

Electricity Amendment Regulations 2010

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Electricity Amendment Regulations 2010*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Electricity Regulations 1947*.

4. Regulation 326 amended

Delete regulation 326(1)(a) and “or” after it and insert:

- (a) by issuing to the applicant a certificate, signed by the Director, that the approval has been granted; or

5. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Prescribed offences and modified penalties

[r. 342]

Table 1 — *Electricity Act 1945* offences

Provision(s)	Description of offence under <i>Electricity Act 1945</i>	Modified penalty	
		For individual	For body corporate
s. 25(1)(a) & 52	Failing to maintain service apparatus in safe and fit condition		\$50 000
s. 25(1)(d) & 52	Failing to maintain pressure within the limit of $\pm 6\%$ of the declared pressure		\$50 000
s. 33B(2) & 33D	Selling or hiring, or exposing or advertising for sale or hire, prescribed appliance without approval	\$1 250	\$5 000

Provision(s)	Description of offence under <i>Electricity Act 1945</i>	Modified penalty	
		For individual	For body corporate
s. 33C(3) & 33D	Failing to comply with notice prohibiting sale, hire or use of unsafe or dangerous apparatus	\$2 500	\$10 000
s. 33F	Selling or hiring, or exposing or advertising for sale or hire apparatus or installation that does not comply with energy efficiency labelling regulations	\$1 250	\$5 000

Table 2 — *Electricity Regulations 1947* offences

Provision(s)	Description of offence under <i>Electricity Regulations 1947</i>	Modified penalty	
		For individual	For body corporate
r. 10 & 340	Selling or hiring, or exposing or advertising for sale or hire apparatus or installation that does not comply with energy efficiency standards	\$1 250	\$5 000
r. 15	Owner of common property failing to ensure at least one residual current device is installed before 9 August 2011	\$1 000	\$4 000
r. 242(1)(b) & 340	Supplying electricity without receiving notice certifying installation and fitting is proper and as required by Act		\$10 000
r. 253(7)(a), (9)(b) & 340	Failing to give effect to an order to modify inspection practice		\$20 000
r. 253(7)(b), (9)(b) & 340	Failing to give effect to an order to review inspection practice and submit revised system plan and policy statement		\$10 000
r. 254(1) & 340	Network operator supplying electricity to new, altered or expanded electric installation that has not been inspected and does not comply with prescribed requirements		\$20 000
r. 254(2) & 340	Failing to send copy of order to Director within 28 days after inspection		\$3 000
r. 254(3) & 340	Failing to give Director report after accident		\$3 000
r. 316A & 340	Performing vegetation control work for reward in danger zone of overhead power lines	\$2 000	\$8 000

Table 3 — *Electricity (Licensing) Regulations 1991* offences

Provision(s)	Description of offence under <i>Electricity (Licensing) Regulations 1991</i>	Modified penalty	
		For individual	For body corporate
r. 19(1)	Carrying out electrical work without a licence or permit	\$1 000	
r. 19(2a) & 65	Failing to ensure electrical work is checked, tested and certified	\$1 000	\$4 000

Provision(s)	Description of offence under <i>Electricity (Licensing) Regulations 1991</i>	Modified penalty	
		For individual	For body corporate
r. 28(1) & 65	Failing to notify Board of change of address	\$100	\$400
r. 33(1) & 65	Carrying on business as an electrical contractor without a licence	\$1 250	\$5 000
r. 34	Knowingly contracting unlicensed person to do electrical work	\$1 250	\$5 000
r. 35	Falsely representing electrical work to be carried out by or on behalf of employer	\$1 250	\$5 000
r. 38(4)	Licence holder nominating ineligible person to be nominee or permitting ineligible person to continue as nominee	\$1 250	\$5 000
r. 38(5)	Ineligible person permitting himself or herself to be nominated as nominee for licence or to continue to be nominee for licence	\$1 250	
r. 44A(2) & 65	Failing to comply with notice requiring details of insurance policy	\$750	\$3 000
r. 45(1) & 65	Failing to display licence and certificate of registration at principal place of business	\$1 000	\$3 000
r. 45(1) & 65	Failing to include licence number in advertisement	\$200	\$800
r. 45(2) & 65	Failing to notify Board of change of business name, trading name or principal place of business	\$100	\$400
r. 49(1) & 65	Carrying out electrical work contrary to requirements specified in r. 49(1)	\$1 000	\$4 000
r. 49A(b) & 65	Not ensuring a design of electrical installation is accompanied by information about safe installation	\$1 000	\$4 000
r. 50AA(2) & 65	Employer not ensuring persons are informed of electrical worker's experience etc.	\$500	\$2 000
r. 50AA(3) & 65	Supervising electrical worker not ensuring receipt of electrical worker's experience etc.	\$500	\$2 000
r. 51(1)	Failing to deliver preliminary notice within required time	\$100	\$400
r. 52(1)	Failing to give notice of completion of notifiable work within required time	\$750	\$3 000
r. 52(1a)	Failing to keep copy of notice of completion of notifiable work for 5 years	\$100	\$400
r. 52(3)	Sending notice of completion of notifiable work in relation to uncompleted work	\$1 000	\$4 000
r. 52A(5)	Giving preliminary notice or notice of completion that is false or misleading	\$1 250	\$5 000

Provision(s)	Description of offence under <i>Electricity (Licensing) Regulations 1991</i>	Modified penalty	
		For individual	For body corporate
r. 52B(1)	Failing to prepare and deliver certificate of compliance for electrical installing work to person for whom work carried out	\$500	\$2 000
r. 52B(2)	Failing to keep copy of certificate of compliance for electrical installing work for 5 years	\$200	\$800
r. 52B(7)	Giving false or misleading certificate of compliance	\$1 250	\$5 000
r. 53(2) & 65	Employing, engaging or instructing unlicensed person to carry out electrical work for which licence required	\$1 000	\$4 000
r. 53(3) & 65	Employing, engaging or instructing electrical worker in training to carry out electrical work without electrician's training licence	\$1 000	\$4 000
r. 54(1)	Unauthorised person signing notice of completion	\$750	\$3 000
r. 54(2)	Unauthorised person signing record of work carried out	\$750	\$3 000
r. 57(1) & 65	Failing to maintain or keep record of employed licence holder	\$200	\$800
r. 57(3) & 65	Failing to produce record of employed licence holder on request	\$750	\$3 000
r. 58(2)	Failing to produce licence and registration certificate on request	\$750	\$3 000
r. 59(1)	Falsifying any matter, presenting forged etc. document etc., impersonating another, making false etc. statement etc., or giving false testimonial	\$1 250	\$5 000
r. 62(1) & 65	Electrical worker failing to report defect in installation or equipment	\$750	\$3 000
r. 62(2) & 65	Employer failing to report reported defect in installation or equipment	\$750	\$3 000
r. 63(2) & 65	Failing to report electrical accident	\$750	\$3 000
r. 63(3) & 65	Network operator failing to report electrical accident to Director		\$3 000
r. 63(4) & 65	Employee failing to report electrical accident to employer	\$750	\$3 000

**Table 4 — Electricity (Supply Standards and System Safety)
Regulations 2001 offences**

Provision(s) [to be read with r. 46]	Description of offence under <i>Electricity (Supply Standards and System Safety) Regulations 2001</i>	Modified penalty	
		For individual	For body corporate
r. 14(2)	Network operator failing to give notice of major activity or outline of major activities		\$3 000
r. 30(2)	Failing to lodge report in respect of accepted safety case after an auditing period		\$20 000
r. 33(3)(a)	Failing to keep records at nominated address		\$20 000
r. 33(4)	Failing to keep record for 5 years		\$20 000
r. 35(1)	Failing to notify Director within required time of incident or event resulting in serious injury or serious damage		\$20 000
r. 36(2)	Failing to give Director within required time report of notifiable incident		\$20 000

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.
