of section 21 of the Electricity Development Act, 1945-1965 of the State of New South Wales and states that a specified class, description or type of article of electrical equipment was or was not on a specified date approved by that Authority or that authority is evidence of the matters stated in the document.

Service of notices.

42. A notice or any other document under or for the purposes of this Ordinance or the regulations may be served on the holder of a licence by post to the address specified in the licence.

Power to grant licences, &c., before date of commencement of Ordinance.

43.—(1.) Notwithstanding section 2 of this Ordinance—

- (a) an application may be made for the grant of a licence;
- (b) an application for a licence may be granted or refused by the Authority;
- (c) a licence may be granted; and
- (d) an appeal may be made under Part VI. against a refusal by the Authority of an application for a licence,

as if this Ordinance had come into operation on the date on which notification of the making of this Ordinance is published in the *Gazette*.

(2.) Where a wireman's licence is cancelled or suspended under the Canberra and Jervis Bay Electric Supply Regulations on or after the date on which the making of this Ordinance is published in the *Gazette* and before the date specified in section 2 of this Ordinance, the person who held the licence immediately before its suspension or cancellation has, by virtue of this section, the right of appeal under Part VI. that

he would have had if that Part had then been in operation and he had then been the holder of an electrician's licence, Grade A that had been cancelled or surrendered under this Ordinance.

44. The Minister may make regulations, not inconsistent with this Ordinance, prescribing all matters required or permitted by this Ordinance to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance. **Regulations.**