

Electricity Safety (Electrical Licensing Board) Appointment 2004 (No 1)

Disallowable Instrument DI2004-29

EXPLANATORY STATEMENT

This disallowable instrument reappoints members and deputy members to the Electrical Licensing Board (the Board) for a period not longer than six months. The part-time reappointments are made under subsection 5(1) of the *Electricity Act 1971* (the Act) (Constitution of Board).

Section 4 of the Act provides for the establishment of the Board. The principal functions of the Board are:

- To consider and determine applications for licences and permits;
- To advise the Minister on matters relating to the licensing of electrical contractors and electricians; and
- To take disciplinary action against licence holders.

Section 5 of the Act requires the Minister to appoint five members to the Board. Subsection 5(2) of the Act requires consultation with the Electrical, Electronic, Plumbing and Allied Worker's Union (now known as the Communication, Electrical and Plumbing Union (CEPU)), the National Electrical Contractors Association (NECA) and the Canberra Institute of Technology (CIT) prior to three of the appointments being made. The Act states the Minister shall appoint one person and that another be nominated by the Chief Executive. Pursuant to subsection 5(3) the Minister may appoint deputies to members of the Board.

With the exception of the Ministerial appointment, members and deputy members must be eligible to hold an electrician's licence (Grade A) or have appropriate electrical engineering qualifications. Section 7 of the Act states members are eligible for reappointment.

All organisations specified by the Act and listed above were consulted during the appointment process and where required reappointees have the necessary qualifications.

The reappointments are for a period not longer than six months in lieu of the normal three-year terms. This is due to the implementation of the construction occupations licensing legislation recently passed by the Legislative Assembly which will repeal, amongst others, the licensing provisions of the Act.

In accordance with section 228 of the *Legislation Act 2001* the reappointments were referred to the Legislative Assembly Standing Committee on Planning and Environment for comment. The Committee advised that it endorsed the reappointments on 18 February 2004.