

Electrical Safety (Codes of Practice) Notice 2013

Explanatory notes for SL 2013 No. 276

made under the

Electrical Safety Act 2002

General outline

Short title

Electrical Safety (Codes of Practice) Notice 2013

Authorising law

Section 44 of the *Electrical Safety Act 2002*

Policy objectives of the legislation

This notice provides the Attorney-General and Minister for Justice has approved, amended and repealed codes of practice under section 44(2) of the *Electrical Safety Act 2002* (the Act).

How policy objectives will be achieved

The objective is achieved by notifying of:

- the approval of the *Electrical Safety Code of Practice 2013 – Managing Electrical Risks in the Workplace*;
- the amendment of the *Electrical Safety Code of Practice 2010 – Electrical Equipment Rural Industry*, the *Electrical Safety Code of Practice 2010 – Working Near Overhead and Underground Electric Lines* (previously titled *Electrical Safety Code of Practice 2010 – Working Near Exposed Live Parts*) and the *Electrical Safety Code of Practice 2010 – Works*; and
- the repeal of the *Electrical Safety Code of Practice 2010 – Electrical Work* and the *Electrical Safety Code of Practice 2010 – Risk Management*.

Consistency with authorising Act and other legislation

The notice and the codes of practice are consistent with and support the objectives of the Act and the *Electrical Safety Regulation 2013* (the Regulation).

Possible alternative approach

The policy objectives can only be achieved by notifying of the making, amendment and repeal of the codes mentioned in the notice.

Benefits and costs of implementing the legislation

The notice and the codes of practice support the Act and the Regulation by providing detailed advice and guidance about the control measures that should be followed by persons who have electrical safety duties.

The new *Electrical Safety Code of Practice 2013 – Managing Electrical Risks in the Workplace* (the new code of practice) is based on the national model work health and safety (WHS) *Managing Electrical Risks in the Workplace Code of Practice*. The new code of practice will not impose additional costs or regulatory burden on Queensland businesses as it essentially continues the advice and guidance which existed under the (now repealed) *Electrical Safety Code of Practice 2010 – Electrical Work*.

Similarly, the amended *Electrical Safety Code of Practice 2010 – Electrical Equipment Rural Industry*, the *Electrical Safety Code of Practice 2010 – Working Near Overhead and Underground Electric Lines* and the *Electrical Safety Code of Practice 2010 – Works* will also not impose additional costs or regulatory burden on Queensland businesses as the amended codes do not contain any policy changes and continue the advice and guidance which already exist under the previous versions of these codes.

Fundamental legislative principles

The notice does not breach any fundamental legislative principles.

Consultation

There has been extensive national consultation on the model WHS *Managing Electrical Risks in the Workplace Code of Practice*, on which the new code of practice is based.

On 11 July 2013, the Attorney-General held an industry roundtable meeting with key stakeholders, at which stakeholders supported the adoption of the model WHS *Managing Electrical Risks in the Workplace Code of Practice* and repeal of the existing *Electrical Safety Code of Practice 2010 – Electrical Work*.

The Electrical Safety Board and key stakeholders were advised about the proposed changes to the codes of practice during the consultation process for the *Electrical Safety Regulation 2013*.

Notes on provisions

Short title

Clause 1 provides the short title of the notice.

Commencement

Clause 2 provides this notice commences on 1 January 2014.

Dictionary

Clause 3 provides for a dictionary of particular words to be used in this notice.

Notice of making of code of practice—Act, s 44(2)

Clause 4 provides that the listing of a code of practice in schedule 1 is notice for the purpose of section 44(2) of the Act that the code of practice has been made by the Minister. The clause also clarifies that a code of practice listed in schedule 1 (the notification of which was made under the repealed Electrical Safety (Codes of Practice) Notice 2002) continues in force under this notice.

Notice of making of instrument amending code of practice—Act, s 44(2)

Clause 5 provides that the listing of a code of practice in schedule 1 is notice for the purpose of section 44(2) of the Act that the ministerial instrument amending the code of practice listed in schedule 1 has been made.

Notice of making of instrument repealing codes of practice—Act, s 44(2)

Clause 6 provides that the listing of a code of practice in schedule 2 is notice, for the purpose of section 44(2) of the Act that the ministerial instrument repealing the code of practice listed in schedule 2 has been made.

Repeal of Electrical Safety (Codes of Practice) Notice 2002

Clause 7 repeals the *Electrical Safety (Codes of Practice) Notice 2002*, SL No. 262.

Schedule 1 Codes of practice

Schedule 1 lists the new and amended codes of practice.

Schedule 2 Repealed codes of practice

Schedule 2 lists the repealed codes of practice.

Schedule 3 Dictionary

Schedule 3 defines particular words used in this notice.

ENDNOTES

- 1 Notified on the Legislative Assembly Queensland legislation website on . . .
- 2 The administering agency is the Department of Justice and Attorney-General.