



Queensland

Electrical Safety and Another Regulation Amendment Regulation (No. 1) 2007

Subordinate Legislation 2007 No. 146

made under the

Electrical Safety Act 2002

State Penalties Enforcement Act 1999

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Electrical Safety and Another Regulation Amendment Regulation (No. 1) 2007*.

2 Commencement

This regulation commences on 1 July 2007.

Part 2 Amendment of Electrical Safety Regulation 2002

3 Regulation amended in pt 2

This part amends the *Electrical Safety Regulation 2002*.

4 Amendment of s 6 (References to standards and other documents)

- (1) Section 6(1)(c), ‘ESAA’, first mention—

omit, insert—

‘ENA’.

- (2) Section 6(1)(c), example, ‘ESAA Live Line Guideline (2000)’—

omit, insert—

‘ENA LLM 01-2006 (Guidelines for live line barehand work)’.

5 Amendment of s 12 (Requirements for performance of live work)

Section 12(1)(j)—

omit, insert—

- ‘(j) there is a safety observer observing the performance of the electrical work unless—
- (i) the work involves testing electrical equipment; and
 - (ii) the risk assessment prepared under paragraph (b) does not show there is a high risk to electrical safety in performing the testing of the electrical equipment.

Example for subparagraph (ii)—

If a risk assessment does not show there is a high risk to electrical safety in performing the testing of the polarity of an installed outlet, a safety observer is not required to observe the performance of the work.’.

6 Amendment of s 13 (Performance of high voltage live line work)

Section 13(4), definition *high voltage live line work management plan*, paragraph (a)—

omit, insert—

- ‘(a) includes procedures developed in accordance with each of the following guidelines—
- (i) ENA LLM 01-2006 (Guidelines for live line barehand work);
 - (ii) ENA LLM 02-2006 (Guidelines for live line stick work);
 - (iii) ENA LLM 03-2006 (Guidelines for live line glove and barrier work); and’.

7 Amendment of s 14 (Testing of electrical equipment after electrical work)

Section 14(4)(b), ‘certificate’—

omit, insert—

‘notice’.

8 Amendment of s 18 (Employer or self-employed person to ensure suitability of testing instruments)

- (1) Section 18(2)(c), after ‘performed’—
insert—
‘under paragraph (b)’.
- (2) Section 18(2), penalty, ‘for subsection (2)’—
omit.

9 Insertion of new s 38A

After section 38—

insert—

‘38A Eligibility requirements for electrical work training permit

- ‘(1) To be issued an electrical work training permit to perform electrical work stated in the permit, an applicant must satisfy the chief executive that the applicant has a relevant qualification under section 34(6), 35(6), 36(6), 37(6) or 38(7) for the stated electrical work.

Example—

A person applies for an electrical mechanic licence. The person does not satisfy the eligibility requirements for an electrical mechanic licence under section 34(2), (3) or (4). The person may be issued an electrical work training permit if the person has a relevant qualification under section 34(6).

- ‘(2) The chief executive may also consider the following about the applicant’s activities, whether before or after the commencement of this section—
- (a) disciplinary action taken against the applicant under a law regulating the activities of licensed electrical workers;
- (b) the applicant’s non-performance of an obligation under a law about electrical work and the reasons for the non-performance.’

10 Amendment of s 44 (Change of name of corporation or partnership)

(1) Section 44(1)—

omit, insert—

‘(1) This section applies if, for a corporation or partnership that is the holder of an electrical contractor licence, there is a change in either of the following—

(a) the name of the corporation or partnership;

(b) if the corporation or partnership carries on business under a name other than its name—the name (*business name*) under which it carries on business.’.

(2) Section 44(2), (4)(a) and (5), after ‘name’—

insert—

‘or business name’.

11 Amendment of pt 4, div 2 hdg (Requirements for working around electrical parts)

Part 4, division 2, heading, after ‘parts’—

insert—

‘and underground electrical services’.

12 Amendment of s 62 (Employer or self-employed person to ensure work is performed in accordance with requirements)

Section 62(1)—

insert—

‘(e) a person coming into direct contact with an underground electrical service as a result of which—

(i) the service is damaged; and

(ii) live parts of the service are exposed; or

- (f) any operating plant or vehicle coming into direct contact with an underground electrical service as a result of which—
 - (i) the service is damaged; and
 - (ii) live parts of the service are exposed.’

13 Amendment of s 83 (Definitions for div 5)

Section 83—

insert—

‘prescribed details, in relation to a tag to be attached to equipment, or a written record to be made in relation to equipment, after it is inspected and tested or reinspected and retested, means the following—

- (a) for all equipment—
 - (i) the date of the testing or retesting; or
 - (ii) the day by which the equipment must be reinspected and retested;
- (b) if the individual who performed the test or retest of the equipment is employed or engaged by a corporation, any of the following—
 - (i) the name of the individual;
 - (ii) the individual’s electrical contractor licence number;
 - (iii) the name of the corporation;
 - (iv) the corporation’s electrical contractor licence number;
- (c) if the individual who performed the test or retest of the equipment is not employed or engaged by a corporation, any of the following—
 - (i) the name of the individual;
 - (ii) the individual’s electrical contractor licence number;

- (iii) the electrical contractor licence number of the individual's employer;
- (iv) the individual's electrical worker licence number.¹.

14 Amendment of s 87 (Requirements for construction wiring and electrical equipment)

- (1) Section 87(1A), 'section 3.1' and footnote—
omit, insert—
'clause 3.1¹'.
- (2) Section 87(1A)(b)(i), 'section'—
omit, insert—
'clause'.
- (3) Section 87(1A)(b)(ii) and note—
omit, insert—
'(ii) the tag includes the day by which the equipment must be reinspected and retested and the information mentioned in subsection (4).'
- (4) Section 87(3), 'section 1.4.7'—
omit, insert—
'clause 1.4.7²'.
- (5) Section 87(1A), (2) and (3)—
renumber as section 87(3), (5) and (6).
- (6) Section 87—
insert—

1 AS/NZS 3012 (Electrical installations—Construction and demolition sites), clause 3.1 (Application)

2 AS/NZS 3012 (Electrical installations—Construction and demolition sites), clause 1.4.7 (Competent person)

- ‘(2) However, the requirement under AS/NZS 3012, clause 3.8.3³ that the tag must include the name of the person or company who performed the test does not apply.
- ‘(4) For subsection (3)(b)(ii)—
- (a) if the individual who performed the test or retest is employed or engaged by a corporation—the information is any of the following—
 - (i) the name of the individual;
 - (ii) the individual’s electrical contractor licence number;
 - (iii) the name of the corporation;
 - (iv) the corporation’s electrical contractor licence number; or
 - (b) if paragraph (a) does not apply—the information is any of the following—
 - (i) the name of the individual;
 - (ii) the individual’s electrical contractor licence number;
 - (iii) the electrical contractor licence number of the individual’s employer;
 - (iv) the individual’s electrical worker licence number.’.

15 Amendment of s 90 (Specified electrical equipment)

- (1) Section 90(2), from ‘day’—
omit, insert—
‘prescribed details.’.
- (2) Section 90(4), from ‘that shows’ to ‘retested’—
omit, insert—
‘under subsection (2)’.

3 AS/NZS 3012 (Electrical installations—Construction and demolition sites), clause 3.8.3 (Compliant equipment)

16 Amendment of s 93 (Specified electrical equipment)

- (1) Section 93(1), examples of specified electrical equipment used to perform service work, third dot point—
omit.
- (2) Section 93(2), from ‘day’—
omit, insert—
‘prescribed details.’.
- (3) Section 93(4), from ‘that shows’ to ‘retested’—
omit, insert—
‘under subsection (2)’.

17 Amendment of s 94C (Specified electrical equipment)

- (1) Section 94C(2), from ‘day’—
omit, insert—
‘prescribed details’.
- (2) Section 94C(4), from ‘that shows’ to ‘retested’—
omit, insert—
‘under subsection (2)’.

18 Amendment of s 94D (Amusement devices and amusement rides)

- Section 94D(3)(b)—
omit, insert—
‘(b) the prescribed details.’.

19 Amendment of s 94G (Requirements for rural industry work)

- (1) Section 94G(2), from ‘day’—
omit, insert—
‘prescribed details.’.

- (2) Section 94G(4), from ‘that shows’ to ‘retested’—
omit, insert—
‘under subsection (2)’.

20 Amendment of s 101 (Application for approval of type of electrical equipment)

- Section 101(2)(b)(i)(A), ‘tested or’—
omit, insert—
‘tested and’.

21 Amendment of s 104 (Register of approved types of electrical equipment)

- Section 104(2)(a)—
omit, insert—
‘(a) type approval certificates, including—
(i) the name and address of each type approval holder;
and
(ii) the expiry day of each approval; and’.

22 Amendment of s 126 (Hiring electrical equipment)

- (1) Section 126—
insert—

- ‘(1A) However, subsection (1)(b) does not apply if the item is domestic electrical equipment that is hired for use in a domestic situation.

Example of domestic electrical equipment hired for use in a domestic situation—

refrigerator, television or computer hired for use in a dwelling house or flat

Example of domestic electrical equipment not hired for use in a domestic situation—

refrigerator hired for use in a mechanic’s workshop’.

(2) Section 126—

insert—

‘(6) In this section—

domestic electrical equipment means computer equipment, browngoods or whitegoods.’.

23 Amendment of s 155 (Disconnection and reconnection of low voltage electrical installation)

(1) Section 155(1)(b)—

omit, insert—

‘(b) either—

(i) performs electrical installation work on a consumer’s consumer terminals, main switchboard or consumer mains; or

(ii) isolates electricity supply to eliminate an exclusion zone that would otherwise exist.’.

(2) Section 155(3), ‘The person’—

omit, insert—

‘Whether or not the person has performed electrical work, the person’.

24 Amendment of s 158 (Certificate by licensed electrical contractor of test)

(1) Section 158, heading, ‘Certificate’—

omit, insert—

‘**Notice**’.

(2) Section 158(2), ‘certificate’—

omit, insert—

‘notice’.

(3) Section 158(3)—

omit, insert—

- ‘(3) The notice must state that—
- (a) the tests required to be carried out by the licensed electrical contractor will be carried out in the way required under this part; and
 - (b) the electrical installation will be electrically safe by the date stated on the notice; and
 - (c) the electrical installation will be ready for connection by the date stated on the notice.’.

25 Insertion of new s 201A

After section 201—

insert—

‘201A Storage of electrical equipment after serious electrical incident

- ‘(1) This section applies if—
- (a) a serious electrical incident happens at a place; and
 - (b) electrical equipment that is part of the works of a distribution entity is involved in the serious electrical incident.
- ‘(2) The distribution entity must ensure that, if the equipment is removed from the place, the equipment is stored securely until—
- (a) an inspector takes possession of the equipment; or
 - (b) an inspector gives written permission to release the equipment from storage.

Maximum penalty—40 penalty units.’.

26 Amendment of s 204 (Definitions for div 1)

- (1) Section 204, after the heading—

insert—

‘In this division—’.

- (2) Section 204, definition *total contribution amount*,
‘\$7754000’—
omit, insert—
‘\$8225000’.

27 Replacement of pt 14, div 2 hdg (Electrical licences)

Part 14, division 2, heading—

omit, insert—

**‘Division 2 Transitional provisions for 2002 SL
No. 260**

‘Subdivision 1 Electrical licences’.

28 Amendment of s 214 (Eligibility for electrical jointer licence)

Section 214—

insert—

- ‘(3) This section is subject to section 221.’.

29 Amendment of s 215 (Eligibility for electrical linesperson licence)

Section 215—

insert—

- ‘(3) This section is subject to section 222.’.

30 Replacement of pt 14, div 3 hdg (Matters in place before commencement)

Part 14, division 3, heading—

omit, insert—

**‘Subdivision 2 Matters in place before 1 October
2002’.**

31 Insertion of new pt 14, div 3

After section 220—

insert—

**‘Division 3 Transitional provisions for Electrical
Safety and Another Regulation
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‘221 Further provision for electrical jointer licences

- ‘(1) This section applies to a person mentioned in section 214 if, immediately before 1 October 2002—
- (a) the person complied with the requirements under section 46(3) of the Electricity Regulation for the issue of a licence as an electrical jointer; and
 - (b) for section 46(3)(a) of the Electricity Regulation, the person had been employed outside Queensland, but not in Australia, as an electrical jointer for at least 2 years.
- ‘(2) Section 214(2) stops applying to the person on the commencement of this section.
- ‘(3) Despite subsection (2), section 214(2) continues to apply to the person if, immediately before the commencement, the person—
- (a) held a licence as an electrical jointer; or
 - (b) had applied for the issue, renewal or reinstatement of a licence as an electrical jointer.

‘222 Further provision for electrical linesperson licences

- ‘(1) This section applies to a person mentioned in section 215 if, immediately before 1 October 2002—
- (a) the person complied with the requirements under section 47(3) of the Electricity Regulation for the issue of a licence as an electrical linesperson; and

- (b) for section 47(3)(a) of the Electricity Regulation, the person had been employed outside Queensland, but not in Australia, as an electrical linesperson for at least 2 years.
- ‘(2) Section 215(2) stops applying to the person on the commencement of this section.
- ‘(3) Despite subsection (2), section 215(2) continues to apply to the person if, immediately before the commencement, the person—
- (a) held a licence as an electrical linesperson; or
- (b) had applied for the issue, renewal or reinstatement of a licence as an electrical linesperson.’

32 Replacement of sch 1 (External licences and electrical work licence equivalents)

Schedule 1—

omit, insert—

‘Schedule 1 External licences and electrical work licence equivalents

section 32

External licence

Equivalent licence

New South Wales

Under the *Home Building Act 1989* (NSW)—

- | | |
|---|-----------------------------|
| • Qualified supervisor certificate—electrician (endorsed <i>Q</i>) | electrical mechanic licence |
| • Qualified supervisor certificate—electrical | electrical mechanic licence |

Victoria

Under the *Electricity Safety Act 1998* (Vic)—

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External licence**Equivalent licence**

- Electrician's licence

electrical mechanic
licence

South Australia

Under the *Plumbers, Gas Fitters and Electricians Act 1995* (SA)—

- Electrical workers registration—any electrical work

electrical mechanic
licence

Tasmania

Under the *Electricity Industry Safety and Administration Act 1997* (Tas)—

- Electrical technician's licence
- Electrician's licence

electrical mechanic
licence
electrical mechanic
licence

Western Australia

Under the *Electricity Act 1945* (WA)—

- "A" grade electrical workers' licence—endorsed 'all electrical work'
- "A" grade electrical workers' licence—endorsed electrical mechanic
- "A" grade electrical workers' licence—endorsed electrical mechanic and electrical fitter
- "A" grade electrical workers' licence—endorsed electrical fitter

electrical mechanic
licence
electrical mechanic
licence
electrical mechanic
licence
electrical fitter
licence

Australian Capital Territory

Under the *Construction Occupations (Licensing) Act 2004* (ACT)—

- Unrestricted electrician licence

electrical mechanic
licence

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External licence**Equivalent licence**

Northern Territory

Under the *Electrical Workers and Contractors Act* (NT)—

- | | |
|---|--|
| <ul style="list-style-type: none"> • Electrical workers' licence endorsed electrical mechanic • Electrical workers' licence endorsed electrical fitter and mechanic • Electrical workers' licence endorsed electrical fitter | <p>electrical mechanic licence</p> <p>electrical mechanic licence</p> <p>electrical fitter licence</p> |
|---|--|

New Zealand

Under the *Electricity Act 1992* (NZ)—

- | | |
|---|--------------------------------------|
| <ul style="list-style-type: none"> • Practising licence for registered electrician | <p>electrical mechanic licence'.</p> |
|---|--------------------------------------|

33 Replacement of sch 7 (Fees)

Schedule 7—

omit, insert—

'Schedule 7 Fees

section 211B

\$

Electrical work licence

1	Application for electrical work licence	55.50
2	Application for renewal of electrical work licence	55.50
3	Application for reinstatement of electrical work licence. . .	55.50
4	Administration component of fee paid for an application under item 1, 2 or 3 refundable under section 55	27.70

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Electrical contractor licence		
5	Application for electrical contractor licence	267.15
6	Application for renewal of electrical contractor licence . . .	267.15
7	Application for reinstatement of electrical contractor licence	267.15
8	Administration component of fee paid for an application under item 5, 6 or 7 refundable under section 55	211.40
Electrical equipment		
9	Application for approval, or renewal of approval, of a type of electrical equipment of a prescribed class of electrical equipment—	
	• class 1 electrical equipment	306.20
	• class 2 electrical equipment	428.60
	• class 3 electrical equipment	612.40
10	Administration component of fee paid for an application under item 9 refundable under section 126A.	nil
11	Application for an extension under section 103A of an approval of a type of electrical equipment of a prescribed class of electrical equipment—	
	• class 1 electrical equipment	79.40
	• class 2 electrical equipment	79.40
	• class 3 electrical equipment	79.40
12	Administration component of fee paid for an application under item 11 refundable under section 126A.	nil
13	Application to change the approval of a type of electrical equipment—	
	(a) if a partial test report or other information that is not a test report is required	122.35
	(b) if a test report is required	306.20
14	Administration component of fee paid for an application under item 13 refundable under section 126A.	nil
15	Application for transfer of approval of a type of electrical equipment	61.10

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Cathodic protection system

16	Application for registration of cathodic protection system that is a registrable system.	222.70
17	Administration component of fee paid for an application under item 16 refundable under section 187A.	32.50

Accredited auditors

18	Application for appointment as an accredited auditor.	278.30
19	Application for renewal of appointment as an accredited auditor	166.95
20	Cost of administering an appointment as an accredited auditor refundable under section 168	166.95’.

34 Amendment of sch 9 (Dictionary)

- (1) Schedule 9, definition *ESAA*—
omit.
- (2) Schedule 9—
insert—
‘*ENA* means Energy Networks Association Limited ABN 75 106 735 406.
prescribed details see section 83.’.
- (3) Schedule 9, definition *exclusion zone*, ‘, for part 4,’—
omit.

