



Australian Capital Territory

# **Electricity Safety Act 1971**

**A1971-30**

**Republication No 12**

**Effective: 24 November 2005 – 24 November 2005**

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Last amendment made by A2005-54

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Electricity Safety Act 1971* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 24 November 2005. It also includes any amendment, repeal or expiry affecting the republished law to 24 November 2005.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

### Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

# Electricity Safety Act 1971

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Australian Capital Territory

# Electricity Safety Act 1971

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An Act relating to the safe use of electricity, and for other purposes

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## Part 1 Preliminary

### 1 Name of Act

This Act is the *Electricity Safety Act 1971*.

### 2 Dictionary

The dictionary at the end of this Act is part of this Act.

*Note 1* The dictionary at the end of this Act defines certain terms used in this Act, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition ‘*electricity distributor*—see the *Utilities Act 2000*, dictionary.’ means that the term ‘electricity distributor’ is defined in that Act and the definition applies to this Act.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

### 3 Notes

A note included in this Act is explanatory and is not part of this Act.

*Note* See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.



**3A Offences against Act—application of Criminal Code etc**

Other legislation applies in relation to offences against this Act.

*Note 1 Criminal Code*

The Criminal Code, ch 2 applies to all offences against this Act (see Code, pt 2.1).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

*Note 2 Penalty units*

The Legislation Act, s 133 deals with the meaning of offence penalties that are expressed in penalty units.

## Part 2 Electrical wiring work

### 4 Connecting electrical installations to network—inspections

- (1) A person commits an offence if—
  - (a) the person connects a new electrical installation to an electricity network; and
  - (b) the installation has not been inspected, tested and passed by an inspector.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (2) This section does not apply in circumstances prescribed by regulation.

### 5 Compliance with AS/NZS 3000

- (1) A person commits an offence if—
  - (a) the person carries out electrical wiring work; and
  - (b) the work does not comply with AS/NZS 3000 as in force—
    - (i) when the work is completed; or
    - (ii) if the work is not completed—when the work is carried out.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) This section does not apply to—
  - (a) electrical wiring work that consists only of—
    - (i) the disconnection of an appliance or a fitting; or

- (ii) the disconnection and reconnection of an appliance or a fitting if the electrical load is not increased; or
  - (iii) the replacement of an appliance or a fitting if the electrical load is not increased; or
  - (b) electrical wiring work prescribed by regulation; or
  - (c) electrical wiring work carried out in circumstances prescribed by regulation.
- (4) In this section:

*fitting* means a switch, lighting point or socket outlet.

## **6 Testing and reporting of electrical work**

- (1) A person who carries out electrical wiring work commits an offence if—
- (a) the person does not ensure that the work—
    - (i) is tested in accordance with AS/NZS 3017 as in force when the test is carried out; and
    - (ii) complies with AS/NZS 3000 when the test is carried out; or
  - (b) within 14 days after the day the test is carried out, the person does not give the construction occupations registrar, or the owner of the installation for which the work was done, a report of the test in a form approved by the registrar under section 65.

Maximum penalty: 5 penalty units.

- (2) Subsection (1) does not apply to—
- (a) electrical wiring work prescribed by regulation; or
  - (b) electrical wiring work carried out in circumstances prescribed by regulation.

- (3) A person who has given the construction occupations registrar a report under subsection (1) (b) commits an offence if—
- (a) the registrar asks the person, in writing and within 2 years after receiving the report, for a copy of the report; and
  - (b) the person does not give a copy of the report to the registrar within 14 days after the day the request is made.

Maximum penalty: 5 penalty units.

- (4) An offence against this section is a strict liability offence.

## **8 Directions to rectify unsafe installations**

- (1) This section applies if an inspector believes on reasonable grounds that—
- (a) an electrical installation is unsafe or has not been inspected, tested and passed as required under this part; or
  - (b) electrical wiring work is unsafe or has not been carried out, or tested, as required under this part.
- (2) The inspector may give the person who has carried out the electrical wiring work relevant for subsection (1) (a) or (b) a written direction to take stated action to make the installation or work safe and compliant with this part.
- (3) Without limiting the operation of subsection (2), a direction may require the disconnection or isolation of the relevant part of the installation or wiring so that it cannot receive a supply of electricity.

*Note* For inspectors' power to disconnect a dangerous installation, see s 51 (1) (b).

- (4) A person must not engage in conduct that contravenes a direction under subsection (2).

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

## **Part 3**                      **Prescribed articles of electrical equipment**

### **Division 3.1**              **Preliminary**

#### **9**                      **Definitions for pt 3**

In this part:

*approved first seller* means a person registered under section 14 (2).

*corresponding law*, in relation to a State or another Territory, means a law of that State or Territory declared under section 10 (Declaration of corresponding law).

*declaration of compliance*, in relation to a prescribed article of electrical equipment, means a declaration that the article complies with—

- (a) prescribed standards; or
- (b) standards specified in a corresponding law of a State or another Territory.

*relevant safety standard*, for an article of electrical equipment, means a safety standard specified for the article in a declaration under section 11 (1).

#### **10**                      **Declaration of corresponding law**

- (1) The Minister may, in writing, declare a specified law of a State or another Territory, being a law that contains provisions substantially similar to this part, to be a corresponding law for this part.
- (2) A declaration is a notifiable instrument.

*Note*              A notifiable instrument must be notified under the *Legislation Act 2001*.

## **Division 3.2 Regulation of dealings**

### **11 Prescribed articles of electrical equipment**

- (1) The planning and land authority may, in writing, declare that—
  - (a) an article of electrical equipment of a specified description or type is a prescribed article of electrical equipment for this part; or
  - (b) a specified class of articles of electrical equipment is a prescribed class of articles of electrical equipment for this part.
- (2) The planning and land authority shall not make a declaration under subsection (1) in relation to an article or class of articles unless the authority is satisfied that there are reasonable grounds for believing that—
  - (a) because of its design or construction, the article, or an article included in the class of articles, is, or is likely to become, unsafe to use; and
  - (b) because of the risk of death or injury to persons or the risk of damage to property, the article or class should be so declared.
- (3) A declaration under subsection (1) must specify the safety standards with which an article mentioned in the declaration must comply.
- (4) The planning and land authority may, in writing, declare that—
  - (a) an article of electrical equipment of a specified description or type is not a prescribed article of electrical equipment for this part; or
  - (b) a specified class of articles of electrical equipment is not a prescribed class of articles of electrical equipment for this part.
- (5) A declaration under subsection (1) or (4) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the *Legislation Act 2001*.

## **12 Sale or installation of prescribed articles**

- (1) An approved first seller commits an offence if—
- (a) the seller—
    - (i) sells a prescribed article of electrical equipment (a *prescribed article*); or
    - (ii) installs a prescribed article in, or connects a prescribed article to, an electrical installation; and
  - (b) the seller is reckless about whether the article is a prescribed article and—
    - (i) a declaration of compliance in relation to the article is not registered under section 16 or the corresponding law of a State or another Territory; or
    - (ii) a direction under section 30 (Directions about unsafe articles) has been given to the seller in relation to articles of the same brand and model.

Maximum penalty: 200 penalty units.

- (2) A person, other than an approved first seller, commits an offence if—
- (a) the person—
    - (i) sells a prescribed article; or
    - (ii) installs a prescribed article in, or connects a prescribed article to, an electrical installation; and
  - (b) the person is reckless about whether the article is a prescribed article and—
    - (i) a declaration of compliance in relation to the article had never been registered under section 16 or the corresponding law of a State or another Territory; or

- (ii) the person has received from someone else a notice under section 30 in relation to the recall of articles of the same brand and model.

Maximum penalty: 200 penalty units.

### **13 Sale or installation of noncomplying prescribed articles**

A person commits an offence if—

- (a) the person—
  - (i) sells a prescribed article of electrical equipment (a *prescribed article*); or
  - (ii) installs a prescribed article in, or connects a prescribed article to, an electrical installation; and
- (b) the prescribed article does not comply with the standards mentioned in the relevant declaration of compliance; and
- (c) the person is reckless about whether the prescribed article complies.

Maximum penalty: 200 penalty units.

### **14 Registration as approved first seller**

- (1) A person who—
  - (a) manufactures prescribed articles of electrical equipment in the ACT; or
  - (b) imports prescribed articles of electrical equipment into the ACT from outside Australia;

may apply in writing to the construction occupations registrar to be registered as an approved first seller in relation to those articles.

*Note* A fee may be determined under s 64 (Determination of fees) for this subsection.



- (2) Subject to subsection (3), the construction occupations registrar shall, on receiving an application under subsection (1), register the applicant as an approved first seller in relation to the prescribed articles of electrical equipment specified in the application by causing the prescribed particulars in relation to the applicant and those articles to be entered in the register referred to in section 21 (1) (b).
- (3) The construction occupations registrar may refuse to register an applicant as an approved first seller if the registrar is satisfied that the applicant—
- (a) is insolvent; or
  - (b) has been refused registration as a first seller or an approved applicant, or equivalent registration, under the corresponding law of a State or another Territory; or
  - (c) has been registered as a first seller or an approved applicant or has equivalent registration under the corresponding law of a State or another Territory and that registration has been cancelled otherwise than at the request of the applicant; or
  - (d) has been convicted of an offence against this part, against part 3 as in force immediately before the commencement of this part or of a similar offence against the law of a State or another Territory; or
  - (e) has not complied with the other requirements (if any) that are prescribed.
- (4) The construction occupations registrar may cancel the registration of a person as an approved first seller if—
- (a) the registrar is satisfied that—
    - (i) the person is insolvent; or

- (ii) the person has been refused registration as a first seller or approved applicant, or equivalent registration, under a corresponding law of a State or another Territory; or
  - (iii) the registration of the person as a first seller or approved applicant, or equivalent registration of the person, under the corresponding law of a State or another Territory has been cancelled otherwise than at the request of the person; or
  - (iv) the person has been convicted of an offence against this part or part 3 as in force immediately before the commencement of this part or of a similar offence against the law of a State or another Territory; or
  - (v) the person has supplied an article of electrical equipment in breach of an undertaking referred to in section 15 (3) (d); or
- (b) the approved first seller requests in writing that the registration be cancelled; or
- (c) the approved first seller—
- (i) for a body corporate—is dissolved; or
  - (ii) for an individual—dies.
- (5) For this section, a person shall be taken to be insolvent if—
- (a) for a body corporate—a resolution for the winding-up of the body has been passed or an application for the winding-up of the body has been filed in a court; or
  - (b) for an individual—the person becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit.

- (6) An approved first seller commits an offence if—
- (a) there is a change in the prescribed particulars mentioned in subsection (2) in relation to the seller; and
  - (b) the seller fails to give written notice of the change to the construction occupations registrar within 7 days after the day of the change.

Maximum penalty: 20 penalty units.

- (7) The construction occupations registrar shall cause particulars of any change notified under subsection (6) to be entered in the register referred to in subsection (2).

## **15 Application for registration of declaration of compliance**

- (1) An approved first seller may apply to the construction occupations registrar for the registration of a declaration of compliance made by that seller in relation to a prescribed article of electrical equipment by lodging with the registrar —
- (a) a written application; and
  - (b) the declaration of compliance; and
  - (c) a report prepared by a testing laboratory approved for this Act to the effect that the article has been tested and found to comply with the relevant safety standards; and
  - (d) subject to subsection (2), the article or another article of the same brand and model.

*Note* A fee may be determined under s 64 (Determination of fees) for this subsection.

- (2) If it is impracticable to lodge an article with the construction occupations registrar under subsection (1) (d), the approved first seller shall give the registrar reasonable access to the article.

- (3) A declaration of compliance lodged under this must contain—
- (a) the name and business address of the approved first seller; and
  - (b) a description of the article of electrical equipment to which it relates, identifying the article by the manufacturer's model or catalogue number or by any other means the construction occupations registrar determines; and
  - (c) a declaration by the applicant that the article complies with the relevant safety standards; and
  - (d) an undertaking by the applicant that, while the declaration of compliance is in force, the applicant will not supply an article of electrical equipment of the same description, type or class imported or manufactured by the applicant to any person unless—
    - (i) the article of electrical equipment complies with the relevant safety standards; and
    - (ii) the article of electrical equipment is marked, stamped or labelled as prescribed; and
    - (iii) if the article of electrical equipment has been modified in any way—details of the modification have been recorded in the register referred to in section 21 (1) (c) or a new declaration of compliance in relation to that article has been registered; and
  - (e) any other information required by the construction occupations registrar.

*Note* If a form is approved under s 65 (Approved forms) for a declaration of compliance, the form must be used.

## **16 Registration of declaration of compliance**

- (1) Subject to subsection (2), if the construction occupations registrar is satisfied that a prescribed article of electrical equipment in relation to which a declaration of compliance has been lodged under section 15 complies with the requirements of the relevant safety standards, the registrar shall register the declaration of compliance in the name of the approved first seller who lodged it by entering the prescribed particulars in relation to that declaration in the register referred to in section 21 (1) (c).
- (2) A declaration of compliance in relation to an article of electrical equipment shall not be registered under this section if registration of a declaration of compliance in relation to an article of the same brand and model has been refused under the corresponding law of a State or another Territory.
- (3) Subject to this Act, registration of a declaration of compliance under this section shall remain in force for the period (not less than 1 year and not more than 5 years) the construction occupations registrar determines, but that registration shall be renewed by the registrar from time to time for a period not exceeding 5 years.

*Note* A fee may be determined under s 64 (Determination of fees) for this section.

## **17 Suspension or cancellation of registration of declaration of compliance**

- (1) The construction occupations registrar may cancel, or suspend for the period the registrar considers appropriate, the registration of a declaration of compliance if—
  - (a) the registrar is satisfied that an article of electrical equipment to which the declaration relates has been found not to comply with the relevant safety standards in a respect that is likely to be characteristic of articles of the same brand and model; or

- (b) the approved first seller who lodged the declaration has, in the opinion of the registrar, made, by advertisement or otherwise, representations as to the significance of—
    - (i) the registration of the declaration; or
    - (ii) any mark, stamp or label attached to the article under section 19;  
that are intended or likely to mislead any person; or
  - (c) the person who lodged the declaration ceases to be an approved first seller; or
  - (d) the approved first seller who lodged the declaration so requests in writing.
- (2) If a declaration of compliance is suspended or cancelled under subsection (1), the construction occupations registrar shall give written notification of that fact and of the reason for the suspension or cancellation to each regulatory authority for a State or another Territory.
- (3) If a declaration of compliance has been suspended, under subsection (1) the construction occupations registrar may, by written notice given to the approved first seller who lodged the declaration, at any time reduce the period of suspension or rescind the remainder of the suspension.
- (4) The construction occupations registrar shall rescind the suspension of a declaration of compliance if the registrar is satisfied that the ground for the suspension no longer exists.

## **18 Transfer of registration of declaration of compliance**

- (1) The registration of a declaration of compliance under section 16 may be transferred to the name of another approved first seller in accordance with this section.

- (2) An application for a transfer under this section shall be made in writing to the construction occupations registrar, shall be signed by the transferor and the transferee and shall contain—
- (a) the names and addresses of the transferor and the transferee; and
  - (b) particulars of the relevant declaration of compliance; and
  - (c) an undertaking on the part of the transferee to comply with the undertakings already specified in that declaration of compliance.
- (3) Subject to subsection (4), the construction occupations registrar shall, on receiving an application under subsection (2), transfer the registration of a declaration of compliance by entering the name and address of the transferee in the register referred to in section 21 (1) (c) in relation to that declaration.

*Note* A fee may be determined under s 64 (Determination of fees) for this subsection.

- (4) A transfer of the registration of a declaration of compliance shall not be made under this section if a transfer of the registration of a declaration of compliance in relation to an article of the same brand and model as the article to which the declaration relates to the same transferee as the transferee referred to in the application under this section has been refused under the corresponding law of a State or another Territory.

## **19 Safety registration mark**

- (1) If a declaration of compliance has been registered under this Act, the approved first seller shall, from time to time as necessary, ensure that, as soon as practicable, each article of electrical equipment to which the declaration relates that is manufactured or imported by him or her is marked, stamped or labelled as prescribed.

- (2) A person commits an offence if—
- (a) the person—
    - (i) sells or lets on hire a prescribed article of electrical equipment (a *prescribed article*); or
    - (ii) exposes or advertises for sale or hire a prescribed article; or
    - (iii) installs a prescribed article in, or connects a prescribed article to, an electrical installation; and
  - (b) the prescribed article has not been marked, stamped or labelled in accordance with subsection (1) or a corresponding law of a State or another Territory; and
  - (c) the person is reckless about whether the prescribed article has been marked, stamped or labelled.

Maximum penalty: 200 penalty units.

## **20 Approved testing laboratories**

- (1) If the planning and land authority is satisfied that premises are suitable to be so used, the authority may, on the application of the proprietor of premises, in writing, approve those premises to be used as a testing laboratory for this Act.
- (2) If the planning and land authority is satisfied that those premises are no longer suitable to be used as a testing laboratory for this Act, the authority may, by writing given to the proprietor of those premises, cancel an approval under subsection (1) in relation to those premises.
- (3) In determining whether premises are suitable to be used as a testing laboratory for this Act, the planning and land authority shall have regard to—



- (a) whether the premises have been approved or refused approval as a testing laboratory under a corresponding law of a State or another Territory; and
- (b) the facilities at the premises for testing articles of electrical equipment; and
- (c) any previous record of accuracy or otherwise in the testing of articles of electrical equipment on the premises; and
- (d) for premises within Australia—whether the premises have been accredited or refused accreditation for the testing of electrical goods by the body known as the National Association of Testing Authorities; and
- (e) for premises outside Australia—whether the premises have been accredited or refused accreditation by a body or authority with functions at the place where the premises are situated similar to the functions of the body known as the National Association of Testing Authorities; and
- (f) any other information the authority considers relevant.

## **21 Registers**

- (1) The construction occupations registrar must keep—
  - (a) a register to be called the register of prescribed articles of electrical equipment containing the particulars of each declaration under section 11 (and any further information the registrar considers appropriate); and
  - (b) a register to be called the register of approved first sellers containing—
    - (i) the full name and address of each approved first seller; and
    - (ii) the principal place of business in the ACT of each approved first seller; and

- (iii) the date of registration of each approved first seller; and
  - (iv) particulars of any cancellations of registration under section 14 (4); and
  - (v) any other particulars that are prescribed; and
- (c) a register to be called the register of declarations of compliance containing, in relation to each declaration of compliance registered under section 16—
- (i) the full name and address of the declarant; and
  - (ii) a description of the prescribed article of electrical equipment to which the declaration relates; and
  - (iii) a description of the mark, stamp or label applicable to the article in accordance with section 19 (1); and
  - (iv) the date of registration of the declaration; and
  - (v) the period of registration of the declaration and of any renewal of that registration; and
  - (vi) if details of a modification have been given under an undertaking referred to in section 15 (3) (d)—those details; and
  - (vii) particulars of any suspension or cancellation of registration under section 17; and
  - (viii) any further particulars the registrar considers appropriate; and
- (d) a register to be called the register of approved testing laboratories that shall contain, in relation to each of the premises approved under section 20 as a testing laboratory for this Act—
- (i) the name and address of the proprietor; and
  - (ii) the address of those premises; and

(iii) the date of approval.

- (2) Each register shall be available for public inspection during normal working hours and any person may inspect a register and may obtain copies of entries in a register.

*Note* A fee may be determined under s 64 (Determination of fees) for this section.

## **22 Examination and testing of articles**

- (1) The construction occupations registrar may, from time to time, examine and test prescribed articles of electrical equipment for the purpose of determining whether or not those articles are safe to use.
- (2) For subsection (1), if a declaration of compliance has been registered under this Act or under the corresponding law of a State or another Territory, the construction occupations registrar may, by written notice given to the approved first seller, require the approved first seller, within the period specified in the notice—
- (a) to give the registrar a prescribed article of electrical equipment to which the declaration relates; or
  - (b) if it is impracticable to provide such an article, to give the registrar reasonable access to such an article;
- and to give the registrar any information in relation to the article specified in the notice.
- (3) An approved first seller must comply with a requirement of a notice given to the seller under subsection (2).

Maximum penalty: 200 penalty units.

- (4) The construction occupations registrar must ensure that an article provided under subsection (1) is returned to the person who provided it within 2 months after it was provided.

- (5) If an article provided to the construction occupations registrar under subsection (1) is destroyed or damaged while it is in the possession of the registrar (other than destruction or damage that was necessary for the purpose of the examination and testing by the registrar of the article), the person who provided the article is entitled to the amount from the Territory that will reasonably compensate that person for the loss suffered by him or her as a result of that destruction or damage.

### **Division 3.3 Miscellaneous**

#### **23 False representation**

A person commits an offence if the person falsely represents that a declaration of compliance is registered under this Act or the corresponding law of a State or another Territory.

Maximum penalty: 200 penalty units.

#### **24 Evidence of registration of declaration of compliance**

In any proceedings for an offence against this part, a certificate purporting to be signed by or for the construction occupations registrar or the regulatory authority for a State or another Territory to the effect that at a particular time a declaration of compliance was or was not registered under this Act or the corresponding law of that State or Territory is evidence of the facts stated in the certificate.

## Part 4                      Non-prescribed articles of electrical equipment

### 25                      Articles to which pt 4 applies

This part applies to articles of electrical equipment other than—

- (a) a prescribed article of electrical equipment; or
- (b) an article of electrical equipment that is prohibited; or
- (c) an article of electrical equipment used, or for use, in any part of the infrastructure used by an electricity distributor or retail supplier of electricity in connection with the distribution or supply of electricity to premises for consumption.

### 26                      Minimum safety standards

- (1) A person commits an offence if—
  - (a) the person—
    - (i) sells an article of electrical equipment; or
    - (ii) installs an article of electrical equipment in, or connects an article of electrical equipment to, an electrical installation; and
  - (b) the person is reckless about whether the article complies with the standard.

Maximum penalty: 200 penalty units.

- (2) The relevant minimum safety standards for an article of electrical equipment of a particular type are—
  - (a) the minimum safety requirements for articles of that type under AS/NZS 3820, as in force from time to time; or

- (b) if the regulations provide minimum safety standards for articles of that type—those standards.

## **27 Energy efficiency requirements**

- (1) A trader must not sell an article of electrical equipment that does not comply with the relevant energy efficiency standard.

Maximum penalty: 50 penalty units.

- (2) A trader must not sell an article of electrical equipment that is not labelled with an energy efficiency label in accordance with a regulation.

Maximum penalty: 10 penalty units.

- (3) A person must not attach an energy efficiency label to an article of electrical equipment that does not have the energy efficiency rating indicated by the label.

Maximum penalty: 30 penalty units.

- (4) A person must not attach to an article of electrical equipment anything that falsely appears to be an energy efficiency label.

Maximum penalty: 30 penalty units.

- (5) An offence against this section is a strict liability offence.

- (6) The relevant energy efficiency standard for an article of electrical equipment of a particular type is—

- (a) the energy efficiency standard (however described) for articles of that type under a corresponding law ascertained under the regulations; or

- (b) if the regulations provide an energy efficiency standard for articles of that type—that standard.

- (7) The regulations may make provision in relation to the energy efficiency of articles of electrical equipment, including provision for—

- (a) standards of energy efficiency; and
  - (b) the examination and testing of articles; and
  - (c) labels and labelling for articles; and
  - (d) the prescription or ascertainment of corresponding laws for this section.
- (8) Without limiting the operation of subsection (7), a regulation may make provision for a matter by reference to an instrument in force from time to time under a corresponding law.
- (9) This section does not apply to a second-hand article.

## Part 5 Defective articles of electrical equipment

### 28 Prohibited articles

- (1) The planning and land authority may prepare a written notice prohibiting the sale or installation of articles of electrical equipment of a stated class.
- (2) The planning and land authority may act under subsection (1) only if satisfied on reasonable grounds that—
  - (a) articles of the class are, or are likely to become, unsafe to use because of their design or construction; and
  - (b) the use of an article of the class involves, or would involve, a risk of death or injury to a person or damage to property.
- (3) A notice under subsection (1) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the *Legislation Act 2001*.
- (4) The planning and land authority must also publish the notice in a daily newspaper circulating generally in the ACT.

### 29 Sale or installation of prohibited articles

A person commits an offence if—

- (a) the person—
  - (i) sells an article of electrical equipment; or
  - (ii) installs an article in, or connects an article to, an electrical installation; and
- (b) the article is prohibited; and



(c) the person is reckless about whether the article is prohibited.

Maximum penalty: 200 penalty units.

### **30 Directions about unsafe articles**

- (1) This section applies if the planning and land authority believes on reasonable grounds that—
  - (a) a person (the *seller*) has for sale, or may have sold, an article of electrical equipment; and
  - (b) the article is prohibited, does not comply with the relevant standard or is, for any reason, unsafe.
- (2) The planning and land authority may give the seller a direction in writing to do all or any of the following:
  - (a) advertise, in a way stated in the direction, warnings approved by the authority about the risks associated with the use of the article;
  - (b) refrain from selling the article;
  - (c) recall an article sold, and—
    - (i) take action stated in the direction to make the article safe and compliant with the relevant standard; or
    - (ii) if it is not practicable to act in accordance with subparagraph (i) or the seller chooses not to take such action—refund to the buyer the purchase price of the article.
- (3) A direction to recall an article may require the seller to give written notice of the recall to people to whom the seller sold, or may have sold, an article to which the direction relates.
- (4) A person must not engage in conduct that contravenes a direction given to the person under this section.

Maximum penalty: 200 penalty units.

**31 Publication of safety warnings**

- (1) The planning and land authority may publish warnings or information to increase public awareness about risks associated with the use of articles of electrical equipment.
- (2) Without limiting the operation of subsection (1), the planning and land authority may publish statements containing advice about the use of—
  - (a) a prohibited article of electrical equipment; or
  - (b) an article of electrical equipment to which a declaration under section 30 (Directions about unsafe articles) applies.
- (3) No personal liability attaches to a person for an act or omission in good faith in relation to the performance, or purported performance, of a function under this section.
- (4) Subsection (3) does not affect any liability that the Territory would have, apart from the operation of subsection (3), in relation to the act or omission.

## Part 6                      Serious electrical accidents

### 32                      Definitions for pt 6

In this part:

*relevant distributor*, in relation to a serious electrical accident, means the electricity distributor of the electricity involved in the accident.

*serious electrical accident* means an accident in which electricity causes, or contributes to—

- (a) the death or injury of a person; or
- (b) damage to property; or
- (c) a fire.

### 33                      Reporting by occupiers and electrical contractors

- (1) An occupier of premises commits an offence if—
  - (a) a serious electrical accident happens at the premises; and
  - (b) the occupier fails to tell the relevant distributor about the accident, by telephone, immediately after the occupier becomes aware of the accident.

Maximum penalty: 50 penalty units.

- (2) An electrical contractor commits an offence if—
  - (a) a serious electrical accident happens in, or in relation to, an electrical installation on which the contractor is carrying out work; and

- (b) the contractor fails to tell the relevant distributor about the accident, by telephone, immediately after the contractor becomes aware of the accident.

Maximum penalty: 50 penalty units.

- (3) An offence against this section is a strict liability offence.
- (4) This section does not apply if the defendant had reasonable grounds to believe that the relevant distributor had been told about the accident.

### **34 Reporting by electricity distributor**

- (1) An electricity distributor commits an offence if—
  - (a) a serious accident happens—
    - (i) in relation to the distributor's electricity network; or
    - (ii) in the distributor's distribution area; and
  - (b) the distributor fails to tell the construction occupations registrar about the accident, by telephone, immediately after the distributor becomes aware of the accident.

Maximum penalty: 200 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) This section does not apply if the defendant had reasonable grounds to believe that the relevant distributor had been told about the accident.

### **35 Interference with site of serious electrical accident**

- (1) A person must not disturb or interfere with the site of a serious electrical accident before it has been inspected by an inspector.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (2) This section does not apply to anything done—
- (a) to make the site safe; or
  - (b) by an authorised person; or
  - (c) except if paragraph (d) applies, more than 24 hours after the accident; or
  - (d) if, within 24 hours after the accident, the construction occupations registrar extends the period and tells the person of the extension—after the extended period ends.
- (3) In this section;
- authorised person*** means—
- (a) an inspector; or
  - (b) a person acting in accordance with an inspector’s directions; or
  - (c) a person giving emergency medical assistance to an injured person; or
  - (d) a member of the ambulance service, the fire brigade, the rural fire service or the SES.

### **36 Publication of report of serious electrical accident**

- (1) The planning and land authority may publish a report about a serious electrical accident in the interest of public safety.
- (2) No personal liability attaches to a person for an act or omission in good faith in relation to the performance, or purported performance, of a function under this section.
- (3) Subsection (2) does not affect any liability that the Territory would have, apart from the operation of subsection (2), in relation to the act or omission.



- (2) The notice must state—
- (a) the place where the information or document is to be given or produced to the planning and land authority; and
  - (b) the time when, or the period within which, the information or document is to be given or produced.
- (3) If a document is produced in accordance with a requirement under subsection (1), the planning and land authority —
- (a) may—
    - (i) take possession of, and may make a copy of, or take extracts from, the document; and
    - (ii) retain possession of the document for the period necessary for this Act; and
  - (b) must, during that period, allow a person who would be entitled to inspect the document, if it was not in the possession of the authority, to inspect the document at any reasonable time.

#### **40      Contravention of requirement by planning and land authority**

A person commits an offence if the person engages in conduct that contravenes a requirement made of the person under section 39.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

#### **41      Appointment of inspectors**

- (1) The construction occupations registrar may, in writing, appoint a person to be an *inspector* for this Act.

*Note*      A reference to an Act includes a reference to—

- (a) a provision of the Act (see *Legislation Act 2001*, s 7 (3)); and
- (b) the statutory instruments made or in force under the Act, including regulations (see *Legislation Act 2001*, s 104).

- (2) An inspector must exercise his or her functions under this Act in accordance with the conditions of appointment and any direction given to the inspector by the construction occupations registrar.
- (3) A person must not be appointed under subsection (1) unless—
  - (a) the person is an Australian citizen or a permanent resident of Australia; and
  - (b) the construction occupations registrar has certified in writing that, after appropriate inquiry, the registrar is satisfied that the person is a suitable person to be authorised, having regard in particular to—
    - (i) whether the person has any criminal convictions; and
    - (ii) the person's employment record; and
  - (c) the registrar has certified in writing that the registrar is satisfied that the person—
    - (i) has satisfactorily completed adequate training; and
    - (ii) is competent;

to exercise the powers of an inspector proposed to be given to the person.

## **42            Identity cards**

- (1) The construction occupations registrar must give an inspector an identity card stating the person's name and that the person is an inspector.
- (2) The identity card must show—
  - (a) a recent photograph of the person; and
  - (b) the card's date of issue and expiry; and
  - (c) anything else prescribed by regulation.



- (3) A person commits an offence if—
- (a) the person stops being an inspector; and
  - (b) the person does not return the person's identity card to the construction occupations registrar as soon as practicable, but no later than 7 days after the day the person stops being an inspector.

Maximum penalty: 1 penalty unit.

- (4) An offence against this section is a strict liability offence.
- (5) Subsection (2) applies only in relation to a card given by the construction occupations registrar after the commencement of this section.
- (6) Subsection (5) is declared to be a law to which the Legislation Act, section 88 (Repeal does not end effect of transitional laws etc) applies.
- (7) Subsections (5) and (6) and this subsection expire on the day they commence.

## **Division 7.2                  Inspectors' powers**

### **43                  General power to enter premises**

- (1) For this Act, an inspector may—
- (a) enter any premises at any time with the consent of the occupier; or
  - (b) enter premises when open to the public; or
  - (c) enter business premises during business hours at the premises; or
  - (d) enter premises in accordance with a warrant under this division.

- (2) An inspector may, without the occupier's consent or a warrant, enter the land around premises to ask the occupier for consent to enter the premises.

**44 Production of identity card**

An inspector may not remain on premises entered under this part if, on request by the occupier, the inspector does not produce his or her identity card.

**45 Consent to entry**

- (1) When seeking the consent of an occupier for entering premises under this part an inspector must—
- (a) produce his or her identity card; and
  - (b) tell the occupier—
    - (i) the purpose of the entry; and
    - (ii) that anything found and seized under this part may be used in evidence in court; and
    - (iii) that consent may be refused.
- (2) If the occupier consents, the inspector must ask the occupier to sign a written acknowledgment—
- (a) that the occupier was told—
    - (i) the purpose of the entry; and
    - (ii) that anything found and seized under this part may be used in evidence in court; and
    - (iii) that consent may be refused; and
  - (b) that the occupier consented to the entry; and
  - (c) stating the time, and day, when consent was given.

- (3) If the occupier signs an acknowledgment of consent, the inspector must immediately give a copy to the occupier.
- (4) Unless the contrary is proven, a court must presume that an occupier of premises did not consent to an entry to the premises by an inspector under this part if—
  - (a) the question whether the occupier consented to the entry arises in proceedings in the court; and
  - (b) an acknowledgment under this section is not produced in evidence for the entry; and
  - (c) it is not proved that the occupier consented to the entry.

#### **46 Warrants**

- (1) An inspector may apply to a magistrate for a warrant to enter premises.
- (2) The application must be sworn and state the grounds on which the warrant is sought.
- (3) The magistrate may refuse to consider the application until the inspector gives the magistrate all the information the magistrate requires about the application in the way the magistrate requires.
- (4) The magistrate may issue a warrant only if satisfied there are reasonable grounds for suspecting—
  - (a) there is a particular thing or activity (the *evidence*) connected with an offence against this Act; and
  - (b) the evidence is, or may be within the next 14 days, at the premises.
- (5) The warrant must state—
  - (a) that an inspector may, with necessary help and force, enter the premises and exercise the inspector's powers under this part; and

- (b) the offence for which the warrant is sought; and
- (c) the evidence that may be seized under the warrant; and
- (d) the hours when the premises may be entered; and
- (e) the date, within 14 days after the warrant's issue, the warrant ends.

**47            Warrants—application made other than in person**

- (1) An inspector may apply for a warrant by phone, fax, radio or other form of communication if the inspector considers it necessary because of—
  - (a) urgent circumstances; or
  - (b) other special circumstances.
- (2) Before applying for the warrant, the inspector must prepare an application stating the grounds on which the warrant is sought.
- (3) The inspector may apply for the warrant before the application is sworn.
- (4) After issuing the warrant, the magistrate must immediately fax a copy to the inspector if it is reasonably practicable to do so.
- (5) If it is not reasonably practicable to fax a copy to the inspector—
  - (a) the magistrate must—
    - (i) tell the inspector what the terms of the warrant are; and
    - (ii) tell the inspector the date and time the warrant was issued; and
  - (b) the inspector must complete a form of warrant (warrant form) and write on it—
    - (i) the magistrate's name; and
    - (ii) the date and time the magistrate issued the warrant; and

- (iii) the warrant's terms.
- (6) The facsimile warrant, or the warrant form properly completed by the inspector, authorises the entry and the exercise of the inspector's powers under this part.
- (7) The inspector must, at the first reasonable opportunity, send the magistrate—
- (a) the sworn application; and
  - (b) if the inspector completed a warrant form—the completed warrant form.
- (8) On receiving the documents, the magistrate must attach them to the warrant.
- (9) Unless the contrary is proven, a court must presume that a power exercised by an inspector was not authorised by a warrant under this section if—
- (a) the question arises in a proceeding before the court whether the exercise of power was authorised by a warrant; and
  - (b) the warrant is not produced in evidence.

#### **48 Powers on entry to premises**

- (1) An inspector who enters premises under this part may, for this Act—
- (a) inspect, measure, photograph or film the premises or anything on the premises; or
  - (b) copy a document on the premises; or
  - (c) test or take samples of or from anything on the premises; or
  - (d) take into the premises any people, equipment or material the inspector reasonably needs for exercising a power under this Act; or

- (e) require the occupier, or a person on the premises, to give the inspector reasonable help to exercise a power under this Act.
- (2) Without limiting the operation of subsection (1), an inspector who enters premises under this part may—
  - (a) check whether an article of electrical equipment or electrical installation on the premises—
    - (i) is safe; or
    - (ii) complies with a relevant standard; or
    - (iii) is prohibited; or
  - (b) check whether electrical wiring work—
    - (i) is safe; or
    - (ii) has been, or is being, done in accordance with this Act.
- (3) A person must take all reasonable steps to comply with a requirement made of the person under subsection (1) (e).

Maximum penalty: 50 penalty units.
- (4) An offence against this section is a strict liability offence.

#### **49 Powers in relation to serious electrical accidents**

- (1) This section applies if an inspector believes on reasonable grounds that a serious electrical accident has occurred on premises.
- (2) The inspector may enter the premises at any reasonable time to investigate the accident, ensure the premises are safe and prevent the concealment, loss or destruction of anything reasonably relevant to the investigation.
- (3) The inspector may do anything necessary and reasonable for a purpose mentioned in subsection (2).

- (4) If an inspector acts under this section in the absence of the occupier, the inspector must, when leaving the premises, leave a written notice, secured in a conspicuous place, setting out—
  - (a) the inspector's name; and
  - (b) the time and date of the entry; and
  - (c) the purpose of the entry; and
  - (d) particulars of how to contact the inspector.
- (5) The power to enter premises under this section is additional to the powers under section 43 (General power to enter premises).

**50 Powers in relation to unsafe articles of electrical equipment**

- (1) This section applies if an inspector believes on reasonable grounds that—
  - (a) a person has an article of electrical equipment for—
    - (i) sale; or
    - (ii) installation in, or connection to, an electrical installation; and
  - (b) the article does not comply with the relevant standard or is unsafe.
- (2) The inspector may give the person a direction in writing to refrain from—
  - (a) selling the article; or
  - (b) installing the article in, or connecting it to, an electrical installation;

unless it is made safe and compliant with the relevant standard.

- (3) A person commits an offence if the person engages in conduct that contravenes a direction given to the person under this section.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

**51 Disconnecting etc dangerous electrical equipment and installations**

- (1) An inspector who enters premises under this part and finds an article of electrical equipment, or an electrical installation, that the inspector believes on reasonable grounds is a source of danger, may—

- (a) label the article conspicuously to indicate the danger and prohibit use of the article until it has been repaired or otherwise rendered safe for use; or
- (b) disconnect the installation.

- (2) A person commits an offence if—

- (a) an article of electrical equipment labelled under subsection (1) has not been repaired or made safe to use; and
- (b) the person—
  - (i) uses the article; or
  - (ii) removes or interferes with the label.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.



**52 Power to require name and address**

- (1) An inspector may require a person to state the person's name and home or business address if the inspector believes, on reasonable grounds, that the person is committing or has just committed an offence against this Act.

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including regulations (see Legislation Act, s 104).

- (2) The inspector must tell the person the reason for the requirement and, as soon as practicable, record the reason.
- (3) The person may ask the inspector to produce his or her identity card for inspection by the person.
- (4) A person must comply with a requirement made of the person under subsection (1) if the inspector—
- (a) tells the person the reason for the requirement; and
  - (b) complies with any request made by the person under subsection (3).

Maximum penalty: 10 penalty units.

- (5) An offence against this section is a strict liability offence.
- (6) In this section:

*home address*, of a person, means the address of the place where the person usually lives.

**53 Power to seize evidence**

- (1) An inspector who enters premises with a warrant under this part may seize the evidence for which the warrant was issued.
- (2) An inspector who enters premises under this part with the consent of the occupier may seize a thing on the premises if—

- (a) the inspector is satisfied the thing is connected with an offence against this Act; and
  - (b) seizure of the thing is consistent with the purpose of the entry as told to the occupier in seeking the occupier's consent.
- (3) An inspector may also seize another thing on premises entered under this part if the inspector is satisfied—
- (a) the thing is connected with an offence against this Act; and
  - (b) the seizure is necessary to prevent the thing being—
    - (i) concealed, lost or destroyed; or
    - (ii) used to commit, continue or repeat the offence.
- (4) Having seized a thing, an inspector may—
- (a) remove the thing from the premises where it was seized (the *place of seizure*) to another place; or
  - (b) leave the thing at the place of seizure but restrict access to it.
- (5) A person commits an offence if—
- (a) the person interferes with a thing to which access has been restricted under subsection (4); or
  - (b) the person does not have the construction occupations registrar's approval to interfere with the thing.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

## 54 Receipt for things seized

- (1) As soon as practicable after a thing is seized by an inspector under this part, the inspector must give a receipt for it to the person from whom it was seized.

- (2) If, for any reason, it is not practicable to comply with subsection (1), the inspector must leave the receipt, secured conspicuously at the place of seizure.

**55 Access to things seized**

A person who would, apart from the seizure, be entitled to a thing seized under this part may—

- (a) inspect it; and
- (b) if it is a document—take extracts from it or make copies of it.

**56 Return of things seized**

- (1) A thing seized under this part must be returned to its owner, or reasonable compensation must be paid to the owner by the Territory for the loss of the thing, if—
- (a) a prosecution for an offence relating to the thing is not instituted within 90 days of the seizure; or
  - (b) the court does not find the offence proved in a prosecution for an offence relating to the thing.
- (2) A thing seized under this part is forfeited to the Territory if a court—
- (a) finds an offence relating to the thing to be proved; and
  - (b) orders the forfeiture.
- (3) If subsection (2) (a) applies, but a court does not order forfeiture of the thing seized, the construction occupations registrar must return the thing to its owner or the Territory must pay reasonable compensation to the owner for the loss of the thing.

**57            Power to inspect electrical wiring work**

- (1) An inspector may enter and remain on premises to conduct a test or inspection required under part 2 (Electrical wiring work) in relation to an electrical installation or electrical wiring work.
- (2) An inspector may enter and remain on the premises under subsection (1)—
  - (a) at any reasonable time; and
  - (b) with the people, equipment or material that the inspector reasonably needs to conduct the test or inspection.
- (3) However, the inspector may not, under this section—
  - (a) enter or remain on premises if, on request by the occupier, the inspector does not produce his or her identity card; or
  - (b) without the consent of the occupier, enter or remain on any part of the premises used for residential purposes.
- (4) The power to enter premises under this section is additional to the powers under section 43 (General power to enter premises).

**Division 7.3            Miscellaneous**

**58            Selfincrimination etc**

- (1) A person is not excused from providing information or producing a document when required to do so under this part on the ground that the information or document might tend to incriminate the person.
- (2) However—
  - (a) the provision of the information or document; or
  - (b) any information, document or thing obtained as a direct or indirect consequence of providing the information or document;

is not admissible in evidence against the person in criminal proceedings.

- (3) Subsection (2) does not apply to proceedings for—
- (a) an offence against this part; or
  - (b) any other offence in relation to the falsity of the information or document.

*Note 1* A reference to an offence against a Territory law includes a reference to a related ancillary offence, eg attempt (see *Legislation Act 2001*, s 189).

*Note 2* The *Legislation Act 2001*, s 171 deals with the application of client legal privilege.

## **59 Damage etc to be minimised**

- (1) In the exercise, or purported exercise, of a function under this part, an inspector must take all reasonable steps to ensure that he or she, and any person assisting the inspector, causes as little inconvenience, detriment and damage as is practicable.
- (2) If an inspector, or a person assisting an inspector, damages anything in the exercise or purported exercise of a function under this part, the inspector must give written notice of the particulars of the damage to the person whom the inspector believes on reasonable grounds is the owner of the thing.
- (3) If the damage occurs on premises entered under this part in the absence of the occupier, the notice may be given by securing it in a conspicuous place on the premises.

## **60 Compensation**

- (1) A person may claim reasonable compensation from the Territory if the person suffers loss or expense because of the exercise, or purported exercise, of a function under this part by an inspector or a person assisting an inspector.
- (2) Compensation may be claimed and ordered in a proceeding for—

- (a) compensation brought in a court of competent jurisdiction; or
  - (b) an offence against this Act brought against the person making the claim for compensation.
- (3) A court may order the payment of reasonable compensation for the loss or expense only if it is satisfied it is just to make the order in the circumstances of the particular case.
- (4) The regulations may prescribe matters that may, must or must not be taken into account by the court in considering whether it is just to make the order.

## Part 8 Appeals

### 61 Review of decisions

- (1) Application may be made to the administrative appeals tribunal for a review of the following decisions of the planning and land authority:
  - (a) under section 11 (1) (a) declaring that an article of electrical equipment is a prescribed article of electrical equipment for part 3;
  - (b) under section 11 (1) (b) declaring that a stated class of articles of electrical equipment is a prescribed class of articles of electrical equipment for part 3;
  - (c) under section 20 (1) refusing to approve premises as a testing laboratory;
  - (d) under section 20 (2) cancelling the approval of premises as a testing laboratory;
  - (e) under section 28 prohibiting the sale or installation of articles of electrical equipment of a stated class.
- (2) Application may be made to the administrative appeals tribunal for a review of the following decisions of the registrar:
  - (a) under section 14 (3) refusing to register a person as an approved first seller;
  - (b) under section 14 (4) cancelling the registration of an approved first seller;
  - (c) under section 16 (1) refusing to register a declaration of compliance;
  - (d) under section 16 (3) determining the period of registration of a declaration of compliance;

- (e) under section 17 (1) suspending or cancelling the registration of a declaration of compliance;
- (f) under section 17 (3) not to reduce a period of suspension or to rescind the remainder of a suspension;
- (g) under section 22 (2) imposing a requirement on an approved first seller.

**62 Notifications of decisions**

- (1) A person who makes a decision mentioned in section 61 must give written notice of the decision to each person affected by the decision.
- (2) A notice under subsection (1) shall be in accordance with the requirements of the code of practice in force under the *Administrative Appeals Tribunal Act 1989*, section 25B (1).



## Part 9                      Miscellaneous

### 63                      Evidence

- (1) The construction occupations registrar may, by signed writing, certify—
  - (a) that a document attached to the certificate is a true copy of AS/NZS 3000, as in force at a stated date; and
  - (b) whether the standard is still in force and, if not, the period during which the standard was in force.
- (2) The registrar may, by signed writing, certify that a person was or was not on a date or dates or during a period specified in the certificate the holder of a specified licence or permit.
- (3) A document that purports to be a certificate under subsection (1) or (2) shall, unless the contrary is proved, be deemed to be such a certificate and to have been duly given.
- (4) A certificate under subsection (1) is evidence of the matters specified in it and of the determination a copy of which is attached to it.
- (5) A certificate under subsection (2) is evidence of the matters specified in it.
- (6) A document that purports to be a signed on behalf of a prescribed authority in a State or another Territory 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 is evidence of the matters stated in the document.

**64 Determination of fees**

- (1) The Minister may, in writing, determine fees for this Act.

*Note* The *Legislation Act 2001* contains provisions about the making of determinations and regulations relating to fees (see pt 6.3).

- (2) A determination is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

**65 Approved forms**

- (1) The construction occupations registrar may, in writing, approve forms for this Act.

- (2) If the construction occupations registrar approves a form for a particular purpose, the approved form must be used for that purpose.

- (3) An approved form is a notifiable instrument.

*Note* A notifiable instrument must be notified under the *Legislation Act 2001*.

**66 Regulation-making power**

The Executive may make regulations for this Act.

*Note* Regulations must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

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## Dictionary

(see s 3)

*Note 1* The Legislation Act contains definitions and other provisions relevant to this Act.

*Note 2* For example, the Legislation Act, dict, pt 1, defines the following terms:

- under
- function.

***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.

***AS/NZS 3000*** means Australian/New Zealand Standard 3000 (Wiring Rules) as in force from time to time.

***AS/NZS 3017*** means Australian/New Zealand Standard 3017 (Electrical installations—testing and inspection guidelines) as in force from time to time.

***AS/NZS 3820*** means Australian/New Zealand Standards 3820 (Essential safety requirements for low voltage electrical equipment) as in force from time to time.

***electrical installation***—

- (a) means electrical wiring or cable used or for use in carrying or controlling electricity (other than electricity with a voltage of not more than 50V a.c. or 120V ripple-free d.c.); and
- (b) includes—
  - (i) a wiring system, switchgear, control gear, electrical accessory, electrical appliance, or fitting, that is used or

for use in the conversion, storage, transmission, distribution or use of electrical energy and connected to wiring or cable; and

- (ii) a switch, fuse, plug, socket outlet, lighting outlet, adaptor, ceiling rose or other device associated with wiring, a switchboard, or an appliance, mentioned in subparagraph (i); and
  - (iii) a consuming device in which electricity is converted into heat, motion or another form of energy, or is substantially changed in its electrical character; and
  - (iv) support for electrical wiring or cable; but
- (c) does not include—
- (i) a generator or storage device supplying, or for the supply of, electricity to the installation; or
  - (ii) an appliance that receives, or is intended to receive, its main electricity supply through a socket connection; or
  - (iii) a lamp; or
  - (iv) an electricity network or part of a network; or
  - (v) telecommunications cabling or equipment that operates or is intended to operate at a voltage of 90V a.c. or lower.

***electrical wiring work—***

- (a) means the installation, replacement, augmentation, curtailing, maintenance, repair, or alteration of the location of all or part of, an electrical installation, other than—
  - (i) an electrical installation that operates at extra low voltage; or
  - (ii) telecommunications cabling or equipment that operates at a voltage not greater than 90V a.c.; but

- 
- (b) does not include—
- (i) plugging a plug into a socket outlet, or unplugging it; or
  - (ii) fitting a lamp to a lighting outlet or removing it; or
  - (iii) fitting, removing or replacing a fuse or fuse wire if the fuse or wire cannot sustainedly conduct more than 30A.

***electricity distributor***—see the *Utilities Act 2000*, dictionary.

***electricity network***—see the *Utilities Act 2000*, section 7 (Electricity network).

***engage in conduct*** means—

- (a) do an act; or
- (b) omit to do an act.

***inspector***—see section 41 (Appointment of inspectors).

***occupier***, of premises, includes—

- (a) a person believed on reasonable grounds to be an occupier of the premises; and
- (b) a person apparently in charge of the premises.

***premises*** means a building, structure or place (whether built on or not and whether enclosed or not), and includes an aircraft, a vessel and a vehicle.

***prescribed article of electrical equipment*** means—

- (a) an article of electrical equipment to which a declaration under section 11 (1) applies; or
- (b) an article of electrical equipment to which an order under the *Electricity Safety Act 1945* (NSW), section 21 applies, other than an article to which a declaration under section 11 (4) applies.

***prohibited***, in relation to an article of electrical equipment—see section 28 (Prohibited articles).

***regulatory authority***, for a State or another Territory, means—

- (a) for New South Wales—the Department of Fair Trading; or
- (b) for Victoria—the Office of the Chief Electrical Inspector; or
- (c) for Queensland—the Department of Mines and Energy; or
- (d) for South Australia—the Office of Energy Policy; or
- (e) for Western Australia—the Office of Energy; or
- (f) for Tasmania—the Office of Energy Planning and Conservation; or
- (g) for the Northern Territory—the Department of Industries and Business; or
- (h) any other office or body declared by the regulations to be a regulatory authority.

***relevant standard***—

- (a) for a prescribed article of electrical equipment—means a relevant safety standard under part 3 (see s 9); and
- (b) for an article of electrical equipment to which part 4 (Non-prescribed articles of electrical equipment) applies—see section 26 (Minimum safety standards).

***sell*** includes—

- (a) barter or exchange; and
- (b) let on hire; and
- (c) offer, expose or advertise for sale, barter, exchange or letting on hire.

***serious electrical accident***—see section 32 (Definitions for pt 6).

## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
cl = clause	pres = present
def = definition	prev = previous
dict = dictionary	(prev...) = previously
disallowed = disallowed by the Legislative Assembly	pt = part
div = division	r = rule/subrule
exp = expires/expired	reg = regulation/subregulation
Gaz = Gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

## Endnotes

3 Legislation history

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### 3 Legislation history

This Act was originally a Commonwealth ordinance—the *Electricity Ordinance 1971* No 30 (Cwlth).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (4) converted most former Commonwealth ordinances in force in the ACT into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. This Act was converted into an ACT enactment on 11 May 1989 (self-government day).

As with most ordinances in force in the ACT, the name was changed from *Ordinance* to *Act* by the *Self-Government (Citation of Laws) Act 1989* No 21, s 5 on 11 May 1989 (self-government day).

The Act was renamed as the *Electricity Safety Act 1971* by the *Utilities (Consequential Provisions) Act 2000* No 66 (see sch 1 pt 4).

Before 11 May 1989, ordinances commenced on their notification day unless otherwise stated (see *Seat of Government (Administration) Act 1910* (Cwlth), s 12).

After 11 May 1989 and before 10 November 1999, Acts commenced on their notification day unless otherwise stated (see *Australian Capital Territory (Self-Government) Act 1988* (Cwlth) s 25).

#### Legislation before becoming Territory enactment

##### **Electricity Safety Act 1971 No 30**

notified 2 December 1971

commenced 1 January 1972

as amended by

##### **Electricity Ordinance 1972 No 27**

notified 4 August 1972

commenced 4 August 1972

##### **Ordinances Revision Ordinance 1977 No 65 sch 2**

notified 22 December 1977

commenced 22 December 1977

##### **Ordinances Revision Ordinance 1978 No 46 sch 2**

notified 28 December 1978

commenced 28 December 1978



**Electricity (Amendment) Ordinance 1982 No 61**

notified 18 August 1982  
commenced 18 August 1982

**Electricity (Amendment) Ordinance 1985 No 20**

notified 30 May 1985  
commenced 30 June 1985 (see Cwlth Gaz 1985 No S242)

**Magistrates Court Ordinance 1985 No 67 sch pt 1**

notified 19 December 1985  
commenced 1 February 1986 (s 2 and Cwlth Gaz 1986 No G3)

**Electricity (Amendment) Ordinance 1987 No 5**

notified 24 February 1987  
commenced 24 February 1987

**Electricity and Water (Consequential Amendments) Ordinance 1988 No 31 sch**

notified 30 June 1988  
commenced 1 July 1988 (s 2)

**Self-Government (Consequential Amendments) Ordinance 1989 No 38 sch 1**

notified 10 May 1989 (Cwlth Gaz 1989 No S160)  
s 1, s 2 commenced 10 May 1989 (s 2 (1))  
sch 1 commenced 11 May 1989 (s 2 (2) and see Cwlth Gaz 1989 No S164)

**Legislation after becoming Territory enactment****Royal Commissions and Inquiries (Consequential Provisions) Act 1991 No 3 sch**

notified 1 March 1991 (Gaz 1991 No S7)  
s 1, s 2 commenced 1 March 1991 (s 2 (1))  
sch commenced 1 May 1991 (s 2 (2) and see Gaz 1991 No 16)

**Electricity (Amendment) Act 1994 No 52**

notified 5 October 1994  
s 1, s 2 commenced 5 October 1994  
remainder commenced 5 October 1994 (see Gaz 1994 No S207)

## Endnotes

3 Legislation history

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**Administrative Appeals (Consequential Amendments) Act 1994  
No 60 sch 1**

notified 11 October 1994 (Gaz 1994 No S197)  
s 1, s 2 commenced 11 October 1994 (s 2 (1))  
sch 1 commenced 14 November 1994 (s 2 (2) and see Gaz 1994  
No S250)

**Statute Law Revision (Penalties) Act 1994 No 81 sch**

notified 29 November 1994 (Gaz 1994 No S253)  
s 1, s 2 commenced 29 November 1994 (s 2 (1))  
sch commenced 29 November 1994 (s 2 (2) and Gaz 1994 No  
S269)

as modified by

**Electricity and Water (Modification) Regulations 1995 No 24**

notified 30 June 1995  
commenced 1 July 1995

as amended by

**Statute Law Revision Act 1995 No 46 sch**

notified 18 December 1995 (Gaz 1995 No S306)  
amnds commenced 18 December 1995 (s 2)

**Electricity (Miscellaneous Provisions) Act 1996 No 28**

notified 1 July 1996  
commenced 1 July 1996

**Remuneration Tribunal (Consequential Amendments) Act 1997  
No 41 sch 1 (as am by Act 2002 No 49 amdt 3.222)**

notified 19 September 1997 (Gaz 1997 No S264)  
commenced 24 September 1997 (s 2 as am by Act 2002 No 49  
amdt 3.222)

**Legal Practitioners (Consequential Amendments) Act 1997 No 96  
sch 1**

notified 1 December 1997 (Gaz 1997 No S380)  
s 1, s 2 commenced 1 December 1997 (s 2 (1))  
sch 1 commenced 1 June 1998 (s 2 (2))

**Electricity (Amendment) Act 1998 No 51**

notified 16 November 1998 (Gaz 1998 No S205)  
ss 1-3 commenced 16 November 1998 (s 2 (1))  
remainder 14 April 1999 (s 2 (2) and Gaz 1999 No 15)

**Statute Law Revision (Penalties) Act 1998 No 54 sch**

notified 27 November 1998 (Gaz 1998 No S207)  
s 1, s 2 commenced 27 November 1998 (s 2 (1))  
sch commenced 9 December 1998 (s 2 (2) and Gaz 1998 No 49)

**Electricity (Amendment) Act 1999 No 53**

notified 17 September 1999 (Gaz 1999 No S54)  
commenced 17 September 1999 (s 2)

**Utilities (Consequential Provisions) Act 2000 No 66 sch 1 pt 4**

notified 20 December 2000 (Gaz 2000 No S68)  
s 1, s 2 commenced 20 December 2000 (IA s 10B)  
sch 1 pt 4 commenced 1 January 2001 (Gaz 2000 No S69)

**Electricity Amendment Act 2000 No 69**

notified 20 December 2000 (Gaz 2000 No S68)  
commenced 20 December 2000 (s 2)

**Legislation (Consequential Amendments) Act 2001 No 44 pt 122**

notified 26 July 2001 (Gaz 2001 No 30)  
s 1, s 2 commenced 26 July 2001 (IA s 10B)  
pt 122 commenced 12 September 2001 (s 2 and see Gaz 2001  
No S65)

**Legislation Amendment Act 2002 No 11 pt 2.18**

notified LR 27 May 2002  
s 1, s 2 commenced 27 May 2002 (LA s 75)  
pt 2.18 commenced 28 May 2002 (s 2 (1))

**Criminal Code 2002 No 51 pt 1.8**

notified LR 20 December 2002  
s 1, s 2 commenced 20 December 2002 (LA s 75 (1))  
pt 1.8 commenced 1 January 2003 (s 2 (1))

## Endnotes

### 4 Amendment history

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#### **Statute Law Amendment Act 2002 (No 2) No 49 amdt 3.222**

notified LR 20 December 2002

s 1, s 2 taken to have commenced 7 October 1994 (LA s 75 (2))  
amdt 3.222 commenced 24 September 1997 (s 2 (3))

*Note* This Act only amends the Remuneration Tribunal  
(Consequential Amendments) Act 1997 No 41.

#### **Vocational Education and Training Act 2003 A2003-37 sch 2 pt 2.3**

notified LR 8 September 2003

s 1, s 2 commenced 8 September 2003 (LA s 75 (1))  
sch 2 pt 2.3 commenced 1 November 2003 (s 2)

#### **Construction Occupations Legislation Amendment Act 2004 A2004-13 sch 2 pt 2.9**

notified LR 26 March 2004

s 1, s 2 commenced 26 March 2004 (LA s 75 (1))  
sch 2 pt 2.9 commenced 1 September 2004 (s 2 and see  
Construction Occupations (Licensing) Act 2004 A2004-12, s 2 and  
CN2004-8)

#### **Criminal Code (Theft, Fraud, Bribery and Related Offences) Amendment Act 2004 A2004-15 sch 1 pt 1.12, sch 2 pt 2.32**

notified LR 26 March 2004

s 1, s 2 commenced 26 March 2004 (LA s 75 (1))  
sch 1 pt 1.12, sch 2 pt 2.32 commenced 9 April 2004 (s 2 (1))

#### **Criminal Code Harmonisation Act 2005 A2005-54 sch 1 pt 1.19**

notified LR 27 October 2005

s 1, s 2 commenced 27 October 2005 (LA s 75 (1))  
sch 1 pt 1.19 commenced 24 November 2005 (s 2)

## 4 Amendment history

### **Title**

title sub 2000 No 66 sch 1 pt 4

### **Name of Act**

s 1 sub 2000 No 66 sch 1 pt 4

### **Dictionary**

s 2 am 1994 No 52 sch  
om 2001 No 44 amdt 1.1403  
ins A2004-13 amdt 2.22

**Notes**s 3 hdg  
s 3

sub 2000 No 69 s 4  
orig s 3 om 1977 No 65 sch 2  
(prev s 4) renum as s 3 1994 No 52 s 48  
am 1994 No 52 s 4, sch  
sub A2004-13 amdt 2.23; A2005-54 amdt 1.111  
def **administrative appeals tribunal** ins 1994 No 52 s 4  
om 1995 No 46 sch  
def **authority** ins 1988 No 31 sch  
om 2000 No 69 s 4  
def **board** ins 1994 No 52 s 4  
om A2004-13 amdt 2.23  
def **chairperson** ins 1994 No 52 s 4  
om A2004-13 amdt 2.23  
def **chief executive officer** ins 1988 No 31 sch  
om 2000 No 69 s 4  
def **company** ins 1996 No 28 s 4  
om 2000 No 69 s 4  
def **deputy chairperson** ins 1994 No 52 s 4  
om A2004-13 amdt 2.23  
def **determined fee** ins 1994 No 52 s 4  
om 2001 No 44 amdt 1.1404  
def **electrical installation** am 1999 No 53 s 4  
sub 2000 No 66 sch 1 pt 4  
om A2004-13 amdt 2.23  
def **electrical wiring work** am 1995 No 52 s 4  
sub 1999 No 53 s 4  
om A2004-13 amdt 2.23  
def **electrician's licence, grade B** sub 2000 No 69 s 4  
om A2004-13 amdt 2.23  
def **Electricity and Water Act** sub 2000 No 69 s 4  
def **Electricity and Water Ordinance** ins 1988 No 31  
sch  
om A2004-13 amdt 2.23  
def **electricity distributor** ins 2000 No 69 s 4  
sub 2000 No 66 sch 1 pt 4  
om A2004-13 amdt 2.23  
def **electricity network** ins 2000 No 66 sch 1 pt 4  
om A2004-13 amdt 2.23  
def **extra low voltage** ins 1994 No 52 s 4  
om A2004-13 amdt 2.23  
def **function** ins 2000 No 69 s 4  
om A2004-13 amdt 2.23  
def **incidental electrical work** ins 1994 No 52 s 4  
om A2004-13 amdt 2.23  
def **inspector** ins 2000 No 69 s 4  
om A2004-13 amdt 2.23

## Endnotes

### 4 Amendment history

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- def **licence** sub 2000 No 69 s 4  
om A2004-13 amdt 2.23
- def **member** ins 1994 No 52 s 4  
om A2004-13 amdt 2.23
- def **Mutual Recognition Act** ins 1994 No 52 s 4  
om A2004-13 amdt 2.23
- def **occupier** ins 2000 No 69 s 4  
om A2004-13 amdt 2.23
- def **permit** ins 1994 No 52 s 4  
om A2004-13 amdt 2.23
- def **premises** ins 2000 No 69 s 4  
om A2004-13 amdt 2.23
- def **prescribed article of electrical equipment** ins 2000  
No 69 s 4  
om A2004-13 amdt 2.23
- def **prohibited** ins 2000 No 69 s 4  
om A2004-13 amdt 2.23
- def **Register** ins 1994 No 52 s 4  
om A2004-13 amdt 2.23
- def **registrar** ins 1994 No 52 s 4  
sub 2000 No 69 s 4  
om A2004-13 amdt 2.23
- def **regulatory authority** ins 1994 No 52 s 4  
sub 2000 No 69 s 4  
om A2004-13 amdt 2.23
- def **relevant standard** ins 2000 No 69 s 4  
am 2001 No 44 amdt 1.1405  
om A2004-13 amdt 2.23
- def **restricted electrical licence** ins 1994 No 52 s 4  
om A2004-13 amdt 2.23
- def **sell** ins 2000 No 69 s 4  
om A2004-13 amdt 2.23
- def **serious electrical accident** ins 2000 No 69 s 4  
om A2004-13 amdt 2.23
- def **the Act** om 1988 No 31 sch
- def **the Authority** om 1988 No 31 sch
- def **the Chairman** om 1988 No 31 sch
- def **the Registrar** om 1995 No 52 s 4
- def **wireman's licence** om 1995 No 52 s 4

**Offences against Act—application of Criminal Code etc**  
s 3A ins A2005-54 amdt 1.111

**The Electrical Licensing Board**  
pt 1A hdg renum as pt 2 hdg

**Electrical wiring work**

pt 2 hdg orig pt 2 hdg renum as pt 3 hdg  
 prev pt 2 hdg (prev pt 1A hdg) ins 1994 No 52 s 6  
 renum as pt 2 hdg 1994 No 52 s 48  
 om A2004-13 amdt 2.24  
 pres pt 2 hdg (prev pt 3 hdg) renum as pt 4 hdg 1994  
 No 52 s 48  
 renum as pt 2 hdg R10 LA (see A2004-13 amdt 2.43)

**Connecting electrical installations to network—inspections**

s 4 orig s 4 renum as s 3  
 (prev s 5) sub 1994 No 52 s 5  
 renum as s 4 1994 No 52 s 48  
 om A2004-13 amdt 2.24  
 pres s 4 (prev s 14) am 1994 No 52 sch  
 renum as s 33 1994 No 52 s 48  
 am 1994 No 81 sch  
 mod SL 1995 No 24 reg 3  
 sub 1996 No 28 s 5  
 am 1998 No 51 s 4  
 sub 2000 No 69 s 8; 2000 No 66 sch 1 pt 4  
 renum as s 32 R4 LA (see 2000 No 69 s 29)  
 renum as s 4 R10 LA (see A2004-13 amdt 2.43)  
 sub A2005-54 amdt 1.112

**Compliance with AS/NZS 3000**

s 5 orig s 5 renum as s 4  
 (prev s 5A) ins 1994 No 52 s 6  
 renum as s 5 1994 No 52 s 48  
 am 2000 No 69 s 5; 2001 No 44 amdts 1.1406-1.1410  
 om A2004-13 amdt 2.24  
 pres s 5 (prev s 33A) ins 1998 No 51 s 5  
 renum as s 33 R4 LA (see 2000 No 69 s 29)  
 am A2004-13 amdt 2.26  
 renum as s 5 R10 LA (see A2004-13 amdt 2.43)  
 sub A2005-54 amdt 1.112

**Constitution of board**

s 5A renum as s 5

**Chairperson and deputy chairperson of board**

s 5B renum as s 6

**Term of office**

s 5C renum as s 7

**Resignation**

s 5D renum as s 8

**Functions of board**

## Endnotes

### 4 Amendment history

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s 5E	renum as s 9
<b>Powers of board</b>	
s 5F	renum as s 10
<b>Delegation</b>	
s 5G	renum as s 11
<b>Recommendations to Minister</b>	
s 5H	renum as s 12
<b>Deputies</b>	
s 5J	renum as s 13
<b>Remuneration and allowances</b>	
s 5K	renum as s 14
<b>Staff</b>	
s 5L	renum as s 15 and then s 14
<b>Meetings of board</b>	
s 5M	renum as s 16 and then s 15
<b>Quorum</b>	
s 5N	renum as s 17 and then s 16
<b>Voting</b>	
s 5P	renum as s 18 and then s 17
<b>Board may determine procedure</b>	
s 5Q	renum as s 19 and then s 18
<b>Courses, examinations etc</b>	
s 5R	renum as s 20 and then s 19
<b>Testing and reporting of electrical work</b>	
s 6	orig s 6 renum as s 21 and then s 20 (prev s 5B) ins 1994 No 52 s 6 renum as s 6 1994 No 52 s 48 om A2004-13 amdt 2.24 pres s 6 (prev s 33B) ins 1998 No 51 s 5 am 2001 No 44 amdt 1.1413 renum as s 34 R4 LA (see 2000 No 69 s 29) am A2004-13 amdt 2.27, amdt 2.28, amdt 2.39, amdt 2.40 renum as s 6 R10 LA (see A2004-13 amdt 2.43) sub A2005-54 amdt 1.112
<b>Exemption from s 5 and s 6</b>	
s 7	orig s 7 renum as s 22 and then s 21 (prev s 5C) ins 1994 No 52 s 6 renum as s 7 1994 No 52 s 48 om A2004-13 amdt 2.24



pres s 7 (prev s 33C) ins 1998 No 51 s 5  
 renum as s 35 R4 LA (see 2000 No 69 s 29)  
 renum as s 7 R10 LA (see A2004-13 amdt 2.43)  
 om A2005-54 amdt 1.112

**Directions to rectify unsafe installations**

s 8 orig s 8 renum as s 23 and then s 22  
 (prev s 5D) ins 1994 No 52 s 6  
 renum as s 8 1994 No 52 s 48  
 om A2004-13 amdt 2.24  
 pres s 8 (prev s 33D) ins 2000 No 69 s 9  
 renum as s 36 R4 LA (see 2000 No 69 s 29)  
 am A2004-13 amdt 2.29  
 renum as s 8 R10 LA (see A2004-13 amdt 2.43)  
 am A2005-54 amdt 1.113

**Prescribed articles of electrical equipment**

pt 3 hdg orig pt 3 hdg renum as pt 4 hdg  
 prev pt 3 hdg (prev pt 2 hdg) renum 1994 No 52 s 48  
 om A2004-13 amdt 2.24  
 pres pt 3 hdg (prev pt 7 hdg) sub 1985 No 20 s 4; 2000  
 No 69 s 11  
 renum as pt 3 hdg R10 LA (see A2004-13 amdt 2.43)

**Preliminary**

div 3.1 hdg (prev pt 7 div 1 hdg) ins 1985 No 20 s 4  
 renum as div 7.1 hdg R4 LA (see 2000 No 69 s 29)  
 renum as div 3.1 hdg R10 LA (see A2004-13 amdt 2.43)

**Definitions for pt 3**

s 9 hdg (prev s 32 hdg) renum as s 60 hdg 1994 No 52 s 48  
 sub 2000 No 69 s 12  
 renum as s 63 hdg R4 LA (see 2000 No 69 s 29)  
 renum as s 9 hdg R10 LA (see A2004-13 amdt 2.43)  
 s 9 orig s 9 renum as s 24 and then s 23  
 (prev s 5E) ins 1994 No 52 s 6  
 renum as s 9 1994 No 52 s 48  
 om A2004-13 amdt 2.24  
 pres s 9 (prev s 32) sub 1985 No 20 s 4  
 am 1989 No 38 sch 1; 1994 No 52 s 31  
 renum as s 60 1994 No 52 s 48  
 am 1995 No 46 sch; 2000 No 69 s 12; 2001 No 44  
 amdt 1.1420, amdt 1.1421  
 renum as s 63 R4 LA (see 2000 No 69 s 29)  
 renum as s 9 R10 LA (see A2004-13 amdt 2.43)

**Declaration of corresponding law**

s 10 orig s 10 renum as s 25 and then s 24  
 (prev s 5F) ins 1994 No 52 s 6

## Endnotes

### 4 Amendment history

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renum as s 10 1994 No 52 s 48  
om A2004-13 amdt 2.24  
pres s 10 (prev s 32B) ins 1985 No 20 s 4  
renum as s 62 1994 No 52 s 48  
am 2001 No 44 amdts 1.1422-1.1424  
renum as s 64 R4 LA (see 2000 No 69 s 29)  
renum as s 10 R10 LA (see A2004-13 amdt 2.43)

#### **Persons who may carry out incidental electrical work**

s 10A renum as s 26 and then s 25

#### **Regulation of dealings**

div 3.2 hdg (prev pt 7 div 2 hdg) ins 1985 No 20 s 4  
sub 2000 No 69 s 14  
renum as div 7.2 hdg R4 LA (see 2000 No 69 s 29)  
renum as div 3.2 hdg R10 LA (see A2004-13 amdt 2.43)

#### **Prescribed articles of electrical equipment**

s 11 orig s 11 renum as s 27 and then s 26  
(prev s 5G) ins 1994 No 52 s 6  
renum as s 11 1994 No 52 s 48  
om A2004-13 amdt 2.24  
pres s 11 (prev s 32D) ins 1985 No 20 s 4  
renum as s 64 1994 No 52 s 48  
am 2000 No 69 sch 1; 2001 No 44 amdts 1.425-1.428  
renum as s 65 R4 LA (see 2000 No 69 s 29)  
am A2004-13 amdt 2.41, amdt 2.42  
renum as s 11 R10 LA (see A2004-13 amdt 2.43)

#### **Sale or installation of prescribed articles**

s 12 hdg (prev s 32E hdg) renum as s 65 hdg 1994 No 52 s 48  
sub 2000 No 69 s 16  
renum as s 66 hdg R4 LA (see 2000 No 69 s 29)  
renum as s 12 hdg R10 LA (see A2004-13 amdt 2.43)

s 12 orig s 12 renum as s 28 and then s 27  
(prev s 5H) ins 1994 No 52 s 6  
renum as s 12 1994 No 52 s 48  
am 2002 No 11 amdt 2.37  
om A2004-13 amdt 2.24  
pres s 12 (prev s 32E) ins 1985 No 20 s 4  
am 1987 No 5 s 4, sch  
renum as s 65 1994 No 52 s 48  
am 1994 No 81 sch; 2000 No 69 s 16  
renum as s 66 R4 LA (see 2000 No 69 s 29)  
renum as s 12 R10 LA (see A2004-13 amdt 2.43)  
sub A2005-54 amdt 1.114

#### **Sale or installation of noncomplying prescribed articles**

s 13 hdg (prev s 32F hdg) renum as s 66 hdg 1994 No 52 s 48

s 13 sub 2000 No 69 s 17  
 renum as s 67 hdg R4 LA (see 2000 No 69 s 29)  
 renum as s 13 hdg R10 LA (see A2004-13 amdt 2.43)  
 orig s 13 renum as s 29 and then s 28  
 (prev s 5J) ins 1994 No 52 s 6  
 renum as s 13 1994 No 52 s 48  
 om A2004-13 amdt 2.24  
 pres s 13 (prev s 32F) ins 1985 No 20 s 4  
 am 1987 No 5 s 5  
 renum as s 66 1994 No 52 s 48  
 am 1994 No 81 sch; 2000 No 69 s 17  
 renum as s 67 R4 LA (see 2000 No 69 s 29)  
 renum as s 13 R10 LA (see A2004-13 amdt 2.43)  
 sub A2005-54 amdt 1.114

**Carrying out of electrical wiring work by holder of electrician's permit, grade A**

s 13A renum as s 30 and then s 29

**Carrying out of incidental electrical work by holder of restricted electrical licence**

s 13B renum as s 31 and then s 30

**Carrying out of incidental electrical work by holder of restricted electrical permit**

s 13C renum as s 32 and then s 31

**Registration as approved first seller**

s 14 orig s 14 renum as s 33 and then s 32  
 (prev s 5K) ins 1994 No 52 s 6  
 renum as s 14 1994 No 52 s 48  
 om 1997 No 41 sch 1  
 prev s 14 (prev s 5L) ins 1994 No 52 s 6  
 renum as s 15 1994 No 52 s 48  
 sub 2000 No 69 s 6  
 renum as s 14 R4 LA (see 2000 No 69 s 29)  
 om A2004-13 amdt 2.24  
 pres s 14 (prev s 32G) ins 1985 No 20 s 4  
 am 1987 No 5 s 6, sch; 1988 No 31 sch; 1994 No 52 sch  
 renum as s 67 1994 No 52 s 48  
 am 1994 No 81 sch; 2000 No 69 sch 1; 2001 No 44  
 amdt 1.1429, amdt 1.1430  
 renum as s 68 R4 LA (see 2000 No 69 s 29)  
 am A2004-13 amdt 2.39, amdt 2.40  
 renum as s 14 R10 LA (see A2004-13 amdt 2.43)  
 am A2005-54 amdt 1.115

**Application for registration of declaration of compliance**

s 15 orig s 15 renum as s 34 and then s 37

## Endnotes

### 4 Amendment history

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(prev s 5L) renum as s 15 and then s 14  
(prev s 5M) ins 1994 No 52 s 6  
renum as s 16 1994 No 52 s 48  
renum as s 15 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.24  
pres s 15 (prev s 32H) ins 1985 No 20 s 4  
renum as s 68 1994 No 52 s 48  
am 2000 No 69 sch 1; 2001 No 44 amdts 1.1431-1.1436  
renum as s 69 R4 LA (see 2000 No 69 s 29)  
am A2004-13 amdt 2.39, amdt 2.40  
renum as s 15 R10 LA (see A2004-13 amdt 2.43)

#### **Registration of declaration of compliance**

s 16 orig s 16 renum as s 35 and then s 38  
(prev s 5M) renum as s 16 and then s 15  
(prev s 5N) ins 1994 No 52 s 6  
renum as s 17 1994 No 52 s 48  
renum as s 16 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.24  
pres s 16 (prev s 32J) ins 1985 No 20 s 4  
renum as s 69 1994 No 52 s 48  
am 2000 No 69 sch 1; 2001 No 44 amdts 1.1437-1.1439  
renum as s 70 R4 LA (see 2000 No 69 s 29)  
am A2004-13 amdt 2.39, amdt 2.40  
renum as s 16 R10 LA (see A2004-13 amdt 2.43)

#### **Grant of electrical contractor's licence—partnership**

s 16A renum as s 36 and then s 39

#### **Whether persons fit and proper**

s 16B renum as s 37 and then s 40

#### **Public liability insurance**

s 16C renum as s 38 and then s 41

#### **Suspension or cancellation of registration of declaration of compliance**

s 17 orig s 17 renum as s 39 and then s 42  
(prev s 5N) renum as s 17 and then s 16  
(prev s 5P) ins 1994 No 52 s 6  
renum as s 18 1994 No 52 s 48  
renum as s 17 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.24  
pres s 17 (prev s 32K) ins 1985 No 20 s 4  
am 1988 No 31 sch  
renum as s 70 1994 No 52 s 48  
am 2000 No 69 sch 1; 2001 No 44 amdt 1.1440  
renum as s 71 R4 LA (see 2000 No 69 s 29)  
am A2004-13 amdt 2.39, amdt 2.40  
renum as s 17 R10 LA (see A2004-13 amdt 2.43)

**Transfer of registration of declaration of compliance**

s 18 orig s 18 renum as 40 and then s 43  
(prev s 5P) renum as s 18 and then s 17  
(prev s 5Q) ins 1994 No 52 s 6  
renum as s 19 1994 No 52 s 48  
renum as s 18 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.24  
pres s 18 (prev s 32L) ins 1985 No 20 s 4  
renum as s 71 1994 No 52 s 48  
am 2000 No 69 sch 1; 2001 No 44 amdt 1.1441,  
amdt 1.1442  
renum as s 72 R4 LA (see 2000 No 69 s 29)  
am A2004-13 amdt 2.39  
renum as s 18 R10 LA (see A2004-13 amdt 2.43)

**Safety registration mark**

s 19 orig s 19 renum as s 41 and then s 44  
(prev s 5Q) renum as s 19 and then s 18  
(prev s 5R) ins 1994 No 52 s 6  
renum as s 20 1994 No 52 s 48  
am 2001 No 44 amdt 1.1411, amdt 1.1412  
renum as s 19 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.24  
pres s 19 (prev s 32M) ins 1985 No 20 s 4  
am 1987 No 5 s 7, sch  
renum as s 72 1994 No 52 s 48  
am 1994 No 81 sch  
renum as s 73 R4 LA (see 2000 No 69 s 29)  
renum as s 19 R10 LA (see A2004-13 amdt 2.43)  
am A2005-54 amdt 1.116

**Approved testing laboratories**

s 20 orig s 20 renum as s 42 and then s 45  
(prev s 5R) renum as s 20 and then s 19  
(prev s 6) renum as s 21 1994 No 52 s 48  
sub 2000 No 69 s 7  
renum as s 20 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.24  
pres s 20 (prev s 32N) ins 1985 No 20 s 4  
renum as s 73 1994 No 52 s 48  
am 2000 No 69 sch 1  
renum as s 74 R4 LA (see 2000 No 69 s 29)  
am A2004-13 amdt 2.41, amdt 2.42  
renum as s 20 R10 LA (see A2004-13 amdt 2.43)

**Restricted electrical permit**

s 20A renum as s 43 and then s 46

**Licensing etc under mutual recognition principles**

## Endnotes

### 4 Amendment history

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s 20B renum as s 44 and then s 47

#### **Application for licence**

s 20C renum as s 45 and then s 48

#### **Further information**

s 20D renum as s 46 and then s 49

#### **Registers**

s 21 orig s 21 renum as s 47 and then s 50  
(prev s 6) renum as s 21 and then s 20  
(prev s 7) renum as s 22 1994 No 52 s 48  
renum as s 21 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.24  
pres s 21 (prev s 32P) ins 1985 No 20 s 4  
renum as s 74 1994 No 52 s 48  
am 2000 No 69 sch 1; 2001 No 44 amdts 1.1443-1.1445  
renum as s 75 R4 LA (see 2000 No 69 s 29)  
am A2004-13 amdt 2.39, amdt 2.40  
renum as s 21 R10 LA (see A2004-13 amdt 2.43)

#### **Examination and testing of articles**

s 22 orig s 22 renum as s 48 and then s 51  
(prev s 7) renum as s 22 and then s 21  
(prev s 8) am 1994 No 52 s 7  
renum as s 23 1994 No 52 s 48  
renum as s 22 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.24  
pres s 22 (prev s 32Q) ins 1985 No 20 s 4  
am 1987 No 5 s 8, sch  
renum as s 75 1994 No 52 s 48  
am 1994 No 81 sch; 2000 No 69 sch 1  
renum as s 76 R4 LA (see 2000 No 69 s 29)  
am A2004-13 amdt 2.39, amdt 2.40  
renum as s 22 R10 LA (see A2004-13 amdt 2.43)  
am A2005-54 amdt 1.117

#### **Skills etc of applicants**

s 22A renum as s 49 and then s 52

#### **Licence conditions**

s 22B renum as s 50 and then s 53

#### **Imposition of conditions imposed under foreign law**

s 22C renum as s 51 and then s 54

#### **Miscellaneous**

div 3.3 hdg (prev pt 7 div 4 hdg) ins 1985 No 20 s 4  
renum as pt 7 div 3 hdg 2000 No 69 s 20  
renum as div 7.3 hdg R4 LA (see 2000 No 79 s 29)  
renum as div 3.3 hdg R10 LA (see A2004-13 amdt 2.43)

**False representation**

s 23 orig s 23 om 1994 No 52 s 20  
 (prev s 8) renum as s 23 and then s 22  
 (prev s 9) am 1994 No 52 s 8, sch  
 renum as s 24 1994 No 52 s 48  
 am 1994 No 81 sch  
 renum as s 23 R4 LA (see 2000 No 69 s 29)  
 om A2004-13 amdt 2.25  
 pres s 23 (prev s 32ZF) ins 1985 No 20 s 4  
 am 1987 No 5 sch  
 renum as s 87 1994 No 52 s 48  
 am 1994 No 81 sch  
 renum as s 76 2000 No 69 s 20  
 renum as s 77 R4 LA (see 2000 No 69 s 29)  
 renum as s 23 R10 LA (see A2004-13 amdt 2.43)  
 sub A2005-54 amdt 1.118

**Evidence of registration of declaration of compliance**

s 24 orig s 24 renum as s 52 and then s 55  
 (prev s 9) renum as s 24 and then s 23  
 (prev s 10) am 1994 No 52 s 9, sch  
 renum as s 25 1994 No 52 s 48  
 am 1994 No 81 sch; 1999 No 53 s 5  
 renum as s 24 R4 LA (see 2000 No 69 s 29)  
 am A2003-37 amdt 2.7  
 om A2004-13 amdt 2.25  
 pres s 24 (prev s 32ZG) ins 1985 No 20 s 4  
 renum as s 88 1994 No 52 s 48  
 am 2000 No 69 s 21  
 renum as s 77 2000 No 69 s 21  
 renum as s 78 R4 LA (see 2000 No 69 s 29)  
 am A2004-13 amdt 2.39  
 renum as s 24 R10 LA (see A2004-13 amdt 2.43)

**Non-prescribed articles of electrical equipment**

pt 4 hdg orig pt 4 hdg renum as pt 5 hdg  
 prev pt 4 hdg (prev pt 3 hdg) renum as pt 2 hdg  
 pres pt 4 hdg (prev pt 7A hdg) ins 2000 No 69 s 23  
 renum as pt 8 hdg R4 LA (see 2000 No 69 s 29)  
 renum as pt 4 hdg R10 LA (see A2004-13 amdt 2.43)

**Articles to which pt 4 applies**

s 25 orig s 25 renum as s 53 and then s 56  
 (prev s 10) renum as s 25 and then s 24  
 (prev s 10A) ins 1994 No 52 s 10  
 renum as s 26 1994 No 52 s 48  
 am 1998 No 54 sch  
 renum as s 25 R4 LA (see 2000 No 69 s 29)

## Endnotes

### 4 Amendment history

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om A2004-13 amdt 2.25  
pres s 25 (prev s 78) ins 2000 No 69 s 23  
renum as s 79 R4 LA (see 2000 No 69 s 29)  
renum as s 25 R10 LA (see A2004-13 amdt 2.43)

#### **Minimum safety standards**

s 26 orig s 26 renum as s 54 and then s 57  
(prev s 10A) renum as s 26 and then s 25  
(prev s 11) am 1994 No 52 s 11, sch  
renum as s 27 1994 No 52 s 48  
am 1994 No 81 sch  
renum as s 26 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.25  
pres s 26 (prev s 79) ins 2000 No 69 s 23  
renum as s 80 R4 LA (see 2000 No 69 s 29)  
am A2004-13 amdt 2.31  
renum as s 26 R10 LA (see A2004-13 amdt 2.43)  
am A2005-54 amdt 1.119

#### **Energy efficiency requirements**

s 27 orig s 27 renum as s 55 and then s 58  
(prev s 11) renum as s 27 and then s 26  
(prev s 12) am 1972 No 27 s 2; 1994 No 52 sch  
renum as s 28 1994 No 52 s 48  
am 1994 No 81 sch  
renum as s 27 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.25  
pres s 27 (prev s 79A) ins 2000 No 69 s 23  
renum as s 81 R4 LA (see 2000 No 69 s 29)  
renum as s 27 R10 LA (see A2004-13 amdt 2.43)  
am A2005-54 amdt 1.120, amdt 1.121

#### **Cancellation of licence on basis of action under foreign law**

s 27A renum as s 56 and then s 59

#### **Defective articles of electrical equipment**

pt 5 hdg orig pt 5 hdg renum as pt 6 hdg  
prev pt 5 hdg (prev pt 4 hdg) am 1994 No 52 s 14  
renum as pt 5 hdg 1994 No 52 s 48  
om A2004-13 amdt 2.30  
pres pt 5 hdg (prev pt 7B hdg) ins 2000 No 69 s 23  
renum as pt 9 hdg R4 LA (see 2000 No 69 s 29)  
renum as pt 5 hdg R10 LA (see A2004-13 amdt 2.43)

#### **Prohibited articles**

s 28 orig s 28 renum as s 57 and then s 60  
(prev s 12) renum as s 28 and then s 27  
(prev s 13) am 1972 No 27 s 3; 1994 No 52 s 12, sch  
renum as s 29 1994 No 52 s 48



am 1994 No 81 sch  
 renum as s 28 R4 LA (see 2000 No 69 s 29)  
 om A2004-13 amdt 2.25  
 pres s 28 (prev s 80) ins 2000 No 69 s 23  
 am 2001 No 44 amdt 1.1446, amdt 1.1447  
 renum as s 82 R4 LA (see 2000 No 69 s 29)  
 am A2004-13 amdt 2.41  
 renum as s 28 R10 LA (see A2004-13 amdt 2.43)

**Sale or installation of prohibited articles**

s 29 orig s 29 renum as s 58 and then s 61  
 (prev s 13) renum as s 29 and then s 28  
 (prev s 13A) ins 1994 No 52 s 13  
 renum as s 30 1994 No 52 s 48  
 am 1998 No 54 sch  
 renum as s 29 R4 LA (see 2000 No 69 s 29)  
 om A2004-13 amdt 2.25  
 pres s 29 (prev s 81) ins 2000 No 69 s 23  
 renum as s 83 R4 LA (see 2000 No 69 s 29)  
 renum as s 29 R10 LA (see A2004-13 amdt 2.43)  
 sub A2005-54 amdt 1.122

**Directions about unsafe articles**

s 30 orig s 30 renum as s 59 and then s 62  
 (prev s 13A) renum as s 30 and then s 29  
 (prev s 13B) ins 1994 No 52 s 13  
 renum as s 31 1994 No 52 s 48  
 am 1998 No 54 sch  
 renum as s 30 R4 LA (see 2000 No 69 s 29)  
 om A2004-13 amdt 2.25  
 pres s 30 (prev s 82) ins 2000 No 69 s 23  
 renum as s 84 R4 LA (see 2000 No 69 s 29)  
 am A2004-13 amdt 2.41, amdt 2.42  
 renum as s 30 R10 LA (see A2004-13 amdt 2.43)  
 am A2005-54 amdt 1.123

**Publication of safety warnings**

s 31 orig s 31 am 1985 No 67 sch pt 1  
 om 1994 No 52 s 30  
 (prev s 13B) renum as s 31 and then s 30  
 (prev s 13C) ins 1994 No 52 s 13  
 renum as s 32 1994 No 52 s 48  
 am 1998 No 54 sch  
 renum as s 31 R4 LA (see 2000 No 69 s 29)  
 om A2004-13 amdt 2.25  
 pres s 31 (prev s 83) ins 2000 No 69 s 23  
 renum as s 85 R4 LA (see 2000 No 69 s 29)  
 am A2004-13 amdt 2.41

## Endnotes

### 4 Amendment history

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renum as s 31 R10 LA (see A2004-13 amdt 2.43)

#### **Serious electrical accidents**

pt 6 hdg orig pt 6 hdg om 1994 No 52 s 30  
prev pt 6 hdg (prev pt 5 hdg) am 1994 No 52 s 24  
renum 1994 No 52 s 48  
om A2004-13 amdt 2.30  
pres pt 6 hdg (prev pt 7C hdg) ins 2000 No 69 s 23  
renum as pt 10 hdg R4 LA (see 2000 No 69 s 29)  
renum as pt 6 hdg R10 LA (see A2004-13 amdt 2.43)

#### **Definitions for pt 6**

s 32 orig s 32 renum as s 60 and then s 63  
(prev s 13C) renum as s 32 and then s 31  
(prev s 14) renum as s 33 and then s 32 and then s 4  
pres s 32 (prev s 84) ins 2000 No 69 s 23  
renum as s 86 R4 LA (see 2000 No 69 s 29)  
renum as s 32 R10 LA (see A2004-13 amdt 2.43)

#### **Application of part**

s 32A renum as s 61

#### **Declaration of corresponding law**

s 32B renum as s 62 and then s 64 and then s 10

#### **Prohibition of sale, installation or regulation of articles of electrical equipment**

s 32C renum as s 63

#### **Prescribed articles of electrical equipment**

s 32D renum as s 64 and then s 65 and then s 11

#### **Sale, installation etc of prescribed articles**

s 32E renum as s 65 and then s 66 and then s 12

#### **Sale etc of articles not complying with standards**

s 32F renum as s 66 and then s 67 and then s 13

#### **Registration as approved first seller**

s 32G renum as s 67 and then s 68 and then s 14

#### **Application for registration of declaration of compliance**

s 32H renum as s 68 and then s 69 and then s 15

#### **Registration of declaration of compliance**

s 32J renum as s 69 and then s 70 and then s 16

#### **Suspension or cancellation of registration of declaration of compliance**

s 32K renum as s 70 and then s 71 and then s 17

#### **Transfer of registration of declaration of compliance**

s 32L renum as s 71 and then s 72 and then s 18

**Safety registration mark**

s 32M renum as s 72 and then s 73 and then s 19

**Approved testing laboratories**

s 32N renum as s 73 and then s 74 and then s 20

**Registers**

s 32P renum as s 74 and then s 75 and then s 21

**Examination and testing of articles**

s 32Q renum as s 75 and then s 76 and then s 22

**Unsafe articles**

s 32R renum as s 76

**Public statements by authority**

s 32S renum as s 77

**Inspectors**

s 32T renum as s 78

**Return of identity card**

s 32U renum as s 79

**Powers of inspectors**

s 32V renum as s 80

**Interpretation**

s 32W renum as s 81

**Entry and search etc**

s 32X renum as s 82

**Publication of safety warnings**

s 32XA renum as s 83

**Search warrants**

s 32Y renum as s 84

**Search warrants may be granted by telephone**

s 32Z ins 1985 No 20 s 4  
om 1987 No 5 s 14

**Entry etc in emergencies**

32ZA ins 1985 No 20 s 4  
om 1987 No 5 s 14

**Obstruction of inspectors**

s 32ZB renum as s 85

**Review of inspector's direction**

s 32ZC renum as s 86

**Review by administrative appeals tribunal**

## Endnotes

### 4 Amendment history

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s 32ZD ins 1985 No 20 s 4  
am 1987 No 5 s 16  
om 1994 No 52 s 32

#### **Notifications of decisions**

s 32ZE ins 1985 No 20 s 4  
am 1989 No 38 sch 1  
om 1994 No 52 s 32

#### **False representation**

s 32ZF renum as s 87 and then s 76 and then s 77 and then s 23

#### **Evidence of registration of declaration of compliance**

s 32ZG renum as s 88 and then s 77 and then s 78 and then s 24

#### **Service of documents**

s 32ZH renum as s 89

#### **Determination of fees**

s 32ZJ ins 1985 No 20 s 4  
om 1994 No 52 s 32

#### **Reporting by occupiers and electrical contractors**

s 33 orig s 33 renum as s 90  
(prev s 14) renum as s 33 and then s 32 and then s 4  
(prev s 33A) renum as s 33 and then s 5  
pres s 33 (prev s 85) ins 2000 No 69 s 23  
renum as s 87 R4 LA (see 2000 No 69 s 29)  
renum as s 33 R10 LA (see A2004-13 amdt 2.43)  
sub A2005-54 amdt 1.124

#### **Compliance with Australian Standard 3000**

s 33A renum as s 33 and then s 5

#### **Testing and reporting of electrical work**

s 33B renum as s 34 and then s 6

#### **Exemption from s 33 and s 34**

s 33C renum as s 35 and then s 7

#### **Directions to rectify unsafe installations**

s 33D renum as s 36 and then s 8

#### **Reporting by electricity distributor**

s 34 orig s 34 renum as s 91  
(prev s 15) renum as s 34 and then s 37  
(prev s 33B) renum as s 34 and then s 6  
pres s 34 (prev s 86) ins 2000 No 69 s 23  
renum as s 88 R4 LA (see 2000 No 69 s 29)  
am A2004-13 amdt 2.39  
renum as s 34 R10 LA (see A2004-13 amdt 2.43)  
sub A2005-54 amdt 1.124

**Interference with site of serious electrical accident**

s 35 orig s 35 renum as s 92  
 (prev s 16) renum as s 35 and then s 38  
 (prev s 33C) renum as s 35 and then s 7  
 pres s 35 (prev s 87) ins 2000 No 69 s 23  
 renum as s 89 R4 LA (see 2000 No 69 s 29)  
 am A2004-13 amdt 2.39  
 renum as s 35 R10 LA (see A2004-13 amdt 2.43)  
 sub A2005-54 amdt 1.124

**Publication of report of serious electrical accident**

s 36 orig s 36 renum as s 93  
 (prev s 16A) renum as s 36 and then s 39  
 (prev s 33D) renum as s 36 and then s 8  
 pres s 36 (prev s 88) ins 2000 No 69 s 23  
 renum as s 90 R4 LA (see 2000 No 69 s 29)  
 am A2004-13 amdt 2.41  
 renum as s 36 R10 LA (see A2004-13 amdt 2.43)

**Review of decisions**

s 36AA renum as s 94 and then s 119 and then s 61

**Notifications of decisions**

s 36AB renum as s 95 and then s 120 and then s 62

**Conduct of directors, servants and agents**

s 36A renum as s 96 and then s 121

**Enforcement**

pt 7 hdg orig pt 7 hdg renum as pt 3 hdg  
 (prev pt 7D hdg) ins 2000 No 69 s 23  
 renum as pt 11 hdg R4 LA (see 2000 No 69 s 29)  
 renum as pt 7 hdg R10 LA (see A2004-13 amdt 2.43)

**General**

div 7.1 hdg prev div 7.1 hdg renum as div 3.1 hdg  
 (prev pt 7D div 1 hdg) ins 2000 No 69 s 23  
 renum as div 11.1 hdg R4 LA (see 2000 No 69 s 29)  
 renum as div 7.1 hdg R10 LA (see A2004-13 amdt 2.43)

**Definition of *business premises***

s 37 orig s 37 renum as s 97 and then s 122  
 (prev s 16B) renum as s 37 and then s 40  
 (prev s 15) am 1972 No 27 s 4  
 sub 1994 No 52 s 15  
 renum as s 34 1994 No 52 s 48  
 am 2000 No 69 sch 1  
 renum as s 37 R4 LA (see 2000 No 69 s 29)  
 om A2004-13 amdt 2.30  
 pres s 37 (prev s 89) ins 2000 No 69 s 23

## Endnotes

### 4 Amendment history

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renum as s 91 R4 LA (see 2000 No 69 s 29)  
renum as s 37 R10 LA (see A2004-13 amdt 2.43)

#### **Things connected with offences**

s 38 orig s 38 renum as s 98 and then s 123  
(prev s 16C) renum as s 38 and then s 41  
(prev s 16) sub 1994 No 52 s 15  
renum as s 35 1994 No 52 s 48  
renum as s 38 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 38 (prev s 89A) ins 2000 No 69 s 23  
renum as s 92 R4 LA (see 2000 No 69 s 29)  
renum as s 38 R10 LA (see A2004-13 amdt 2.43)

#### **Planning and land authority may require information and documents**

s 39 hdg (prev s 93 hdg) am A2004-13 amdt 2.41  
renum as s 39 hdg R10 LA (see A2004-13 amdt 2.43)

s 39 orig s 39 renum as s 99 and then s 124  
(prev s 17) renum as s 39 and then s 42  
(prev s 16A) ins 1994 No 52 s 15  
renum as s 36 1994 No 52 s 48  
renum as s 39 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 39 (prev s 89B) ins 2000 No 69 s 23  
renum as s 93 R4 LA (see 2000 No 69 s 29)  
am A2004-13 amdt 2.41, amdt 2.42  
renum as s 39 R10 LA (see A2004-13 amdt 2.43)

#### **Contravention of requirement by planning and land authority**

s 40 hdg (prev s 94 hdg) am A2004-13 amdt 2.41  
renum as s 40 hdg R10 LA (see A2004-13 amdt 2.43)

s 40 orig s 40 renum as s 100 and then s 125  
(prev s 18) renum as s 40 and then s 43  
(prev s 16B) ins 1994 No 52 s 15  
renum as s 37 1994 No 52 s 48  
renum as s 40 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 40 (prev s 89C) ins 2000 No 69 s 23  
renum as s 94 R4 LA (see 2000 No 69 s 29)  
renum as s 40 R10 LA (see A2004-13 amdt 2.43)  
sub A2005-54 amdt 1.125

#### **Appointment of inspectors**

s 41 orig s 41 renum as s 101 and then s 126  
(prev s 19) renum as s 41 and then s 44  
(prev s 16C) ins 1994 No 52 s 15  
renum as s 38 1994 No 52 s 48  
renum as s 41 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30

pres s 41 (prev s 89D) ins 2000 No 69 s 23  
 am 2001 No 44 amdt 1.448  
 renum as s 95 R4 LA (see 2000 No 69 s 29)  
 am A2004-13 amdt 2.39, amdt 2.40  
 renum as s 41 R10 LA (see A2004-13 amdt 2.43)

**Identity cards**

s 42 orig s 42 renum as s 102 and then s 127  
 (prev s 20) renum as s 42 and then s 45  
 (prev s 17) am 1994 No 52 s 16, sch  
 renum as s 39 1994 No 52 s 48  
 renum as s 42 R4 LA (see 2000 No 69 s 29)  
 om A2004-13 amdt 2.30  
 pres s 42 (prev s 89E) ins 2000 No 69 s 23  
 renum as s 96 R4 LA (see 2000 No 69 s 29)  
 am A2004-13 amdt 2.39  
 renum as s 42 R10 LA (see A2004-13 amdt 2.43)  
 sub A2005-54 amdt 1.126  
(5)-(7) exp 24 November 2005 (s 42 (7))

**Inspectors' powers**

div 7.2 hdg prev div 7.2 hdg renum as div 3.2 hdg  
 (prev pt 7D div 2 hdg) ins 2000 No 69 s 23  
 renum as div 11.2 hdg R4 LA (see 2000 No 69 s 29)  
 renum as div 7.2 hdg R10 LA (see A2004-13 amdt 2.43)

**General power to enter premises**

s 43 orig s 43 renum as s 103  
 (prev s 20A) renum as s 43 and then s 46  
 (prev s 18) am 1978 No 46 sch 2; 1994 No 52 sch  
 renum as s 40 1994 No 52 s 48  
 sub 2000 No 69 s 10  
 renum as s 43 R4 LA (see 2000 No 69 s 29)  
 om A2004-13 amdt 2.30  
 pres s 43 (prev s 89F) ins 2000 No 69 s 23  
 renum as s 97 R4 LA (see 2000 No 69 s 29)  
 renum as s 43 R10 LA (see A2004-13 amdt 2.43)

**Approved forms**

s 43AA renum as s 104 and then s 129 and then s 65

**Payment of fees**

s 43A renum as s 105

**Production of identity card**

s 44 orig s 44 renum as s 106  
 (prev s 20B) renum as s 44 and then s 47  
 (prev s 19) sub 1994 No 52 s 17  
 renum as s 41 1994 No 52 s 48  
 renum as s 44 R4 LA (see 2000 No 69 s 29)

## Endnotes

### 4 Amendment history

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om A2004-13 amdt 2.30  
pres s 44 (prev s 89G) ins 2000 No 69 s 23  
renum as s 98 R4 LA (see 2000 No 69 s 29)  
renum as s 44 R10 LA (see A2004-13 amdt 2.43)

#### **Consent to entry**

s 45 (prev s 20C) renum as s 45 and then s 48  
(prev s 20) sub 1994 No 52 s 17  
renum as s 42 1994 No 52 s 48  
renum as s 45 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 45 (prev s 89H) ins 2000 No 69 s 23  
renum as s 99 R4 LA (see 2000 No 69 s 29)  
renum as s 45 R10 LA (see A2004-13 amdt 2.43)

#### **Warrants**

s 46 (prev s 20D) renum as s 46 and then s 49  
(prev s 20A) ins 1994 No 52 s 17  
renum as s 43 1994 No 52 s 48  
am 2000 No 69 sch 1  
renum as s 46 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 46 (prev s 89J) ins 2000 No 69 s 23  
renum as s 100 R4 LA (see 2000 No 69 s 29)  
renum as s 46 R10 LA (see A2004-13 amdt 2.43)

#### **Warrants—application made other than in person**

s 47 (prev s 21) renum as s 47 and then s 50  
(prev s 20B) ins 1994 No 52 s 17  
renum as s 44 1994 No 52 s 48  
renum as s 47 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 47 (prev s 89K) ins 2000 No 69 s 23  
renum as s 101 R4 LA (see 2000 No 69 s 29)  
renum as s 47 R10 LA (see A2004-13 amdt 2.43)

#### **Powers on entry to premises**

s 48 (prev s 22) renum as s 48 and then s 51  
(prev s 20C) ins 1994 No 52 s 17  
renum as s 45 1994 No 52 s 48  
sub 2001 No 44 amdt 1.1414  
renum as s 48 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 48 (prev s 89L) ins 2000 No 69 s 23  
renum as s 102 R4 LA (see 2000 No 69 s 29)  
renum as s 48 R10 LA (see A2004-13 amdt 2.43)  
am A2005-54 amdt 1.127

#### **Powers in relation to serious electrical accidents**

s 49 (prev s 22A) renum as s 49 and then s 52



(prev s 20D) ins 1994 No 52 s 17  
 renum as s 46 1994 No 52 s 48  
 renum as s 49 R4 LA (see 2000 No 69 s 29)  
 om A2004-13 amdt 2.30  
 pres s 49 (prev s 89M) ins 2000 No 69 s 23  
 renum as s 103 R4 LA (see 2000 No 69 s 29)  
 renum as s 49 R10 LA (see A2004-13 amdt 2.43)

**Powers in relation to unsafe articles of electrical equipment**

s 50 (prev s 22B) renum as s 50 and then s 53  
 (prev s 21) am 1994 No 52 sch  
 renum as s 47 1994 No 52 s 48  
 am 1994 No 81 sch  
 renum as s 50 R4 LA (see 2000 No 69 s 29)  
 om A2004-13 amdt 2.30  
 pres s 50 (prev s 89N) ins 2000 No 69 s 23  
 sub 2001 No 44 amdt 1.1451  
 renum as s 104 R4 LA (see 2000 No 69 s 29)  
 renum as s 50 R10 LA (see A2004-13 amdt 2.43)  
 am A2005-54 amdt 1.128

**Disconnecting etc dangerous electrical equipment and installations**

s 51 hdg (prev s 105 hdg) sub A2004-13 amdt 2.32  
 renum as s 51 hdg R10 LA (see A2004-13 amdt 2.43)  
 s 51 (prev s 22C) renum as s 51 and then s 54  
 (prev s 22) am 1994 No 52 s 18, sch  
 renum as s 48 1994 No 52 s 48  
 renum as s 51 R4 LA (see 2000 No 69 s 29)  
 om A2004-13 amdt 2.30  
 pres s 51 (prev s 89P) ins 2000 No 69 s 23  
 renum as s 105 R4 LA (see 2000 No 69 s 29)  
 renum as s 51 R10 LA (see A2004-13 amdt 2.43)  
 am A2005-54 amdt 1.129

**Power to require name and address**

s 52 (prev s 24) renum as s 52 and then s 55  
 (prev s 22A) ins 1994 No 52 s 19  
 renum as s 49 1994 No 52 s 48  
 renum as s 52 R4 LA (see 2000 No 69 s 29)  
 om A2004-13 amdt 2.30  
 pres s 52 (prev s 89Q) ins 2000 No 69 s 23  
 renum as s 106 R4 LA (see 2000 No 69 s 29)  
 renum as s 52 R10 LA (see A2004-13 amdt 2.43)  
 sub A2005-54 amdt 1.130

**Power to seize evidence**

s 53 (prev s 25) renum as s 53 and then s 56  
 (prev s 22B) ins 1994 No 52 s 19  
 renum as s 50 1994 No 52 s 48

## Endnotes

### 4 Amendment history

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renum as s 53 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 53 (prev s 89R) ins 2000 No 69 s 23  
renum as s 107 R4 LA (see 2000 No 69 s 29)  
am R10 LA (see A2004-13 amdt 2.39)  
renum as s 53 R10 LA (see A2004-13 amdt 2.43)  
am A2005-54 amdt 1.131

#### **Receipt for things seized**

s 54 (prev s 26) renum as s 54 and then s 57  
(prev s 22C) ins 1994 No 52 s 19  
renum as s 51 1994 No 52 s 48  
renum as s 54 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 54 (prev s 89S) ins 2000 No 69 s 23  
renum as s 108 R4 LA (see 2000 No 69 s 29)  
renum as s 54 R10 LA (see A2004-13 amdt 2.43)

#### **Access to things seized**

s 55 (prev s 27) renum as s 55 and then s 58  
(prev s 24) am 1978 No 46 sch 2  
sub 1994 No 52 s 21  
renum as s 52 1994 No 52 s 48  
am 2001 No 44 amdts 1.1415-1.1418  
renum as s 55 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 55 (prev s 89T) ins 2000 No 69 s 23  
renum as s 109 R4 LA (see 2000 No 69 s 29)  
renum as s 55 R10 LA (see A2004-13 amdt 2.43)

#### **Return of things seized**

s 56 (prev s 27A) renum as s 56 and then s 59  
(prev s 25) am 1994 No 52 s 22  
renum as s 53 1994 No 52 s 48  
renum as s 56 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 56 (prev s 89U) ins 2000 No 69 s 23  
renum as s 110 R4 LA (see 2000 No 69 s 29)  
am A2004-13 amdt 2.39  
renum as s 56 R10 LA (see A2004-13 amdt 2.43)

#### **Power to inspect electrical wiring work**

s 57 (prev s 28) renum as s 57 and then s 60  
(prev s 26) am 1994 No 52 s 23  
renum as s 54 1994 No 52 s 48  
am 2001 No 44 amdt 1.1419  
renum as s 57 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 57 (prev s 89V) ins 2000 No 69 s 23

renum as s 111 R4 LA (see 2000 No 69 s 29)  
renum as s 57 R10 LA (see A2004-13 amdt 2.43)

**Miscellaneous**

div 7.3 hdg

orig pt 7 div 3 hdg ins 1985 No 20 s 4  
om 2000 No 69 s 19  
prev div 7.3 hdg (prev div 7.4 hdg) renum as div 3.3 hdg  
(prev pt 7D div 3 hdg) ins 2000 No 69 s 23  
renum as div 11.3 hdg R4 LA (see 2000 No 69 s 29)  
renum as div 7.3 hdg R10 LA (see A2004-13 amdt 2.43)

**Selfincrimination etc**

s 58

(prev s 29) renum as s 58 and then s 61  
(prev s 27) am 1972 No 27 s 5; 1988 No 31 sch; 1994 No  
52 s 25, sch  
renum as s 55 1994 No 52 s 48  
am 1997 No 96 sch 1; 2000 No 69 sch 1; 2000 No 66  
sch 1 pt 4  
renum as s 58 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 58 (prev s 89W) ins 2000 No 69 s 23  
renum as s 112 R4 LA (see 2000 No 69 s 29)  
am 2002 No 11 amdt 2.37; 2002 No 51 amdt 1.19  
renum as s 58 R10 LA (see A2004-13 amdt 2.43)

**Damage etc to be minimised**

s 59

(prev s 30) renum as s 59 and then s 62  
(prev s 27A) ins 1994 No 52 s 26  
renum as s 56 1994 No 52 s 48  
renum as s 59 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 59 (prev s 89ZB) ins 2000 No 69 s 23  
renum as s 117 R4 LA (see 2000 No 69 s 29)  
renum as s 59 R10 LA (see A2004-13 amdt 2.43)

**Compensation**

s 60

(prev s 32) renum as s 60 and then s 63  
(prev s 28) am 1991 No 3 sch; 1994 No 52 s 27, sch  
renum as s 57 1994 No 52 s 48  
renum as s 60 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 60 (prev s 89ZC) ins 2000 No 69 s 23  
renum as s 118 R4 LA (see 2000 No 69 s 29)  
renum as s 60 R10 LA (see A2004-13 amdt 2.43)

**Non-prescribed articles of electrical equipment**

pt 7A hdg

renum as pt 8 hdg and then pt 4 hdg

**Defective articles of electrical equipment**

pt 7B hdg

renum as pt 9 hdg and then pt 5 hdg

## Endnotes

### 4 Amendment history

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#### **Serious electrical accidents**

pt 7C hdg renum as pt 10 hdg and then pt 6 hdg

#### **Enforcement**

pt 7D hdg renum as pt 11 hdg and then pt 7 hdg

#### **General**

pt 7D div 1 hdg renum as div 11.1 hdg and then div 7.1 hdg

#### **Inspectors' powers**

pt 7D div 2 hdg renum as div 11.2 hdg and then div 7.2 hdg

#### **Miscellaneous**

pt 7D div 3 hdg renum as div 11.3 hdg and then div 7.3 hdg

#### **Appeals**

pt 8 hdg orig pt 8 hdg om 2000 No 66 sch 1 pt 4  
(prev pt 7A hdg) renum as pt 8 hdg and then pt 4 hdg  
(prev pt 8A hdg) ins 1994 No 52 s 34  
renum as pt 9 hdg 1994 No 52 s 48  
renum as pt 12 hdg R4 LA (see 2000 No 69 s 29)  
renum as pt 8 hdg R10 LA (see A2004-13 amdt 2.43)

#### **Appeals**

pt 8A hdg renum as pt 9 hdg and then pt 12 hdg and then pt 8 hdg

#### **Review of decisions**

s 61 (prev s 32A) ins 1985 No 20 s 4  
renum as s 61 1994 No 52 s 48  
om 2000 No 69 s 13  
(prev s 29) am 1994 No 52 s 28, sch  
renum as s 58 1994 No 52 s 48  
renum as s 61 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 61 (prev s 36AA) ins 1994 No 52 s 34  
renum as s 94 1994 No 52 s 48  
am 2000 No 66 sch 1 pt 4; 2000 No 69 s 25  
renum as s 119 R4 LA (see 2000 No 69 s 29)  
sub A2004-13 amdt 2.33  
renum as s 61 R10 LA (see A2004-13 amdt 2.43)

#### **Notifications of decisions**

s 62 (prev s 32B) renum as s 62 and then s 64 and then s 10  
(prev s 30) am 1994 No 52 s 29, sch  
renum as s 59 1994 No 52 s 48  
renum as s 62 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.30  
pres s 62 (prev s 36AB) ins 1994 No 52 s 34  
renum as s 95 1994 No 52 s 48  
am 1994 No 60 sch 1; 2000 No 66 sch 1 pt 4; 2000 No 69  
s 26

renum as s 120 R4 LA (see 2000 No 69 s 29)  
renum as s 62 R10 LA (see A2004-13 amdt 2.43)

**Miscellaneous**

pt 9 hdg (prev pt 8A hdg) renum as pt 9 hdg and then pt 12 hdg  
and then pt 8 hdg  
(prev pt 7B hdg) renum as pt 9 hdg and then pt 5 hdg  
pres pt 9 hdg (prev pt 9 hdg) renum as pt 10 hdg 1994  
No 52 s 48  
renum as pt 13 hdg R4 LA (see 2000 No 69 s 29)  
renum as pt 9 hdg R10 LA (see A2004-13 amdt 2.43)

**Evidence**

s 63 (prev s 32C) ins 1985 No 20 s 4  
am 1987 No 5 s 3, sch  
renum as s 63 1994 No 52 s 48  
am 1994 No 81 sch  
om 2000 No 69 s 15  
(prev s 32) renum as s 60 and then s 63 and then s 9  
pres s 63 (prev s 41) am 1988 No 31 sch; 1994 No 52 s  
39, sch  
renum as s 101 1994 No 52 s 48  
am 2000 No 69 sch 1  
renum as s 126 R4 LA (see 2000 No 69 s 29)  
am A2004-13 amdt 2.35, amdt 2.39  
renum as s 63 R10 LA (see A2004-13 amdt 2.43)

**Determination of fees**

s 64 (prev s 32D) renum as s 64 and then s 65 and then s 11  
(prev s 32B) renum as s 62 and then s 64 and then s 10  
(prev s 103) ins 2001 No 44 amdt 1.1451  
renum as s 128 R4 LA (see 2000 No 69 s 29)  
renum as s 64 R10 LA (see A2004-13 amdt 2.43)

**Approved forms**

s 65 (prev s 32E) renum as s 65 and then s 66 and then s 12  
(prev s 32D) renum as s 64 and then s 65 and then s 11  
(prev s 43AA) ins 1994 No 52 s 41  
renum as s 104 1994 No 52 s 48  
sub 2001 No 44 amdt 1.1451  
renum as s 129 R4 LA (see 2000 No 69 s 29)  
am A2004-13 amdt 2.39  
renum as s 65 R10 LA (see A2004-13 amdt 2.43)

**Regulation-making power**

s 66 (prev s 32F) renum as s 66 and then s 67 and then s 13  
(prev s 32E) renum as s 65 and then s 66 and then s 12  
(prev s 105) ins 2001 No 44 amdt 1.1451  
renum as s 130 R4 LA (see 2000 No 69 s 29)

## Endnotes

### 4 Amendment history

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renum as s 66 R10 LA (see A2004-13 amdt 2.43)

#### **New regulations**

s 67 (prev s 32G) renum as s 67 and then s 68 and then s 14  
(prev s 32F) renum as s 66 and then s 67 and then s 13  
(prev s 131) ins A2004-13 amdt 2.37  
renum as s 67 R10 LA (see A2004-13 amdt 2.43)  
exp 1 September 2004 (s 131 (5))

#### **Registration as approved first seller**

s 68 (prev s 32H) renum as s 68 and then s 69 and then s 15  
(prev s 32G) renum as s 67 and then s 68 and then s 14

#### **Application for registration of declaration of compliance**

s 69 (prev s 32J) renum as s 69 and then s 70 and then s 16  
(prev s 32H) renum as s 68 and then s 69 and then s 15

#### **Registration of declaration of compliance**

s 70 (prev s 32K) renum as s 70 and then s 71 and then s 17  
(prev s 32J) renum as s 69 and then s 70 and then s 16

#### **Suspension or cancellation of registration of declaration of compliance**

s 71 (prev s 32L) renum as s 71 and then s 72 and then s 18  
(prev s 32K) renum as s 70 and then s 71 and then s 17

#### **Transfer of registration of declaration of compliance**

s 72 (prev s 32M) renum as s 72 and then s 73 and then s 19  
(prev s 32L) renum as s 71 and then s 72 and then s 18

#### **Safety registration mark**

s 73 (prev s 32N) renum as s 73 and then s 74 and then s 20  
(prev s 32M) renum as s 72 and then s 73 and then s 19

#### **Approved testing laboratories**

s 74 (prev s 32P) renum as s 74 and then s 75 and then s 21  
(prev s 32N) renum as s 73 and then s 74 and then s 20

#### **Registers**

s 75 (prev s 32Q) renum as s 75 and then s 76 and then s 22  
(prev s 32P) renum as s 74 and then s 75 and then s 21

#### **Examination and testing of articles**

s 76 (prev s 32R) ins 1985 No 20 s 4  
am 1987 No 5 s 9, sch  
renum as s 76 1994 No 52 s 48  
am 1994 No 81 sch  
om 2000 No 69 s 18  
(prev s 32ZF) renum as s 87 and then s 76 and then s 77  
and then s 23  
(prev s 32Q) renum as s 75 and then s 76 and then s 22

#### **False representation**

s 77 (prev s 32S) ins 1985 No 20 s 4  
renum as s 77 1994 No 52 s 48  
om 2000 No 69 s 18  
(prev s 32ZG) renum as s 88 and then s 77 and then s 78  
and then s 24  
(prev s 32ZF) renum as s 87 and then s 76 and then s 77  
and then s 23

**Evidence of registration of declaration of compliance**

s 78 (prev s 32T) ins 1985 No 20 s 4  
am 1988 No 31 sch  
renum as s 78 1994 No 52 s 48  
om 2000 No 69 s 19  
ins 2000 No 69 s 23  
renum as s 79  
(prev s 32ZG) renum as s 88 and then s 77 and then s 78  
and then s 24

**Articles to which pt 8 applies**

s 79 (prev s 32U) ins 1985 No 20 s 4  
am 1987 No 5 sch  
renum as s 79 1994 No 52 s 48  
am 1994 No 81 sch  
om 2000 No 69 s 19  
(prev s 78) renum as s 79 and then s 25

**Energy efficiency requirements**

s 79A renum as s 81 and then s 27

**Minimum safety standards**

s 80 (prev s 32V) ins 1985 No 20 s 4  
am 1987 No 5 s 10, sch  
renum as s 80 1994 No 52 s 48  
am 1994 No 81 sch  
om 2000 No 69 s 19  
(prev s 79) renum as s 80 and then s 26

**Energy efficiency requirements**

s 81 (prev s 32W) ins 1985 No 20 s 4  
renum as s 81 1994 No 52 s 48  
om 2000 No 69 s 19  
(prev s 79A) renum as s 81 and then s 27

**Prohibited articles**

s 82 (prev s 32X) ins 1985 No 20 s 4  
am 1987 No 5 s 11  
renum as s 82 1994 No 52 s 48  
om 2000 No 69 s 19  
(prev s 80) renum as s 82 and then s 28

## Endnotes

### 4 Amendment history

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#### **Sale or installation of prohibited articles**

s 83 (prev s 32XA) ins 1987 No 5 s 12  
renum as s 83 1994 No 52 s 48  
om 2000 No 69 s 19  
(prev s 81) renum as s 83 and then s 29

#### **Directions about unsafe articles**

s 84 (prev s 32Y) ins 1985 No 20 s 4  
am 1987 No 5 s 13  
renum as s 84 1994 No 52 s 48  
om 2000 No 69 s 19  
(prev s 82) renum as s 84 and then s 30

#### **Publication of safety warnings**

s 85 (prev s 32ZB) ins 1985 No 20 s 4  
sub 1987 No 5 s 15  
renum as s 85 1994 No 52 s 48  
am 1994 No 81 sch  
om 2000 No 69 s 19  
(prev s 83) renum as s 85 and then s 31

#### **Serious electrical accidents**

pt 10 hdg (prev pt 9 hdg) renum as pt 10 hdg and then pt 13 hdg  
and then pt 9 hdg  
prev pt 10 hdg (prev pt 7C hdg) renum as pt 6 hdg

#### **Definitions for pt 10**

s 86 (prev s 32ZC) ins 1985 No 20 s 4  
renum as s 86 1994 No 52 s 48  
am 2000 No 66 sch 1 pt 4  
om 2000 No 69 s 19  
(prev s 84) renum as s 86 and then s 32

#### **Reporting by occupiers and electrical contractors**

s 87 (prev s 32ZF) renum as s 87 and then s 76 and then s 77  
and then s 23  
(prev s 85) renum as s 87 and then s 33

#### **Reporting by electricity distributor**

s 88 (prev s 32ZG) renum as s 88 and then s 77 and then s 78  
and then s 24  
(prev s 86) renum as s 88 and then s 34

#### **Interference with site of serious electrical accident**

s 89 (prev s 32ZH) ins 1985 No 20 s 4  
renum as s 89 1994 No 52 s 48  
om 2000 No 69 s 22  
(prev s 87) renum as s 89 and then s 35

#### **Things connected with offences**

s 89A renum as s 92 and then s 38



**Chief executive may require information and documents**

s 89B renum as s 93 and then s 39

**Contravention of requirement by chief executive**

s 89C renum as s 94 and then s 40

**Appointment of inspectors**

s 89D renum as s 95 and then s 41

**Identity cards**

s 89E renum as s 96 and then s 42

**General power to enter premises**

s 89F renum as s 97 and then s 43

**Production of identity card**

s 89G renum as s 98 and then s 44

**Consent to entry**

s 89H renum as s 99 and then s 45

**Warrants**

s 89J renum as s 100 and then s 46

**Warrants—application made other than in person**

s 89K renum as s 101 and then s 47

**Powers on entry to premises**

s 89L renum as s 102 and then s 48

**Powers in relation to serious electrical accidents**

s 89M renum as s 103 and then s 49

**Powers in relation to unsafe articles of electrical equipment**

s 89N renum as s 104 and then s 50

**Labelling defective electrical equipment**

s 89P renum as s 105 and then s 51

**Power to require name and address**

s 89Q renum as s 106 and then s 52

**Power to seize evidence**

s 89R renum as s 107 and then s 53

**Receipt for things seized**

s 89S renum as s 108 and then s 54

**Access to things seized**

s 89T renum as s 109 and then s 55

**Return of things seized**

s 89U renum as s 110 and then s 56

**Power to inspect electrical wiring work**

## Endnotes

### 4 Amendment history

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- s 89V renum as s 111 and then s 57
- Selfincrimination etc**
- s 89W renum as s 112 and then s 58
- Legal professional privilege**
- s 89X renum as s 113
- Providing false or misleading information**
- s 89Y renum as s 114
- Providing false or misleading documents**
- s 89Z renum as s 115
- Obstruction of inspectors**
- s 89ZA renum as s 116
- Damage etc to be minimised**
- s 89ZB renum as s 117 and then s 59
- Compensation**
- s 89ZC renum as s 118 and then s 60
- Publication of report of serious electrical accident**
- s 90 (prev s 33) am 1972 No 27 s 6; 1982 No 61 s 2; 1985 No 67 sch pt 1; 1989 No 38 sch 1; 1994 No 52 s 33, sch renum as s 90 1994 No 52 s 48 am 1994 No 81 sch; 2000 No 69 sch 1 om 2000 No 66 sch 1 pt 4 (prev s 88) renum as s 90 and then s 36
- Enforcement**
- pt 11 hdg orig pt 11 hdg ins 2000 No 69 s 27 exp 20 June 2001 (s 108) (prev pt 7D hdg) renum as pt 11 hdg and then pt 7 hdg
- General**
- div 11.1 hdg (prev pt 7D div 1 hdg) renum as div 11.1 hdg and then div 7.1 hdg
- Definition of *business premises***
- s 91 (prev s 34) am 1988 No 31 sch; 1994 No 52 sch renum as s 91 1994 No 52 s 48 am 1994 No 81 sch; 1998 No 51 s 6 om 2000 No 69 s 24 (prev s 89) renum as s 91 and then s 37
- Things connected with offences**
- s 92 (prev s 35) am 1994 No 52 sch renum as s 92 1994 No 52 s 48 am 1994 No 81 sch om 2000 No 69 s 24

(prev s 89A) renum as s 92 and then s 38

**Planning and land authority may require information and documents**

s 93 (prev s 36) am 1994 No 52 sch  
renum as s 93 1994 No 52 s 48  
am 1994 No 81 sch; 2000 No 69 sch 1  
om 2000 No 66 sch 1 pt 4  
(prev s 89B) renum as s 93 and then s 39

**Contravention of requirement by planning and land authority**

s 94 (prev s 36AA) renum as s 94 and then s 119 and then  
s 61  
(prev s 89C) renum as s 94 and then s 40

**Appointment of inspectors**

s 95 (prev s 36AB) renum as s 95 and then s 120 and then s  
62  
(prev s 89D) renum as s 95 and then s 41

**Identity cards**

s 96 (prev s 36A) renum as s 96 and then s 121  
(prev s 89E) renum as s 96 and then s 42

**Inspectors' powers**

div 11.2 hdg (prev pt 7D div 2 hdg) renum as div 11.2 hdg and then div  
7.2 hdg

**General power to enter premises**

s 97 (prev s 37) renum as s 97 and then s 122  
(prev s 89F) renum as s 97 and then s 43

**Production of identity card**

s 98 (prev s 38) renum as s 98 and then s 123  
(prev s 89G) renum as s 98 and then s 44

**Consent to entry**

s 99 (prev s 39) renum as s 99 and then s 124  
(prev s 89H) renum as s 99 and then s 45

**Warrants**

s 100 (prev s 40) renum as s 100 and then s 125  
(prev s 89J) renum as s 100 and then s 46

**Warrants—application made other than in person**

s 101 (prev s 41) renum as s 101 and then s 126 and then s 63  
(prev s 89K) renum as s 101 and then s 47

**Powers on entry to premises**

s 102 (prev s 42) renum as s 102 and then s 127  
(prev s 89L) renum as s 102 and then s 48

**Powers in relation to serious electrical accidents**

## Endnotes

### 4 Amendment history

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- s 103 (prev s 43) am 1994 No 52 sch  
renum as s 103 1994 No 52 s 48  
om 2000 No 69 sch 1  
ins 2001 No 44 amdt 1.1451  
renum as s 128  
(prev s 89M) renum as s 103 and then s 49
- Powers in relation to unsafe articles of electrical equipment**
- s 104 (prev s 43AA) renum as s 104 and then s 129 and then s  
65  
(prev s 89N) renum as s 104 and then s 50
- Disconnecting etc dangerous electrical equipment and installations**
- s 105 (prev s 43A) ins 1988 No 31 sch  
renum as s 105 1994 No 52 s 48  
om 2000 No 69 sch 1  
(prev s 89P) renum as s 105 and then s 51
- Power to require name and address**
- s 106 (prev s 44) am 1989 No 38 sch 1  
renum as s 106 1994 No 52 s 48  
om 2001 No 44 amdt 1.1451  
(prev s 89Q) renum as s 106 and then s 52
- Power to seize evidence**
- s 107 orig s 107 ins 2000 No 69 s 27  
exp 20 June 2001 (s 108)  
(prev s 89R) renum as s 107 and then s 53
- Receipt for things seized**
- s 108 orig s 108 ins 2000 No 69 s 27  
exp 20 June 2001 (s 108)  
(prev s 89S) renum as s 108 and then s 54
- Access to things seized**
- s 109 (prev s 89T) renum as s 109 and then s 55
- Return of things seized**
- s 110 (prev s 89U) renum as s 110 and then s 56
- Power to inspect electrical wiring work**
- s 111 (prev s 89V) renum as s 111 and then s 57
- Miscellaneous**
- div 11.3 hdg (prev pt 7D div 3 hdg) renum as div 11.3 hdg and then div  
7.3 hdg
- Selfincrimination etc**
- s 112 (prev s 89W) renum as s 112 and then s 58
- Legal professional privilege**
- s 113 (prev s 89X) ins 2000 No 69 s 23

renum as s 113 R4 LA (see 2000 No 69 s 29)  
om 2002 No 11 amdt 2.38

**Providing false or misleading information**

s 114 (prev s 89Y) ins 2000 No 69 s 23  
renum as s 114 R4 LA (see 2000 No 69 s 29)  
om A2004-15 amdt 2.67

**Providing false or misleading documents**

s 115 (prev s 89Z) ins 2000 No 69 s 23  
renum as s 115 R4 LA (see 2000 No 69 s 29)  
om A2004-15 amdt 2.67

**Obstruction of inspectors**

s 116 (prev s 89ZA) ins 2000 No 69 s 23  
renum as s 116 R4 LA (see 2000 No 69 s 29)  
om A2004-15 amdt 2.67

**Damage etc to be minimised**

s 117 (prev s 89ZB) renum as s 117 and then s 59

**Compensation**

s 118 (prev s 89ZC) renum as s 118 and then s 60

**Appeals**

pt 12 hdg (prev pt 8A hdg) renum as pt 9 hdg and then pt 12 hdg  
and then pt 8 hdg

**Review of decisions**

s 119 (prev s 36AA) renum as s 94 and then s 119 and then s  
61

**Notifications of decisions**

s 120 (prev s 36AB) renum as s 95 and then s 120 and then s  
62

**Miscellaneous**

pt 13 hdg (prev pt 9 hdg) renum as pt 10 hdg and then pt 13 hdg  
and then pt 9 hdg

**Conduct of directors, servants and agents**

s 121 (prev s 36A) ins 1987 No 5 s 17  
renum as s 96 1994 No 52 s 48  
renum as s 121 R4 LA (see 2000 No 69 s 29)  
om A2004-15 amdt 1.13

**Production of licence or permit for inspection**

s 122 (prev s 37) am 1994 No 52 s 35, sch  
renum as s 97 1994 No 52 s 48  
am 1994 No 81 sch; 2000 No 69 sch 1  
renum as s 122 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.34

## Endnotes

### 4 Amendment history

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#### Change of name or address

s 123 (prev s 38) am 1994 No 52 s 36, sch  
renum as s 98 1994 No 52 s 48  
am 1994 No 81 sch  
renum as s 123 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.34

#### Loss etc of licence or permit

s 124 (prev s 39) am 1994 No 52 s 37, sch  
renum as s 99 1994 No 52 s 48  
am 2001 No 44 amdt 1. 1449, amdt 1.1450  
renum as s 124 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.34

#### Expired licences or permits

s 125 (prev s 40) am 1994 No 52 s 38, sch  
renum as s 100 1994 No 52 s 48  
am 1994 No 81 sch  
renum as s 125 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.34

#### Evidence

s 126 (prev s 41) renum as s 101 and then s 126 and then s 63

#### Service of notices

s 127 (prev s 42) am 1994 No 52 s 40  
renum as s 102 1994 No 52 s 48  
renum as s 127 R4 LA (see 2000 No 69 s 29)  
om A2004-13 amdt 2.36

#### Determination of fees

s 128 (prev s 103) renum as s 128 and then s 64

#### Approved forms

s 129 (prev s 43AA) renum as s 104 and then s 129 and then s  
65

#### Regulation-making power

s 130 (prev s 105) renum as s 130 and then s 66

#### New regulations

s 131 renum as s 67

#### Dictionary

dict ins A2004-13 amdt 2.38  
def **article of electrical equipment** ins A2004-13  
amdt 2.38  
def **AS/NZS 3000** ins A2004-13 amdt 2.38  
def **AS/NZS 3017** ins A2004-13 amdt 2.38  
def **AS/NZS 3820** ins A2004-13 amdt 2.38  
def **electrical installation** ins A2004-13 amdt 2.38  
def **electrical wiring work** ins A2004-13 amdt 2.38

def **electricity distributor** ins A2004-13 amdt 2.38  
def **electricity network** ins A2004-13 amdt 2.38  
def **engage in conduct** ins A2005-54 amdt 1.132  
def **inspector** ins A2004-13 amdt 2.38  
def **occupier** ins A2004-13 amdt 2.38  
def **premises** ins A2004-13 amdt 2.38  
def **prescribed article of electrical equipment** ins  
A2004-13 amdt 2.38  
def **prohibited** ins A2004-13 amdt 2.38  
def **regulatory authority** ins A2004-13 amdt 2.38  
def **relevant standard** ins A2004-13 amdt 2.38  
def **sell** ins A2004-13 amdt 2.38  
def **serious electrical accident** ins A2004-13 amdt 2.38

## Endnotes

### 5 Earlier republications

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## 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	Act 1991 No 3	31 January 1993
2	Act 1994 No 81	31 January 1995
3	Act 1997 No 96	1 June 1998
4	Act 2001 No 44	12 September 2001
5	Act 2001 No 44	9 May 2002
6*	Act 2002 No 11	29 May 2002
7	Act 2002 No 51	1 January 2003
7 (RI)	A2002-51 ‡	10 February 2003
8	A2003-37	1 November 2003
9	A2004-15	9 April 2004
10	A2004-15	1 September 2004
11	A2004-15	2 September 2004

‡ includes retrospective amendments by A2002-49



## 6 Renumbered provisions

as made by *Construction Occupations Legislation Amendment Act 2004* A2004-13 amdt 2.43 and under the *Legislation Act 2001*. Previously renumbered by *Electricity (Amendment) Act 1994* No 52 s 48 and *Electricity Amendment Act 2000* No 69 s 29. For both renumbering tables see R4.

previous number	provision heading	renumbered or inserted as
<b>Part 1</b>	<b>Preliminary</b>	<b>Part 1</b>
1	Name of Act	1
2	Dictionary	2
3	Notes	3
<b>Part 4</b>	<b>Electrical wiring work</b>	<b>Part 2</b>
32	Connecting electrical installations to network—inspections	4
33	Compliance with AS/NZS 3000	5
34	Testing and reporting of electrical work	6
35	Exemption from s 5 and s 6	7
36	Directions to rectify unsafe installations	8
<b>Part 7</b>	<b>Prescribed articles of electrical equipment</b>	<b>Part 3</b>
<b>Division 7.1</b>	<b>Preliminary</b>	<b>Division 3.1</b>
63	Definitions for pt 3	9
64	Declaration of corresponding law	10
<b>Division 7.2</b>	<b>Regulation of dealings</b>	<b>Division 3.2</b>
65	Prescribed articles of electrical equipment	11
66	Sale, installation of prescribed articles	12
67	Sale, installation of noncomplying prescribed articles	13
68	Registration as approved first seller	14
69	Application for registration of declaration of compliance	15
70	Registration of declaration of compliance	16

## Endnotes

6 Renumbered provisions

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<b>previous number</b>	<b>provision heading</b>	<b>renumbered or inserted as</b>
71	Suspension or cancellation of registration of declaration of compliance	17
72	Transfer of registration of declaration of compliance	18
73	Safety registration mark	19
74	Approved testing laboratories	20
75	Registers	21
76	Examination and testing of articles	22
<b>Division 7.3</b>	<b>Miscellaneous</b>	<b>Division 3.3</b>
77	False representation	23
78	Evidence of registration of declaration of compliance	24
<b>Part 8</b>	<b>Non-prescribed articles of electrical equipment</b>	<b>Part 4</b>
79	Articles to which pt 4 applies	25
80	Minimum safety standards	26
81	Energy efficiency requirements	27
<b>Part 9</b>	<b>Defective articles of electrical equipment</b>	<b>Part 5</b>
82	Prohibited articles	28
83	Sale or installation of prohibited articles	29
84	Directions about unsafe articles	30
85	Publication of safety warnings	31
<b>Part 10</b>	<b>Serious electrical accidents</b>	<b>Part 6</b>
86	Definitions for pt 6	32
87	Reporting by occupiers and electrical contractors	33
88	Reporting by electricity distributor	34
89	Interference with site of serious electrical accident	35
90	Publication of report of serious electrical accident	36

previous number	provision heading	renumbered or inserted as
<b>Part 11</b>	<b>Enforcement</b>	<b>Part 7</b>
<b>Division 11.1</b>	<b>General</b>	<b>Division 7.1</b>
91	Definition of <i>business premises</i>	37
92	Things connected with offences	38
93	Planning and land authority may require information and documents	39
94	Contravention of requirement by planning and land authority	40
95	Appointment of inspectors	41
96	Identity cards	42
<b>Division 11.2</b>	<b>Inspectors' powers</b>	<b>Division 7.2</b>
97	General power to enter premises	43
98	Production of identity card	44
99	Consent to entry	45
100	Warrants	46
101	Warrants—application made other than in person	47
102	Powers on entry to premises	48
103	Powers in relation to serious electrical accidents	49
104	Powers in relation to unsafe articles of electrical equipment	50
105	Disconnecting etc dangerous electrical equipment and installations	51
106	Power to require name and address	52
107	Power to seize evidence	53
108	Receipt for things seized	54
109	Access to things seized	55
110	Return of things seized	56
111	Power to inspect electrical wiring work	57
<b>Division 11.3</b>	<b>Miscellaneous</b>	<b>Division 7.3</b>
112	Selfincrimination etc	58
117	Damage etc to be minimised	59
118	Compensation	60

## Endnotes

6 Renumbered provisions

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<b>previous number</b>	<b>provision heading</b>	<b>renumbered or inserted as</b>
<b>Part 12</b>	<b>Appeals</b>	<b>Part 8</b>
119	Review of decisions	61
120	Notifications of decisions	62
<b>Part 13</b>	<b>Miscellaneous</b>	<b>Part 9</b>
126	Evidence	63
128	Determination of fees	64
129	Approved forms	65
130	Regulation-making power	66
131	New regulations	67

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