

Version No. 001
**Electricity Safety (Registration and
Licensing) Regulations 2010**

S.R. No. 21/2010

Version as at 27 April 2010

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PART 1—PRELIMINARY

1 Objectives

The objectives of these Regulations are to—

- (a) provide for the registration of electrical contractors;
- (b) provide for the licensing of electrical workers;
- (c) prescribe fees, penalties and other matters authorised by the **Electricity Safety Act 1998**;
- (d) to prescribe certain provisions of these Regulations that create offences as provisions in respect of which infringement notices may be served; and
- (e) to make related consequential amendments to the Electricity Safety (Infringements) Regulations 2000 and the Electricity Safety (Installations) Regulations 2009.

2 Authorising provisions

These Regulations are made under sections 152, 156 and 157 of the **Electricity Safety Act 1998**.

3 Revocation

The Regulations listed in Schedule 1 are **revoked**.

4 Definitions

In these Regulations—

applicant—

- (a) in Part 2 means a person referred to in regulation 8(1);
- (b) in Part 3 means a person referred to in regulation 19(1);

AS/NZS 3003 means AS/NZS 3003 the Australian/New Zealand Standard, "Electrical installations—Patient treatment areas of hospitals and medical, dental practices and dialyzing locations", as published or amended from time to time;

Australian/New Zealand Wiring Rules means AS/NZS 3000, the Australian/New Zealand Standard, "Electrical Installations" as published or amended from time to time;

Australian regulatory authority means—

- (a) Energy Safe Victoria; or
- (b) a person or body that, under a law of another State or a Territory administers the licensing of electrical workers in that State or Territory;

Director of Consumer Affairs means the Director within the meaning of the **Fair Trading Act 1999**;

effective supervision, in relation to electrical work, means—

- (a) being present at the site of the electrical work to the extent necessary to ensure that the work is being correctly performed and carried out in accordance with the Act and any of the regulations relating to the installation

and operation of electrical installations;
and

- (b) being aware of the details of the electrical work being performed and giving detailed instructions and directions with respect to the electrical work;

electrical contractor means a person granted a registration as an electrical contractor on the basis that Energy Safe Victoria is satisfied that the person meets the requirements set out in regulation 9;

electrical switchgear fitting work means electrical installation work that consists of the assembly, alteration, repair and maintenance of switchgear and controlgear assemblies;

fault finding means the testing of the operation of electrical equipment to determine if that electrical equipment is safe and working correctly;

hazardous area has the same meaning as it has in the Australian/New Zealand Wiring Rules;

high voltage means a voltage exceeding low voltage;

licensed electrical switchgear worker means an electrical installation worker holding an electrical switchgear worker's licence under regulation 24;

licensed electrician means an electrical installation worker holding an electrician's licence under regulation 20;

low voltage has the same meaning as it has in the Australian/New Zealand Wiring Rules;

nominated business supervisor means a person nominated under regulation 8(2);

nominated technical supervisor means a person nominated under regulation 8(2);

part 1 solution has the same meaning as it has in the Electricity Safety (Installations) Regulations 2009;

patient area has the same meaning as it has in AS/NZS 3003;

primary work function means a work function that is primarily related to one of the occupational areas specified in Schedule 2;

regulatory authority means—

- (a) an Australian regulatory authority; or
- (b) a person or body that, under a law of New Zealand, administers the licensing of electrical workers in New Zealand;

switchgear and controlgear assembly means electrical equipment that is—

- (a) a combination of one or more switching devices together with associated control, measuring, signalling, protective and regulating equipment including all the internal electrical and mechanical interconnections and structural parts; and
- (b) completely assembled under the responsibility of a manufacturer;

the Act means the **Electricity Safety Act 1998**.

5 Prescribed classes of electrical installation work

For the purposes of Division 1 of Part 3 of the Act, a prescribed class of electrical work is the installation, alteration, repair or maintenance of an electrical installation ordinarily operated—

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- (a) at low voltage or a voltage exceeding low voltage in any area; or
 - (b) at any voltage in a patient area.

6 Prescribed classes of electrical contracting

For the purposes of Division 1 of Part 3 of the Act, any contracting or undertaking to carry out electrical installation work of a class prescribed by regulation 5 is a prescribed class of electrical contracting.

7 Classes of electrical work

For the purposes of Division 2 of Part 3 of the Act, the following classes of electrical work are prescribed—

- (a) electrical installation work carried out on an electrical installation ordinarily operated—
 - (i) at low voltage or a voltage exceeding low voltage in any area; or
 - (ii) at any voltage in a patient area;
- (b) electrical installation work required to carry out a primary work function relating to low voltage fixed electrical equipment that involves—
 - (i) the disconnection of that electrical equipment or a component of that electrical equipment; and
 - (ii) the reconnection of that electrical equipment or component of that electrical equipment or the connection of other equipment or any component of equivalent power and current in the same location and without alteration to existing cables; and

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- (iii) the testing of that electrical equipment or a component of that electrical equipment; and
 - (iv) fault finding in relation to that electrical equipment or a component of that electrical equipment;
- (c) electrical installation work required to carry out a primary work function relating to low voltage fixed electrical equipment that involves—
- (i) the disconnection of that electrical equipment or a component of that electrical equipment; and
 - (ii) the reconnection of that electrical equipment or component of that electrical equipment or the connection of other equipment or any component of equivalent power and current in the same location and without alteration to existing cables; and
 - (iii) the testing of that electrical equipment or a component of that electrical equipment;
- (d) electrical inspection work of a class specified in Part A of Schedule 3.
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**PART 2—REGISTRATION OF ELECTRICAL
CONTRACTORS**

**8 Applications for a grant of registration as an
electrical contractor or renewal of registration**

- (1) A person may apply to Energy Safe Victoria for registration or renewal of registration as an electrical contractor.
- (2) An application for registration must be in writing and contain or be accompanied by the following—
 - (a) the applicant's name and telephone number and the address of the applicant's residence and place of business;
 - (b) if the applicant will not be responsible for the effective supervision of electrical installation work or only electrical switchgear fitting work carried out on behalf of the applicant, the name of the person who the applicant nominates to be the nominated technical supervisor who will be responsible for that work;
 - (c) the declaration of each person nominated to be a technical supervisor of electrical contracting work that sets out the person's name and address and the person's consent to be such a supervisor;
 - (d) if the applicant will not be responsible for the business management and administration of the electrical contracting work, the name of the person who the applicant nominates to be the business supervisor responsible for that management and administration; and

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- (e) a declaration of the person nominated to be the business supervisor of electrical contracting work that sets out the person's name and address and the person's consent to be such a supervisor;
 - (f) a copy of the certificate of the Director of Consumer Affairs of the registration of any business name that the applicant will use;
 - (g) if the applicant is a member of a partnership, the name and address of each member of the partnership;
 - (h) in the case of an applicant which is a body corporate—
 - (i) a copy of the certificate of registration of the company under the Corporations Act;
 - (ii) the name and address of each director of the body corporate;
 - (iii) evidence that any person making an application on behalf of the body corporate is authorised to do so;
 - (i) evidence of the qualifications required by regulation 10 that the applicant relies on for registration;
 - (j) evidence that the applicant holds or will hold, at the time of carrying on electrical contracting, any insurance required by section 30 of the Act.
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- (3) An application for renewal of registration must be in writing and contain or be accompanied by the following—
- (a) details of any changes in the information provided in the original application for the registration or for the most recent renewal of the registration or in any other circumstances relating to the application;
 - (b) evidence that the applicant holds or will hold, at the time of carrying on electrical contracting, any insurance required by section 30 of the Act.
- (4) Energy Safe Victoria may require the applicant to provide further information or material in respect of an application.
- (5) The prescribed fee—
- (a) for an application for registration as an electrical contractor is 43·3 fee units;
 - (b) for an application for renewal of registration as an electrical contractor is 20·8 fee units.

9 Registration as an electrical contractor

- (1) For the purposes of section 31 of the Act, Energy Safe Victoria may register or renew the registration of an applicant if Energy Safe Victoria is satisfied that—
- (a) in the case of a natural person—
 - (i) the applicant will be responsible for the effective supervision of the electrical installation work or only electrical switchgear fitting work carried out on behalf of the applicant; or

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- (ii) the applicant has nominated a natural person or a sufficient number of natural persons to be technical supervisors who will be responsible for that supervision; and
 - (b) in the case of a body corporate, that the applicant has nominated a natural person or a sufficient number of natural persons to be technical supervisors who will be responsible for that supervision; and
 - (c) if the applicant will be responsible for the effective supervision of the electrical installation work or only electrical switchgear fitting work, that the applicant is a licensed electrician or a licensed electrical switchgear worker who has completed the requirements specified in regulation 10; and
 - (d) each person nominated under an application to which paragraph (a)(ii) or (b) relates to be responsible for the effective supervision of electrical installation work or only electrical switchgear fitting work is a licensed electrician or a licensed electrical switchgear worker who has completed the requirements specified in regulation 10.
- (2) For the purposes of section 31 of the Act, Energy Safe Victoria may register or renew the registration of an applicant if Energy Safe Victoria is satisfied that—
- (a) in the case of a natural person—
 - (i) the applicant will be responsible for the business management and administration of the electrical contracting work; or
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- (ii) the applicant has nominated a natural person to be the business supervisor who will be responsible for that management and administration; or
 - (b) in the case of a body corporate, that the applicant has nominated a natural person to be the business supervisor who will be responsible for that management and administration; and
 - (c) if the applicant will be responsible for the business management and administration of the electrical contracting work, that the applicant has completed the requirements specified in regulation 10; or
 - (d) any person nominated under an application to which paragraph (a)(ii) or (b) relates to be responsible for the business management and administration of the electrical contracting work has completed the requirements specified under regulation 10.

10 Qualification requirements for registration as an electrical contractor

- (1) For the purposes of regulation 9(1), the requirements for a person to undertake effective supervision of electrical installation work are that the person is a licensed electrician who has—
 - (a) satisfactorily completed the Licensed Electrician's Assessment (the *LEA*) conducted by a body approved by Energy Safe Victoria; or
 - (b) satisfactorily completed a substantially equivalent examination conducted by Energy Safe Victoria or a body approved by Energy Safe Victoria; or

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- (c) has attained proficiency and experience in electrical installation work that is assessed by Energy Safe Victoria to be at least of an equivalent standard to the LEA.
- (2) For the purposes of regulation 9, the requirements for a person to undertake effective supervision of electrical switchgear fitting work are that the person is—
- (a) a licensed electrical switchgear worker who has—
- (i) successfully completed the Licensed Switchgear Worker's Assessment (the *LSWA*) conducted by a body approved by Energy Safe Victoria; or
 - (ii) successfully completed a substantially equivalent examination conducted by Energy Safe Victoria or a body approved by Energy Safe Victoria; or
 - (iii) has attained proficiency and experience in electrical switchgear fitting work that is assessed by Energy Safe Victoria to be at least of an equivalent standard to the LSWA; or
- (b) a licensed electrician who complies with the requirements set out in subregulation (1) or (2)(a).
- (3) For the purposes of regulation 9(2), the requirements for a person to be responsible for the business management and administration of the electrical contracting work are that the person has—
- (a) successfully completed a course of training about establishing an electrical contracting business that is approved by Energy Safe Victoria; or
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- (b) passed an examination conducted by Energy Safe Victoria or a body approved by Energy Safe Victoria; or
 - (c) successfully completed an assessment or course of training or passed examinations which is or are at least of an equivalent standard to that required under paragraph (a) or (b); or
 - (d) at least 5 years experience in the management and administration of an electrical contracting business.

11 Mutual recognition—contracting

For the purposes of section 31 of the Act, Energy Safe Victoria may register an applicant who is registered or licensed as an electrical contractor in another State or a Territory or in New Zealand if Energy Safe Victoria is satisfied that the applicant or any nominated technical supervisor or nominated business supervisor nominated under regulation 9 related to that applicant has, as the case requires—

- (a) qualifications, proficiency and experience in electrical contracting that is at least of an equivalent standard to that required by regulation 10(1) or (2); or
- (b) successfully completed an assessment or course of training or passed examinations which are substantially equivalent to those required by regulation 10(3).

12 Refusal of registration

For the purposes of section 31 of the Act, Energy Safe Victoria may refuse to register or renew the registration of an applicant if it is satisfied that—

- (a) a person nominated to be the technical supervisor is employed or appointed as the nominated technical supervisor of another electrical contractor and is not, or will not be, able to provide effective supervision of all the electrical installation work the person is responsible for supervising; or
- (b) the applicant has contravened a provision of—
 - (i) the Act; or
 - (ii) these Regulations; or
 - (iii) the Electricity Safety (Installations) Regulations 2009; or
 - (iv) a law of another State or a Territory or of New Zealand which substantially corresponds to the Act, these Regulations or the Electricity Safety (Installations) Regulations 2009; or
- (c) the applicant has attempted to obtain registration as an electrical contractor by fraud, misrepresentation or concealment of facts; or
- (d) the applicant has been convicted of any offence involving fraud, dishonesty, drug trafficking or violence that was punishable by a term of imprisonment of 6 months or more; or

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- (e) the applicant has been negligent or incompetent, or was a party to any negligence or incompetence, in connection with the carrying out of electrical installation work; or
 - (f) the applicant has engaged in fraudulent conduct in the carrying out of electrical installation work.

13 Prescribed insurance

For the purposes of section 30 of the Act, the prescribed insurance is insurance against public liability for personal injury or damage to property in connection with the electrical contracting work of the registered electrical contractor with a minimum cover of \$5 000 000.

14 Conditions of registration

The following conditions apply to the registration of a registered electrical contractor—

- (a) if the electrical contractor has the qualifications referred to in regulation 10(1), all electrical installation work except that actually carried out by the electrical contractor must be effectively supervised by—
 - (i) the electrical contractor; or
 - (ii) in the case of electrical installation work, a nominated technical supervisor who has the qualifications set out in regulation 10(1); or
 - (iii) in the case of electrical switchgear fitting work, a nominated technical supervisor who has the qualifications set out in regulation 10(1) or 10(2)(a);

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- (b) if the electrical contractor has the qualifications referred to in regulation 10(2)(a)—
- (i) all electrical switchgear fitting work except that actually carried out by the electrical contractor must be effectively supervised by—
 - (A) the electrical contractor; or
 - (B) a nominated technical supervisor who has the qualifications set out in regulation 10(1) or 10(2)(a); and
 - (ii) all other electrical installation work must be effectively supervised by a nominated technical supervisor who has the qualifications set out in regulation 10(1);
- (c) if the electrical contractor does not have the qualifications referred to in regulation 10(1) or 10(2)(a) or the electrical contractor is not able to effectively supervise all electrical installation work or only electrical switchgear fitting work carried out on behalf of the electrical contractor, that work must be effectively supervised by a nominated technical supervisor who has—
- (i) in the case of the supervision of electrical installation work, the qualifications set out in regulation 10(1); and
 - (ii) in the case of the supervision of electrical switchgear fitting work, the qualifications set out in regulation 10(1) or 10(2)(a);
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- (d) the nomination of a nominated technical supervisor ceases if that supervisor is nominated to be the technical supervisor of another registered electrical contractor unless the supervisor is able to provide effective supervision of all electrical installation work for which the supervisor is responsible for supervising;
 - (e) the business of the electrical contracting work of the electrical contractor must be effectively managed and administered by—
 - (i) if the contractor has the qualifications set out in regulation 10(3)—
 - (A) the contractor; or
 - (B) a nominated business supervisor who has the qualifications set out in regulation 10(3); or
 - (ii) if the contractor does not have the qualifications set out in regulation 10(3), a nominated business supervisor who has the qualifications set out in regulation 10(3).

15 Obligations of registered contractors

- (1) A registered electrical contractor must notify Energy Safe Victoria in writing of the following events within 10 business days after the relevant event occurs—
 - (a) any change in the information provided in the application for the original registration or for the most recent renewal of the registration;
 - (b) any change in the circumstances of the nominated technical supervisor that would affect the supervisor's ability to effectively

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- supervise electrical installation work carried out by the electrical contractor;
- (c) any change in the circumstances of the nominated business supervisor that would affect the supervisor's ability to be responsible for the management and administration of the business of the electrical contractor;
 - (d) if the contractor is a body corporate—
 - (i) any change of its name;
 - (ii) any change to the address of its principle place of business;
 - (iii) if it is deregistered under the Corporations Act;
 - (e) any change in the business name that the electrical contractor uses.

Penalty: 5 penalty units.

- (2) If the nominated technical supervisor of a registered electrical contractor ceases to carry out that function or is no longer able to effectively supervise electrical installation work carried out by the electrical contractor, the electrical contractor must—
 - (a) notify Energy Safe Victoria; and
 - (b) nominate another person who has the required qualifications; and
 - (c) send to Energy Safe Victoria a declaration by the person that sets out the person's name and address and the person's consent to be such a supervisor within 10 business days after that nomination.

Penalty: 5 penalty units.

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- (3) If the nominated business supervisor of a registered electrical contractor ceases to carry out that function or is no longer able to be responsible for the management and administration of the business, the electrical contractor must—
- (a) notify Energy Safe Victoria; and
 - (b) nominate another person who has the required qualifications; and
 - (c) send to Energy Safe Victoria a declaration from the person that sets out the person's name and address and the person's consent to be such a supervisor within 10 business days after that nomination.

Penalty: 5 penalty units.

16 Cancellation of registration

- (1) Energy Safe Victoria may cancel the registration of an electrical contractor who applies to it in writing for that cancellation.
- (2) Energy Safe Victoria must cancel the registration of an electrical contractor who fails to apply for renewal of registration by the renewal date.

17 The register

- (1) For the purposes of section 33(2) of the Act, the register must be kept in electronic form and contain the following information about each registered electrical contractor—
 - (a) the name and business address of the electrical contractor;
 - (b) the date of registration or renewal of registration;
 - (c) the registration number.

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- (2) A person's residential address must not appear on any part of the register that is available to the public unless the person—
 - (a) has nominated that address as the person's business address; or
 - (b) authorises Energy Safe Victoria to do so.
 - (3) A person may obtain a copy of an extract from the register.
 - (4) The prescribed fee for an extract from the register is 2·8 fee units.

18 Registration cards

- (1) Energy Safe Victoria must issue a registration card to a registered electrical contractor that sets out the details of registration.
- (2) A registration card issued to an electrical contractor under subregulation (1) is evidence of the registration of that contractor.
- (3) A person who is issued with a registration card must, upon receipt of the registration card—
 - (a) sign the card; or
 - (b) in the case of a body corporate, ensure that the card is signed by the secretary or a director of the body corporate.

Penalty: 10 penalty units.

- (4) An electrical contractor whose registration has been cancelled must deliver the contractor's registration card to Energy Safe Victoria within 10 business days after the contractor receives notice of the cancellation.

Penalty: 10 penalty units.

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- (5) If a registered electrical contractor demonstrates to Energy Safe Victoria that the registration card issued to the contractor has been lost, damaged, or destroyed, Energy Safe Victoria must, on payment of the prescribed fee, issue a duplicate registration card to that electrical contractor.
- (6) The prescribed fee to issue a duplicate registration card is 2·8 fee units.
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PART 3—LICENSING OF ELECTRICAL WORKERS

Division 1—Issue, renewal and cancellation of licences

19 Applications for issue of licences

- (1) A person may apply to Energy Safe Victoria for a licence for one or more classes of electrical work.
- (2) An application must be in writing and contain details of the following—
 - (a) the applicant's name, residential address, postal address and telephone number;
 - (b) the name and address of any current or former employer of the applicant, the period of the employment and the electrical work carried out under that employment;
 - (c) the applicant's experience in electrical work;
 - (d) any refusal of any regulatory authority to issue a licence to carry out electrical work or the cancellation or suspension of such a licence; and
 - (e) the class of electrical work for which the licence is being sought.
- (3) An application must be accompanied by—
 - (a) evidence of the training and qualifications and experience on which the applicant relies for licensing; and
 - (b) in the case of an applicant for a licence under regulation 25 or 26—
 - (i) a written description of the person's primary work function and of the electrical installation work required to carry out that function; and

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- (ii) written evidence that the electrical installation work is a necessary component of the person's primary work function.
 - (4) Energy Safe Victoria may require the applicant to provide proof of identity or any other information or material in respect of an application.
 - (5) The prescribed fee for a license application (other than a Restricted electrical worker's licence or Electrical inspector's licence) is 27·8 fee units.
 - (6) The prescribed fee for an application for a Restricted electrical worker's licence or Electrical inspector's license is 43·3 fee units.

20 Electrician's licence

For the purposes of section 40 of the Act, Energy Safe Victoria may issue a license to a person under which the person may carry out all electrical installation work of the class prescribed by regulation 7(a) if Energy Safe Victoria is satisfied that—

- (a) the person—
 - (i) has completed a 4 year contract of training as an electrician that included at least 12 months experience in carrying out electrical installation work; and
 - (ii) holds a Certificate III in Electrotechnology Electrician; and
 - (iii) has satisfactorily completed the Licensed Electrician's Assessment conducted by Energy Safe Victoria or a body approved by Energy Safe Victoria; or

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- (b) the person's standard of qualifications, proficiency and experience in electrical installation work is at least of an equivalent standard to that required under paragraph (a).

21 Supervised worker's licence

For the purposes of section 40 of the Act, Energy Safe Victoria may issue a license to a person under which the person may carry out all electrical installation work of the class prescribed by regulation 7(a) under the effective supervision of a licensed electrician for a period not exceeding 3 years if Energy Safe Victoria is satisfied that—

- (a) the person—
- (i) has completed a 4 year contract of training as an electrical fitter; and
 - (ii) holds a Certificate III in Switchgear and Controlgear; and
 - (iii) has satisfactorily completed a practical examination conducted by Energy Safe Victoria or a body approved by Energy Safe Victoria in safe work practices; or
- (b) the person has—
- (i) completed a 4 year contract of training as an electrician that included at least 12 months experience in carrying out electrical installation work; and
 - (ii) partially completed the Certificate III in Electrotechnology Electrician; and
 - (iii) satisfactorily completed a practical examination conducted by Energy Safe Victoria or a body approved by Energy Safe Victoria in safe work practices; or
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- (c) the person's standard of qualifications, proficiency and experience in electrical installation work is at least of an equivalent standard to that required under paragraph (a) or (b).

22 Electrician (Supervised) worker's licence

- (1) This regulation applies to a person who, on the commencement of these Regulations, holds a licence that was issued under section 40 of the Act and in accordance with regulation 702(a) of the Electricity Safety (Installations) Regulations 1999.
- (2) The person is eligible, at any time before the expiry of that licence, to have issued to that person—
- (a) a licence to carry out all electrical installation work of the class prescribed by regulation 7(a) subject to the condition that the person carry out all installation work under the effective supervision of a licensed electrician; and
 - (b) a licence to carry out all installation work of the class prescribed by regulation 7(c).

23 Occupier's licence

- (1) This regulation applies to a person who, on the commencement of these Regulations, holds a licence that was issued under section 40 of the Act and in accordance with regulation 304 of the Electricity Safety (Installations) Regulations 1999.
- (2) The person is eligible, at any time before the expiry of that licence, to have issued to that person a licence to carry out all electrical installation work of the class prescribed by regulation 7(a) that is limited to premises to which the person to be licensed occupies for residential purposes.

24 Electrical switchgear worker's licence

For the purposes of section 40 of the Act, Energy Safe Victoria may issue a licence to a person under which the person may carry out electrical installation work of the class prescribed by regulation 7(a) that is limited to the assembly, alteration, repair and maintenance of switchgear and controlgear assemblies if Energy Safe Victoria is satisfied that—

- (a) the person—
 - (i) has completed a 4 year contract of training as an electrical fitter that included at least 12 months experience in carrying out electrical switchgear fitting work; and
 - (ii) holds a Certificate III in Switchgear and Controlgear; and
 - (iii) has satisfactorily completed the Licensed Switchgear Worker's Assessment conducted by Energy Safe Victoria or a body approved by Energy Safe Victoria; or
- (b) the person's standard of qualifications, proficiency and experience in electrical switchgear fitting work is at least of an equivalent standard to that required under paragraph (a).

25 Restricted electrical worker's licence (Class 1)

- (1) For the purposes of section 40 of the Act, Energy Safe Victoria may issue a licence to a person under which the person may carry out restricted electrical installation work of a class prescribed by regulation 7(b) if Energy Safe Victoria is satisfied that the person has—

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- (a) a demonstrated need to undertake the restricted electrical installation work because the work is ancillary to a primary work function; and
- (b) the necessary qualifications.
- (2) In determining whether a person has a demonstrated need referred to in subregulation (1)(a), Energy Safe Victoria may take into account—
- (a) any of the following—
- (i) whether it is impractical or inefficient to require a licensed electrician to undertake the proposed restricted electrical installation work in all instances;
 - (ii) whether the need to undertake the restricted electrical installation work is sufficiently frequent;
 - (iii) whether there is a sufficient connection between the proposed electrical installation work and the person's primary work function;
 - (iv) whether the level of risk associated with the proposed restricted electrical installation work outweighs the person's demonstrated need; and
- (b) any other matters Energy Safe Victoria considers relevant.
- (3) For the purpose of subregulation (1)(b), the person has the necessary qualifications if—
- (a) the person has—
- (i) the qualifications or training (if any) required to carry out the primary work function; and
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- (ii) satisfactorily completed a course of instruction decided by Energy Safe Victoria; and
 - (iii) satisfactorily completed a practical examination conducted by Energy Safe Victoria or a body approved by Energy Safe Victoria in safely disconnecting, reconnecting and testing electrical equipment and fault finding; or
- (b) the person's standard of qualifications, proficiency and experience in the primary work function and electrical installation work is at least of an equivalent standard to that required under paragraph (a).
- (4) Energy Safe Victoria must, by condition imposed on a licence, limit the type of electrical installation work that the licensed person may undertake under the licence to an occupational area or areas specified in Schedule 2.

26 Restricted electrical worker's licence (Class 2)

- (1) For the purposes of section 40 of the Act, Energy Safe Victoria may issue a licence to a person under which the person may carry out restricted electrical installation work of a class prescribed by regulation 7(c) if Energy Safe Victoria is satisfied that the person has—
- (a) a demonstrated need to undertake the restricted electrical installation work because the work is ancillary to a primary work function; and
 - (b) the necessary qualifications.
- (2) In determining whether a person has a demonstrated need referred to in subregulation (1)(a), Energy Safe Victoria may take into account—
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- (a) any of the following—
- (i) whether it is impractical or inefficient to require a licensed electrician to undertake the proposed restricted electrical installation work in all instances;
 - (ii) whether the need to undertake the restricted electrical installation work is sufficiently frequent;
 - (iii) whether there is a sufficient connection between the proposed electrical installation work and the person's primary work function;
 - (iv) whether the level of risk associated with the proposed restricted electrical installation work outweighs the person's demonstrated need; and
- (b) any other matters Energy Safe Victoria considers relevant.
- (3) For the purpose of subregulation (1)(b), the person has the necessary qualifications if—
- (a) the person has—
 - (i) the qualifications or training (if any) required to carry out the primary work function; and
 - (ii) satisfactorily completed a course of instruction decided by Energy Safe Victoria; and
 - (iii) satisfactorily completed a practical examination conducted by Energy Safe Victoria or a body approved by Energy Safe Victoria in safely disconnecting, reconnecting and testing electrical equipment; or
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- (b) the person's standard of qualifications, proficiency and experience in the primary work function and electrical installation work is at least of an equivalent standard to that required under paragraph (a).
- (4) Energy Safe Victoria must, by condition imposed on a licence, limit the type of electrical installation work that the licensed person may undertake under the licence to an occupational area or areas specified in Schedule 2.

27 Electrical inspector's licence

For the purposes of section 40 of the Act, Energy Safe Victoria may issue a license to a person under which the person may carry out electrical inspection work of any or all of the classes specified in Part A of Schedule 3 (except class "L") if—

- (a) the person—
 - (i) has demonstrated to the satisfaction of Energy Safe Victoria the qualifications, experience, competence and proficiency in the matters specified in Part B of Schedule 3 for the relevant class of electrical inspection work; and
 - (ii) if required by Energy Safe Victoria to do so, has satisfactorily completed a practical examination in electrical inspection work conducted by Energy Safe Victoria or a body approved by Energy Safe Victoria; or
- (b) the person's standard of qualifications, proficiency and experience in electrical installation work is at least of an equivalent standard to that required under paragraph (a).

28 Class "L" inspector's license

- (1) This regulation applies to a person who, on the commencement of these Regulations, holds a licence that was issued under section 40 of the Act and in accordance with regulation 306 of the Electricity Safety (Installations) Regulations 1999 under which the person may carry out electrical inspection work prescribed as class "L" in Part A of Schedule 4 to those Regulations.
- (2) The person is eligible, at any time before the expiry of that licence, to have issued to that person a licence under which the person may carry out electrical inspection work specified as class "L" in Part A of Schedule 3.

29 Mutual recognition of qualification—licensing

Energy Safe Victoria may issue a license to an applicant who is registered or licensed as an electrical worker in another State or a Territory or in New Zealand if Energy Safe Victoria is satisfied that the applicant has successfully completed an assessment or course of training or passed examinations which are substantially equivalent to those referred to in this Division.

30 Mutual recognition—electricians taken to be licensed in Victoria

- (1) A person—
 - (a) who is the holder of a licence or authority issued by an Australian regulatory authority (other than Energy Safe Victoria), which is the equivalent of an electrician's licence; and
 - (b) who is not ordinarily resident in the State—is to be treated as licensed under regulation 20, provided that the person notifies Energy Safe Victoria in accordance with this regulation.

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- (2) The notification must be given in the manner approved by Energy Safe Victoria and must include—
- (a) the person's name, residential address, postal address and telephone number; and
 - (b) the details of the licence or authority that they hold; and
 - (c) a statement that the person consents to the making of enquiries and the exchange of information with any Australian regulatory authority in relation to any licence or authority that the person holds.
- (3) A person who is treated as being licensed under this regulation must notify Energy Safe Victoria within 10 business days after any change in that person's name, address or status of the licence or authority they hold.

Penalty: 20 penalty units.

31 Refusal of licence

For the purposes of section 40 of the Act, Energy Safe Victoria may refuse to issue a licence to an applicant if Energy Safe Victoria is satisfied that—

- (a) the applicant has not complied with these Regulations in relation to the class of licence applied for; or
- (b) the applicant has contravened a provision of—
 - (i) the Act; or
 - (ii) these Regulations; or
 - (iii) the Electricity Safety (Installations) Regulations 2009; or

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- (iv) a law of another State or a Territory or of New Zealand which substantially corresponds to the Act or these Regulations or the Electricity Safety (Installations) Regulations 2009; or
 - (c) the applicant has attempted to obtain a licence as an electrical worker by fraud, misrepresentation or concealment of facts; or
 - (d) the applicant has been convicted of any offence involving fraud, dishonesty, drug trafficking or violence that was punishable by a term of imprisonment of 6 months or more; or
 - (e) the applicant has been negligent or incompetent, or was a party to any negligence or incompetence, in connection with the carrying out of electrical work; or
 - (f) the applicant has engaged in fraudulent conduct in the carrying out of electrical work.

32 Renewal of licences

- (1) Subject to this regulation, a licensed electrical worker, other than the holder of a licence under regulation 21, may apply to Energy Safe Victoria for renewal of the worker's licence.
- (2) A licensed electrical worker cannot apply for renewal of the worker's licence if that licence is a class "F" inspection licence, class "R" inspection licence or class "S" inspection licence.
- (3) An application for renewal of a licence must be in writing and contain details of any changes in the information provided in the application for the licence or for the most recent renewal of the licence or in any other circumstances relating to the application.

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- (4) Energy Safe Victoria may require the applicant to provide further information or material relating to the competence of the applicant to carry out the class of electrical work for which the licence is to be renewed.
 - (5) The prescribed fee for an application for the renewal of a licence (other than a Restricted electrical worker's licence or Electrical inspector's licence) is 13·9 fee units.
 - (6) The prescribed fee for an application for the renewal of a Restricted electrical worker's licence or Electrical inspector's licence is 20·8 fee units.
 - (7) For the purposes of section 40 of the Act, Energy Safe Victoria may renew or refuse to renew the licence of an electrical worker on any of the grounds set out in regulation 31.
 - (8) In this regulation—

class "F" inspection licence means a licence issued under section 40 of the Act and in accordance with regulation 306 of the Electricity Safety (Installations) Regulations 1999 for class "F" inspection work;

class "R" inspection licence means a licence issued under section 40 of the Act and in accordance with regulation 306 of the Electricity Safety (Installations) Regulations 1999 for class "R" inspection work;

class "S" inspection licence means a licence issued under section 40 of the Act and in accordance with regulation 306 of the Electricity Safety (Installations) Regulations 1999 for class "S" inspection work.

33 Cancellation of licence

- (1) Energy Safe Victoria may cancel the licence of an electrical worker who surrenders the written licence for cancellation or applies to Energy Safe Victoria in writing for the issue of a licence of another class.
- (2) Energy Safe Victoria must cancel the licence of an electrical worker who does not apply for renewal of the licence by the renewal date specified on the licence card.

Division 2—Other matters

34 Apprentices

For the purposes of section 39 of the Act, an apprentice is required to carry out all electrical installation work under the effective supervision of—

- (a) a licensed electrician; or
- (b) in the case of electrical switchgear fitting work—
 - (i) a licensed electrician; or
 - (ii) a licensed electrical switchgear worker.

35 Change of name or address

The holder of a licence must notify Energy Safe Victoria within 10 business days after any change in that person's name or address.

Penalty: 10 penalty units.

36 Licence cards

- (1) Energy Safe Victoria must issue a licence card to a licensed electrical worker.

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- (2) A licence card issued to a licensed electrical worker under subregulation (1) is evidence that the electrical worker is licensed by Energy Safe Victoria to carry out a particular class of electrical work.
- (3) A person who is issued with a licence card must, upon receipt of the card, sign the card.
Penalty: 10 penalty units.
- (4) An electrical worker whose licence has been cancelled must deliver the licence card to Energy Safe Victoria within 10 business days after the worker receives notice of the cancellation.
Penalty: 10 penalty units.
- (5) If a licensed electrical worker demonstrates to Energy Safe Victoria that the licence card issued to the worker has been lost, damaged, or destroyed, Energy Safe Victoria must, on payment of the prescribed fee, issue a duplicate card to that electrical worker.
- (6) The prescribed fee for the issue of a duplicate licence card is 2·8 fee units.

37 Licence card to be produced on demand

A person who is carrying out a class of electrical work prescribed by regulation 7 must, at the request of an enforcement officer—

- (a) produce the person's licence card to the enforcement officer; or
- (b) provide details of the person's licence to the officer.

Penalty: 10 penalty units.

PART 4—FEES

38 Fees—rebates

- (1) Energy Safe Victoria may rebate the payment of an application fee for the issue or renewal of a registration for an electrical contractor if the registration is to be issued for a period of less than 5 years.
- (2) Energy Safe Victoria may rebate the payment of an application fee for the issue or renewal of a licence for an electrical installation worker if the licence is to be issued for a period of less than 5 years.

39 Fees—refunds

Energy Safe Victoria may refund part of the application fee for the issue or renewal of a licence for an electrical installation worker if the licence is to be cancelled for the issue of a licence of another class.

PART 5—INFRINGEMENT NOTICES

40 Provisions under which infringement notices may be served

- (1) For the purposes of paragraph (b) of the definition of *prescribed offence* in section 140A of the Act, regulations 15(1)(a), 15(1)(d), 15(1)(e), 15(2) and 15(3), 18(3)(a), 18(3)(b) and 18(4), 30(3), 35, 36(3) and 36(4), and 37 are prescribed provisions.
 - (2) Regulation 5(e) of the Electricity Safety (Infringements) Regulations 2000¹ is **revoked**.
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PART 6—RELATED AMENDMENTS

41 Amendments to Electricity Safety (Installations) Regulations 2009

In regulation 105 of the Electricity Safety (Installations) Regulations 2009²—

- (a) for the definition of *licensed electrician substitute*—

"*licensed electrician* means an electrical installation worker holding an electrician's licence under Part 3 of the Electricity Safety (Registration and Licensing) Regulations 2010;" and

- (b) for the definition of *licensed electrical inspector substitute*—

"*licensed electrical inspector* means a person holding an inspector's licence under Part 3 of the Electricity Safety (Registration and Licensing) Regulations 2010;" and

- (c) for the definition of *registered electrical contractor substitute*—

"*registered electrical contractor* means an electrical contractor registered under Part 2 of the Electricity Safety (Registration and Licensing) Regulations 2010;"

PART 7—TRANSITIONALS

42 Transitional—Disconnect/reconnect worker's licence

(1) In this regulation—

commencement day means the day on which these Regulations come into operation;

old Regulations means the Electricity Safety (Installations) Regulations 1999.

(2) On or after the commencement day a Disconnect/reconnect licence issued under section 40 of the Act and in accordance with regulation 305 of the old regulations is to be treated as a Restricted electrical worker's licence (Class 2) until the expiry date specified on the licence.

SCHEDULES

SCHEDULE 1

REVOKED REGULATIONS

<i>S.R. No.</i>	<i>Title</i>
49/1999	Electricity Safety (Installations) Regulations 1999
3/2001	Electricity Safety (Installations) (Amendment) Regulations 2001
58/2004	Electricity Safety (Installations) (Amendment) Regulations 2004

SCHEDULE 2

Regulations 4, 7(b) and (c),
25(4) and 26(4)

OCCUPATIONAL AREAS

1. Air conditioning and refrigeration
 2. Instrumentation
 3. Electronics
 4. Water heaters
 5. Electrical appliances
 6. Preassembled neon signs
 7. Composite equipment
 8. Control devices
 9. Gas appliances
 10. Motors
 11. Hazardous area equipment
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SCHEDULE 3

Regulations 7(d), 27 and 28

**PART A—SPECIFIED CLASSES OF ELECTRICAL
INSPECTION WORK**

<i>Class</i>	<i>Description</i>
L	Electrical equipment installed in installations comprising a low voltage single phase, 2 wire supply comprising consumers mains, main earthing systems, consumer terminals connection devices or those parts of main switchboards that are related to the control of installations and the protection against the spread of fire but does not include electrical equipment installed as part of a part 1 solution.
G	Any low voltage installations except— (i) class H; and (ii) class M; and (iii) electric fences intended primarily for the control or containment of animals.
H	Electrical equipment installed in a hazardous area and electrical equipment associated with the protection of the hazardous area but not installed within the hazardous area.
V	High voltage installations except high voltage electrical equipment that is— (i) associated with an electric discharge lighting system; or (ii) associated with X-ray equipment; or (iii) associated with high frequency equipment; or (iv) within self-contained equipment supplied at low voltage; or (v) associated with electric fences intended primarily for the control or containment of animals.
M	Fixed electrical equipment installed in a patient area.

Sch. 3

**PART B—REQUIRED QUALIFICATIONS, PROFICIENCY
AND EXPERIENCE IN ELECTRICAL INSPECTION WORK**

<i>Class</i>	<i>Description</i>
L	<ol style="list-style-type: none">1 A detailed understanding of safety in electrical installations.2 Testing methods for electrical installations.3 The requirements of the Regulations relating to consumers mains, main earthing systems, main switchboards and consumer terminals connection devices.
G	<ol style="list-style-type: none">1 A detailed understanding of safety in electrical installations that are covered by this class.2 Testing methods for electrical installations that are covered by this class.3 The requirements of the Regulations relating to low voltage electrical installations.
H	<ol style="list-style-type: none">1 A detailed understanding of safety in electrical installations in hazardous areas.2 Testing methods in hazardous areas and for electrical equipment associated with the protection of hazardous areas.3 The requirements of the Regulations relating to electrical installations in hazardous areas and electrical equipment associated with the protection of hazardous areas.
V	<ol style="list-style-type: none">1 A detailed understanding of safety in high voltage electrical installations.2 Testing methods for high voltage installations.3 The requirements of the Regulations relating to high voltage electrical installations.
M	<ol style="list-style-type: none">1 A detailed understanding of safety in fixed electrical equipment installed in a patient area.2 Testing methods for electrical installations in those areas.3 The requirements of the Regulations relating to those areas.

ENDNOTES

1. General Information

The Electricity Safety (Registration and Licensing) Regulations 2010, S.R. No. 21/2010 were made on 27 April 2010 by the Governor in Council under sections 152, 156 and 157 of the **Electrical Safety Act 1998**, No. 25/1998 and came into operation on 27 April 2010.

The Electricity Safety (Registration and Licensing) Regulations 2010 will sunset 10 years after the day of making on 27 April 2020 (see section 5 of the **Subordinate Legislation Act 1994**).

Endnotes

2. Table of Amendments

There are no amendments made to the Electricity Safety (Registration and Licensing) Regulations 2010 by statutory rules, subordinate instruments and Acts.

3. Explanatory Details

¹ Reg. 40(2): S.R. No. 136/2000. Reprint No. 1 as at September 2009.
Reprinted to S.R. No. 37/2009 and subsequently amended by
S.R. No. 164/2009.

² Reg. 41: S.R. No. 164/2009.

Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2009 is \$11.69. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2009 is \$116.82.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

Electricity Safety (Registration and Licensing) Regulations 2010
S.R. No. 21/2010

**Table of Applied, Adopted or Incorporated Matter Required by the
Subordinate Legislation Regulations 2004.**

The following table of applied, adopted or incorporated matter was included in S.R. No. 21/2010 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2004.

Statutory Rule Provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 4, definition of <i>Australian/New Zealand Wiring Rules</i>	Australian/New Zealand Standard, AS/NZS 3000, 'Electrical Installations' published 12 November 2007 by Standards Australia.	The whole
Regulation 4, definition of <i>AS/NZS 3003</i>	Australian/New Zealand Standard, AS/NZS 3003 'Electrical installations— Patient treatment areas of hospitals and medical, dental practices and dialyzing locations' published 30 June 2003 by Standards Australia.	The whole