

I certify that this is a copy of the authorised version of this Statutory Rule as at 31 December 2018, and that it incorporates all amendments, if any, made before and in force as at that date and any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 31 December 2018.

Robyn Webb  
Chief Parliamentary Counsel  
Dated 18 June 2021

## TASMANIA

---

# OCCUPATIONAL LICENSING (ELECTRICAL WORK) REGULATIONS 2018

## STATUTORY RULES 2018, No. 89

---

## CONTENTS

### **PART 1 – PRELIMINARY**

1. Short title
2. Commencement
3. Interpretation
4. Meaning of *electrical work*
5. Determination of prescribed work
6. Application of regulations to electrical practitioners working gratuitously

### **PART 2 – LICENCES FOR ELECTRICAL WORK**

#### ***Division 1 – Electrical contractor’s licence***

7. Application for issue or renewal of electrical contractor’s licence
8. Eligibility for electrical contractor’s licence
9. Insurance for electrical contractors

#### ***Division 2 – Electrical practitioner’s licence***

10. Application for issue or renewal of electrical practitioner’s licence
11. Eligibility for electrical practitioner’s licence

### **PART 3 – POWERS OF AUTHORISED OFFICERS**

12. Powers of authorised officers

### **PART 4 – REGULATION OF ELECTRICAL WORK**

#### ***Division 1 – Notification of electrical work***

13. Classification of electrical work
14. Duties regarding recording of electrical work
15. Duty to notify electrical work

#### ***Division 2 – Inspection of electrical work***

16. Inspection of electrical work

#### ***Division 3 – Energising of electrical work***

17. Restrictions on energising of electrical work

#### ***Division 4 – Defective electrical work***

18. Classification of defective electrical work
19. Rectification of defective electrical work
20. Reinspection of defective electrical work
21. Cost of inspection, &c., not to be passed on

### **PART 5 – SUPPLEMENTAL AND MISCELLANEOUS**

22. Administrator to be notified of changed particulars
23. Delegation to police and emergency services personnel
24. Application for warrant by email
25. Fees
26. Infringement notices

### **SCHEDULE 1 – FEES**

### **SCHEDULE 2 – INFRINGEMENT NOTICE OFFENCES**

## **OCCUPATIONAL LICENSING (ELECTRICAL WORK) REGULATIONS 2018**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Occupational Licensing Act 2005*.

Dated 18 December 2018.

C. WARNER  
Governor

By Her Excellency's Command,

S. COURTNEY  
Minister for Building and Construction

### **PART 1 – PRELIMINARY**

#### **1. Short title**

These regulations may be cited as the *Occupational Licensing (Electrical Work) Regulations 2018*.

#### **2. Commencement**

These regulations take effect on 31 December 2018.

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

r. 3

Part 1 – Preliminary

---

### 3. Interpretation

In these regulations –

*Act* means the *Occupational Licensing Act 2005*;

*AS 3000* means AS/NZS 3000 Electrical Installations (known as Australia/New Zealand Wiring Rules) issued by Standards Australia, as amended from time to time;

*defective electrical work* means electrical work that is also defective work;

*electrical article* means –

- (a) an electrical appliance; or
- (b) an article of electrical equipment;

*electrical contractor* means a person who holds an electrical contractor's licence;

*electrical contractor's licence* means a contractor's licence that –

- (a) is referred to in section 21 of the Act; and
- (b) authorises a person to carry out a contractor's business in respect of electrical work;

*electrical infrastructure* means equipment, lines and wires for the generation, transmission or distribution of electricity

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

Part 1 – Preliminary

r. 3

---

supplied by an electricity entity and includes supporting and protective structures relating to any such equipment, lines and wires;

***electrical installation*** means equipment, lines and wires for the generation, transmission or distribution of electricity supplied by an electricity entity and includes supporting and protective structures relating to any such equipment, lines and wires;

***electrical licence Determination*** means the *Occupational Licensing (Electrical Work Licence Classes) Determination 2016* made under the Act and published in the *Gazette* on 7 December 2016, as amended or substituted from time to time;

***electrical practitioner*** means a person who holds an electrical practitioner's licence;

***electrical practitioner's licence*** means a practitioner's licence that –

- (a) is referred to in section 22 of the Act; and
- (b) authorises a person to carry out electrical work;

***electrical work*** has the meaning given by regulation 4;

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

r. 3

Part 1 – Preliminary

---

***electricity entity*** means an approved person who –

- (a) is licensed to carry on operations in the electricity supply industry under the *Electricity Supply Industry Act 1995*; or
- (b) has been so licensed but whose licence has been cancelled or has expired;

***energise*** means convert, in accordance with AS 3000, electrical work to live;

***extra low voltage*** has the meaning given by AS 3000;

***GST*** has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth;

***hazardous area*** has the meaning given by AS 3000;

***high voltage*** has the meaning given by AS 3000;

***low voltage*** has the meaning given by AS 3000;

***person responsible for defective electrical work*** means –

- (a) the electrical contractor for whom the relevant electrical work has been performed by an employee who is an electrical practitioner

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

Part 1 – Preliminary

r. 3

---

or a person undergoing an approved course of training; or

(b) if there is no electrical contractor for the relevant electrical work, the electrical practitioner who performed the relevant electrical work; or

(c) if there is no electrical contractor or electrical practitioner, the person who performed the relevant electrical work if he or she –

(i) is undergoing an approved course of training; or

(ii) has completed an approved course of training and is carrying out the relevant electrical work in accordance with sections 36(4) and (5) of the Act;

***prescribed fee*** means a fee specified in Schedule 1;

***provisional licence*** means an electrical practitioner's licence that is described as provisional on the licence, in accordance with the electrical licence Determination, other than a provisional restricted licence;

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

r. 4

Part 1 – Preliminary

---

***provisional restricted licence*** means an electrical practitioner's licence that is described as both provisional and restricted on the licence;

***reciprocating jurisdiction*** means –

- (a) a State other than Tasmania; or
- (b) a Territory; or
- (c) a jurisdiction determined by the Administrator to be a reciprocating jurisdiction;

***restricted licence*** means an electrical practitioner's licence that is described as restricted on the licence, in accordance with the electrical licence Determination, other than a provisional restricted licence.

**4. Meaning of *electrical work***

(1) In this regulation –

***electrical supply system*** means a system for the supply of electricity for the starting or propulsion of, or operation of the electrical accessories of, a vehicle or vessel, but does not include a system, for the supply of electricity, that is installed in the vehicle or vessel solely for activities unrelated to the use of the vehicle or vessel as a means of transport.

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

Part 1 – Preliminary

r. 4

- 
- (2) Electrical work means any one or more of the following:
- (a) work on the installation, repair, alteration or removal of an electrical circuit or associated fittings, equipment or accessories;
  - (b) work on an electrical installation;
  - (c) work on the installation, repair, alteration or removal of electrical infrastructure including lines and wires for the generation, transmission or distribution of electricity and also including supporting and protective structures relating to any such equipment, lines and wires;
  - (d) work on a battery, or other electricity storage system, that is –
    - (i) installed, stationary or fixed in position; and
    - (ii) for the purpose of supplying electricity to an electrical installation –or that is work on fittings, equipment, or accessories, associated with such a battery or other electricity storage system.
- (3) Despite subregulation (2), electrical work does not include –

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

r. 4

Part 1 – Preliminary

---

- (a) electrical work performed under an electrical safety management scheme approved under Part 8 of the *Electricity Industry Safety and Administration Act 1997*; or
- (b) any low voltage electrical work on telecommunications equipment that is carried out by technical workers trained in the telecommunications industry; or
- (c) extra low voltage electrical work if the work is performed on –
  - (i) an electrical installation that is –
    - (A) compliant with the standard relevant to that electrical installation; and
    - (B) located in an area that is not a hazardous area –and the work is not work specified in subregulation (2)(d); or
  - (ii) a portable electronic device or remote control; or
  - (iii) the electrical supply system for a vehicle or vessel; or
  - (iv) a train; or
- (d) the insertion of a plug into a socket outlet through which electricity is, or is to be, supplied in order to connect an electrical

article or an extension cord to an electricity supply; or

- (e) repair work on an electrical article that is, or is to be, operated at a nominal electrical voltage of 250 volts or less with reference to earth and that electrical article, when manufactured, was to be connected to an electricity supply with a plug and cord; or
- (f) the affixing of a plug or socket to an extension cord through which electricity is, or is to be, supplied at a nominal electrical voltage of 250 volts or less with reference to earth; or
- (g) electrical work performed on an aircraft.

## **5. Determination of prescribed work**

For the purposes of the definition of *prescribed work* in section 3(1) of the Act, all electrical work is determined to be prescribed work.

## **6. Application of regulations to electrical practitioners working gratuitously**

- (1) In these regulations, a reference to an electrical contractor who is responsible for any electrical work, or any defective electrical work, is to be read as including a reference to an electrical practitioner in a case where electrical work is performed gratuitously without an electrical contractor.

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

**r. 6**

Part 1 – Preliminary

---

- (2) For the avoidance of doubt, these regulations apply to electrical practitioners performing electrical work gratuitously.

## **PART 2 – LICENCES FOR ELECTRICAL WORK**

### ***Division 1 – Electrical contractor’s licence***

#### **7. Application for issue or renewal of electrical contractor’s licence**

- (1) An application for an electrical contractor’s licence is made in accordance with section 33 of the Act.
- (2) An application for the renewal of an electrical contractor’s licence is to be made to the Administrator in an approved form.
- (3) An application for renewal of an electrical contractor’s licence is to be lodged with the Administrator at least one month before the expiry of the licence.
- (4) Subregulation (3) does not prevent the Administrator from considering and determining an application that is lodged out of time in accordance with subregulation (5).
- (5) If an application for the renewal of an electrical contractor’s licence is lodged within 2 months after the expiry of the term of the licence, the Administrator may, if he or she considers that there are special reasons for doing so and on payment of the prescribed fee, renew the licence as from the date of that expiry.

## **8. Eligibility for electrical contractor's licence**

In considering an application for an electrical contractor's licence, the Administrator must have regard to the following matters:

- (a) whether the applicant currently holds, or has previously held, an electrical contractor's licence or an equivalent or similar licence or authority in a reciprocating jurisdiction;
- (b) whether the applicant has previously been refused an electrical contractor's licence or an equivalent or similar licence or authority in a reciprocating jurisdiction;
- (c) whether the applicant has previously had an electrical contractor's licence, or an equivalent or similar licence or authority in a reciprocating jurisdiction, suspended or cancelled;
- (d) whether the applicant is a fit and proper person to hold an electrical contractor's licence;
- (e) whether the applicant has committed an offence under the Act, the *Electricity Industry Safety and Administration Act 1997*, the *Workplace Health and Safety Act 1995*, the *Work Health and Safety Act 2012*, the *Building Act 2000*, the *Building Act 2016* or any other Act relating to electrical work, or is currently

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

Part 2 – Licences for Electrical Work

**r. 8**

---

subject to, or has previously been subject to –

- (i) disciplinary action under any of those Acts; or
  - (ii) any other disciplinary action within or outside Tasmania for conduct as an electrical contractor or in some other similar or related capacity;
- (f) if the applicant is a corporation –
- (i) whether the officers of the corporation are fit and proper persons to have the management of a corporation holding an electrical contractor's licence; and
  - (ii) whether any officer of the corporation has committed an offence as mentioned in paragraph (e) or is, or has been, subject to any disciplinary action as mentioned in that paragraph;
- (g) any other matters that the Administrator considers relevant for the purposes of the Act.

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

r. 9

Part 2 – Licences for Electrical Work

---

**9. Insurance for electrical contractors**

- (1) An electrical contractor's licence is not to be issued or renewed unless the Administrator is satisfied that –
  - (a) the applicant holds a current policy of insurance as required by the relevant notice published under section 27 of the Act; and
  - (b) the term of the policy extends into, for or beyond the term for which the licence is sought to be issued or renewed.
- (2) The Administrator may –
  - (a) require the holder of an electrical contractor's licence, by notice in writing provided to the holder, to produce to the Administrator evidence that the holder is, or was at a particular time, complying with subregulation (1); or
  - (b) require the former holder of an electrical contractor's licence, by notice in writing provided to the former holder, to produce to the Administrator evidence that he or she complied with subregulation (1) when that licence was in force.
- (3) The holder or former holder of an electrical contractor's licence must comply with a requirement made to the holder, or former holder, under subregulation (2) within such time, being not less than 7 days, as the Administrator

specifies in the notice containing the requirement.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 25 penalty units; or
- (b) a natural person, a fine not exceeding 10 penalty units.

***Division 2 – Electrical practitioner’s licence***

**10. Application for issue or renewal of electrical practitioner’s licence**

- (1) An application for an electrical practitioner’s licence is made in accordance with section 36 of the Act.
- (2) An application for the renewal of an electrical practitioner’s licence is to be made to the Administrator in an approved form.
- (3) An application for renewal of an electrical practitioner’s licence is to be lodged with the Administrator at least one month before the expiry of the licence.
- (4) Subregulation (3) does not prevent the Administrator from considering and determining an application that is lodged in accordance with subregulation (5) less than one month before the expiry of the licence.
- (5) If an application for the renewal of an electrical practitioner’s licence is lodged less than one

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

**r. 11**

Part 2 – Licences for Electrical Work

---

month before the expiry of the licence but within 2 months after the expiry of the term of the licence, the Administrator may, if he or she considers that there are special reasons for doing so and on payment of the prescribed fee, renew the licence as from the date of that expiry.

- (6) An applicant for the issue or renewal of an electrical practitioner's licence must satisfy the Administrator that he or she has acquired and maintained the skills required for the work to be authorised by the licence.

**11. Eligibility for electrical practitioner's licence**

- (1) A person is eligible to hold an electrical practitioner's licence if –
- (a) he or she has successfully completed an approved course of training, including practical training; or
  - (b) he or she holds, in a reciprocating jurisdiction, a licence that is equivalent to an electrical practitioner's licence; or
  - (c) having been issued an electrical practitioner's licence under subregulation (3) which is subject to conditions, he or she has satisfied those conditions; or
  - (d) he or she has other qualifications and experience that, in the opinion of the Administrator, are sufficient for the issue of an electrical practitioner's licence; or

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

Part 2 – Licences for Electrical Work

r. 11

---

- (e) on an assessment by an approved body, he or she has been issued with a document satisfactory to the Administrator which attests to the person's competency in an approved occupation, trade or calling and, in the opinion of the Administrator, he or she has made substantial progress towards meeting the requirements of paragraph (a) and is likely to satisfy those requirements within a period of 12 months.
- (2) In considering an application for an electrical practitioner's licence, the Administrator may take into account –
    - (a) whether the applicant has previously been refused an electrical practitioner's licence or an equivalent or similar licence or authority in a reciprocating jurisdiction; or
    - (b) whether the applicant has previously had an electrical practitioner's licence, or an equivalent or similar licence or authority in a reciprocating jurisdiction, suspended or cancelled.
  - (3) The Administrator may, if expedient to do so having regard to the objects of the Act –
    - (a) issue an electrical practitioner's licence to a person who is not qualified to hold it under subregulation (1), unconditionally or subject to conditions that the

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

**r. 11**

Part 2 – Licences for Electrical Work

---

Administrator considers appropriate, if the Administrator is satisfied that the applicant has other suitable qualifications or experience; or

- (b) refuse an application for an electrical practitioner's licence made by a person who is qualified to hold it under subregulation (1), if the Administrator has other proper reasons for so refusing it.

**PART 3 – POWERS OF AUTHORISED OFFICERS**

**12. Powers of authorised officers**

- (1) An authorised officer may undertake any or all of the following actions for the purposes of section 57(1) of the Act:
  - (a) isolate or disconnect, or cause to be isolated or disconnected, a source of electricity;
  - (b) make safe, or cause to be made safe, any defective electrical work;
  - (c) make any arrangements for work to be carried out as may be necessary for the purposes of paragraph (a) or (b).
- (2) Nothing in this regulation renders an authorised officer liable for the cost of any action taken in the exercise of his or her powers under this regulation or section 57 of the Act.

**PART 4 – REGULATION OF ELECTRICAL WORK**

*Division 1 – Notification of electrical work*

**13. Classification of electrical work**

- (1) For the purposes of this Division, the Administrator may determine that electrical work may be classified as one or more of the following:
  - (a) electrical work that is not required to be notified before it is commenced;
  - (b) electrical work that is required to be notified when it is capable of being energised;
  - (c) electrical work that is not required to be notified when it is capable of being energised;
  - (d) electrical work that is required to be notified after it has been energised;
  - (e) electrical work that is not required to be notified after it has been energised.
- (2) The Administrator must publicly notify a determination under subregulation (1) by a means that will ensure that it will come to the attention of persons who are authorised to carry out, or are responsible for, electrical work.

**14. Duties regarding recording of electrical work**

- (1) A person responsible for electrical work must keep a record of that electrical work in an approved form for a period of at least 10 years.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 50 penalty units; or
  - (b) a natural person, a fine not exceeding 25 penalty units.
- (2) If any electrical work is energised, or is capable of being energised, the person responsible for the electrical work must, as soon as practicable, give a copy of the approved form to the person for whom the work was carried out.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 50 penalty units; or
- (b) a natural person, a fine not exceeding 25 penalty units.

**15. Duty to notify electrical work**

- (1) A person responsible for electrical work, that is classified under regulation 13 as work required to be notified, must give notification of that work in accordance with this regulation, accompanied by the prescribed fee payable to the person specified in the form for that purpose.

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

**r. 16**

Part 4 – Regulation of Electrical Work

---

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 50 penalty units; or
  - (b) a natural person, a fine not exceeding 25 penalty units.
- (2) A notification under subregulation (1) –
- (a) must be given in an approved form, containing such particulars of the electrical work as may be specified in the form, and in the manner so specified, to the person or persons so specified; and
  - (b) if the electrical work is required to be notified after it has been energised, must be given within 3 days after it has been energised.
- (3) This regulation does not apply to an electricity entity performing electrical work on its own electrical infrastructure but does apply if the electrical work is on its own electrical installation.

***Division 2 – Inspection of electrical work***

**16. Inspection of electrical work**

- (1) An authorised officer –
  - (a) may inspect, or cause to be inspected, any electrical work; and

- (b) must, as far as practicable, inspect, or cause to be inspected, any electrical work of high voltage or in a hazardous area.
- (2) Subregulation (1)(b) does not apply –
- (a) to an electricity entity performing electrical work of high voltage on its own electrical infrastructure; or
  - (b) if the electrical work performed involves, in the course of carrying out repairs, the replacement of a component part with another component part performing substantially the same function.
- (3) For the purposes of subregulation (1), an authorised officer may require an electrical contractor to open, or cause to be opened, a trench.

***Division 3 – Energising of electrical work***

**17. Restrictions on energising of electrical work**

- (1) A person must not energise any electrical work that is of high voltage, or in a hazardous area, unless –
- (a) an approved certificate, relating to compliance of the work, has been submitted to, and accepted by, an authorised officer; or
  - (b) an authorised officer otherwise permits.

Penalty: In the case of –

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

**r. 17**

Part 4 – Regulation of Electrical Work

---

- (a) a body corporate, a fine not exceeding 50 penalty units; or
  - (b) a natural person, a fine not exceeding 25 penalty units.
- (2) Subregulation (1) does not apply –
  - (a) to an electricity entity performing work on its own electrical infrastructure; or
  - (b) if the electrical work performed involves, in the course of carrying out repairs, the replacement of a component part with another component part performing substantially the same function.
- (3) A person who energises any electrical work, otherwise than for the purposes of testing, must –
  - (a) record the electrical work in accordance with these regulations; and
  - (b) notify the electrical work in accordance with these regulations.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 75 penalty units; or
- (b) a natural person, a fine not exceeding 40 penalty units.

---

***Division 4 – Defective electrical work***

**18. Classification of defective electrical work**

- (1) For the purposes of this Division, the Administrator may determine that defective electrical work may be classified as being –
  - (a) severely defective electrical work required to be notified to the Administrator by an authorised officer; or
  - (b) other defective electrical work.
- (2) The Administrator must publicly notify a determination under subregulation (1) by a means that will ensure that it will come to the attention of persons who are authorised to carry out, or are responsible for, electrical work.

**19. Rectification of defective electrical work**

- (1) For the purposes of this regulation, any electrical work may be treated as defective electrical work, irrespective of its classification under regulation 18(1).
- (2) If an authorised officer is aware of any defective electrical work, the authorised officer is to give notice in writing in an approved form to –
  - (a) the person responsible for the defective electrical work; or

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

**r. 19**

Part 4 – Regulation of Electrical Work

---

- (b) if the authorised officer is unable to ascertain the person responsible for the defective electrical work, the owner or occupier of the premises where the work is located –

requiring rectification of the defective electrical work within such time as is specified in the notice.

- (3) A copy of the notice under subregulation (2) may be given to –
  - (a) the person who is known by any electricity entity as being responsible for payment for the supply of electricity; or
  - (b) the owner or occupier of the premises where the defective electrical work is located.
- (4) An authorised officer may, by a further notice in writing given to the person responsible for defective electrical work or a person given a copy of a notice in respect of the defective work under subregulation (3), extend the period of time referred to in subregulation (2) for a further period not exceeding 21 days.
- (5) A person to whom a notice has been given under subregulation (2), or a copy of a notice has been given under subregulation (3), must –
  - (a) rectify, or cause to be rectified, the defective electrical work as required by the notice; and

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

Part 4 – Regulation of Electrical Work

r. 19

- 
- (b) notify the person specified in the notice for the purpose, in writing and within the period specified in the notice or any subsequent period allowed under subregulation (4), of the rectification of the defective electrical work.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 50 penalty units; or
  - (b) a natural person, a fine not exceeding 25 penalty units.
- (6) On giving a notification under subregulation (5)(b), the person to whom a notice has been given under subregulation (2), or a copy of the notice has been given under subregulation (3), must pay the prescribed fee to the person specified in the notice.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 75 penalty units; or
  - (b) a natural person, a fine not exceeding 40 penalty units.
- (7) If the notification is not given in accordance with subregulation (5)(b) within the specified period, the fee payable under subregulation (6) is the fee specified in Schedule 1 for a late notification.
- (8) If an authorised officer is aware of any severely defective electrical work, the authorised officer

is to disconnect it, or cause it to be disconnected, from the power supply.

**20. Reinspection of defective electrical work**

- (1) For the purposes of this regulation, electrical work may be treated as defective electrical work despite any other classification made under regulation 18(1).
- (2) In the case of any defective electrical work that is not severely defective electrical work, the requirement for reinspection of the electrical work may be waived by an authorised officer.
- (3) If, on reinspection of any electrical work, an authorised officer finds that –
  - (a) the defective electrical work has not been rectified; or
  - (b) the electrical work is, in other respects, defective –

the authorised officer may issue a second notice to the person to whom a notice was given under regulation 19(2) or (3) requiring him or her to rectify the defective electrical work within a period specified in the second notice.

- (4) A person to whom a second rectification notice is issued must, within the period specified in the notice –
  - (a) rectify, or cause to be rectified, the defective electrical work as required by the notice; and

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

Part 4 – Regulation of Electrical Work

r. 20

---

- (b) notify the person specified in the notice for the purpose, in the manner and within the period specified in the notice, that the defective electrical work has been rectified; and
- (c) pay the prescribed fee to the person specified in the notice.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 75 penalty units; or
  - (b) a natural person, a fine not exceeding 40 penalty units.
- (5) If, on a third or subsequent inspection, an authorised officer finds that the defective electrical work has not been rectified or the electrical work is in other respects defective, the authorised officer may –
- (a) issue a further notice requiring rectification to the person to whom a notice was given under regulation 19(2) or (3) requiring him or her to rectify that defective electrical work; and
  - (b) forward a copy of the notice to the Administrator.
- (6) A person to whom a third or subsequent rectification notice is issued must, within the period specified in the notice –

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

r. 21

Part 4 – Regulation of Electrical Work

---

- (a) rectify, or cause to be rectified, the defective electrical work as required by the notice; and
- (b) notify the person specified in the notice for the purpose, in the manner and within the period specified in the notice, that the defective electrical work has been rectified; and
- (c) pay the prescribed fee to the person specified in the notice.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 125 penalty units; or
- (b) a natural person, a fine not exceeding 65 penalty units.

**21. Cost of inspection, &c., not to be passed on**

- (1) Except as provided in subregulation (2), a person responsible for defective electrical work must not seek to recover, from the owner or occupier of the premises where the electrical work was performed, a fee in respect of work required by a notice of defective electrical work.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 50 penalty units; or
- (b) a natural person, a fine not exceeding 25 penalty units.

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

Part 4 – Regulation of Electrical Work

**r. 21**

---

- (2) A person responsible for defective electrical work may recover the cost of rectification of the defective electrical work from the owner or occupier of the premises where the work is located if –
- (a) the defect in that work was caused by the conduct of a person other than the person responsible for the defective electrical work or his or her servant or agent; or
  - (b) the Administrator has issued permission to do so.

**PART 5 – SUPPLEMENTAL AND MISCELLANEOUS**

**22. Administrator to be notified of changed particulars**

- (1) The holder of an electrical practitioner's licence must notify the Administrator in writing within 21 days after any change or addition to any of the information contained in his or her most recent application for the licence and, in particular, to the following information:
- (a) his or her name;
  - (b) his or her residential address;
  - (c) a telephone or fax number used in connection with the licence;
  - (d) an email address used in connection with the licence.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 25 penalty units; or
  - (b) a natural person, a fine not exceeding 10 penalty units.
- (2) The holder of an electrical contractor's licence must notify the Administrator in writing within 21 days after any change or addition to any of the information contained in his or her most recent application for the licence and, in particular, to the following information:
- (a) his or her name;

- (b) the name of any corporation used for the licence;
- (c) a registered business name used for the licence;
- (d) the address of the holder's registered office;
- (e) the address of the holder's principal place of business;
- (f) a telephone or fax number used in connection with the licence;
- (g) an email address used in connection with the licence.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 50 penalty units; or
- (b) a natural person, a fine not exceeding 25 penalty units.

**23. Delegation to police and emergency services personnel**

For the purposes of section 15(2)(d) of the Act, the Administrator may delegate, either with or without conditions, any of his or her functions under the Act to a police officer for the purpose of exercising powers or performing functions or duties under the *Emergency Management Act 2006* while a declaration of a state of emergency is in force under that Act.

**24. Application for warrant by email**

For the purposes of section 18(5) of the Act, an application for a warrant may be made by email.

**25. Fees**

- (1) The fees specified in Schedule 1 are –
  - (a) the fees payable in respect of the matters to which they relate; and
  - (b) payable to the Administrator or other person specified in regulations 15, 19(6), 20(4) or 20(6), if applicable; and
  - (c) inclusive of GST.
- (2) An annual fee prescribed in Schedule 1 is payable in respect of an electrical contractor's licence, a provisional licence or a provisional restricted licence.
- (3) A triennial fee prescribed in Schedule 1 is payable in respect of an electrical practitioner's licence, other than a provisional licence or a provisional restricted licence.
- (4) A fee payable under subregulation (2) or (3), in respect of a licence, is payable on lodgment of the application for –
  - (a) the licence; or
  - (b) the renewal of that licence.

- (5) If a licence is issued or renewed for less than the full term for that licence, the fee payable for the issued or renewed licence may be proportionately reduced.
- (6) If an application for the issue or renewal of a licence is refused, the fee is to be refunded to the applicant.
- (7) In addition to any other fee required to be paid, a person intending to apply for, or to renew, more than one occupation on a licence must pay, on application, the fee specified in Schedule 1 for each additional occupation to be included, or renewed, on the licence.

## **26. Infringement notices**

- (1) For the purposes of section 62(1) of the Act –
  - (a) an offence against a provision of the Act specified in Column 1 of the table in Part 1 of Schedule 2 is prescribed as an offence for which an infringement notice may be issued and served; and
  - (b) an offence against a provision of these regulations specified in Column 1 of the table in Part 2 of Schedule 2 is prescribed as an offence for which an infringement notice may be issued and served.
- (2) A penalty specified in Column 2 of a table in Part 1 or Part 2 of Schedule 2 is prescribed as the penalty, for the relevant offence specified in Column 1 of the relevant table, that is to be

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

**r. 26**

Part 5 – Supplemental and Miscellaneous

---

specified in an infringement notice relating to that offence.

- (3) If an infringement notice is served under section 62 of the Act and is not withdrawn, the authorised officer who served the infringement notice is to forward a copy of it to the Administrator.

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

sch. 1

**SCHEDULE 1 – FEES**

		Regulation 3
	<b>Matter</b>	<b>Fee units</b>
1.	Fee to sit examination for the purposes of regulation 11	30
2.	Notification fee under regulation 15(1)	25
3.	Notification under regulation 19(6) of rectification of defective electrical work (first notice)	30
4.	Notification under regulation 19(7) of rectification of defective electrical work (late notification)	60
5.	Fee under regulation 20(4)(c) for the reinspection of defective electrical work and the issuing of a second rectification notice	120
6.	Fee under regulation 20(6)(c) for the reinspection of defective electrical work and the issuing of a third or subsequent rectification notice	120
7.	Annual fee under regulation 25(2) for electrical contractor's licence	330
8.	Annual fee under regulation 25(2) for provisional licence or provisional restricted licence	150
9.	Triennial fee under regulation 25(3) for electrical practitioner's licence, other than a provisional licence or provisional restricted licence	210

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

**sch. 1**

---

	<b>Matter</b>	<b>Fee units</b>
10	Fee under regulation 25(7) for each additional occupation to be included, or renewed, on a licence	100
11	Issue of duplicate certificate of identification under section 45 of Act	25

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

sch. 2

**SCHEDULE 2 – INFRINGEMENT NOTICE OFFENCES**  
 Regulation 26

**PART 1 – OFFENCES UNDER THE *OCCUPATIONAL LICENSING ACT 2005***

	<b>Section of Act</b>	<b>Body corporate (penalty units)</b>	<b>Natural person (penalty units)</b>
1.	13(2)	5	2.5
2.	16(4)	12.5	6
3.	16(5)	2.5	1
4.	20	20	10
5.	21	20	10
6.	22(1)	20	10
7.	22(2)	20	10
8.	22(3)	20	10
9.	23(1)	5	2.5
10.	23(2)	5	2.5
11.	23(3)	12.5	6
12.	23(4)	12.5	6
13.	23(5)	12.5	6
14.	24	2.5	1

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

**sch. 2**

	<b>Section of Act</b>	<b>Body corporate (penalty units)</b>	<b>Natural person (penalty units)</b>
15.	25(1)	12.5	6
16.	25(2)	12.5	6
17.	25(3)	12.5	6
18.	26(1)	20	10
19.	26(2)	20	10
20.	26(4)	20	10
21.	29(1)	20	10
22.	29(2)	9	4.5
23.	29(4)	9	4.5
24.	29(5)	9	4.5
25.	38(1)	9	4.5
26.	38(2)	20	10
27.	38(3)	9	4.5
28.	38(4)	9	4.5
29.	38(5)	9	4.5
30.	38(6)	12.5	6
31.	40(2)	9	4.5
32.	41(3)	9	4.5

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

sch. 2

	<b>Section of Act</b>	<b>Body corporate (penalty units)</b>	<b>Natural person (penalty units)</b>
33.	44(2)	2.5	1
34.	47(1)	2.5	1
35.	47(2)	2.5	1
36.	54(2)	5	2.5
37.	57(3)	12.5	6
38.	58(3)	9	4.5
39.	97	5	2.5
40.	98(4)	5	2.5
41.	99(4)	20	10

**PART 2 – OFFENCES UNDER THESE REGULATIONS**

	<b>Regulation</b>	<b>Body corporate (penalty units)</b>	<b>Natural person (penalty units)</b>
1.	9(3)	1.25	0.5
2.	14(1)	1	0.5
3.	14(2)	2.5	0.5
4.	15(1)	2.5	1.25
5.	17(1)	2.5	1.25

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

**sch. 2**

---

	<b>Regulation</b>	<b>Body corporate (penalty units)</b>	<b>Natural person (penalty units)</b>
6.	17(3)	3.75	2
7.	19(5)	2.5	1.25
8.	19(6)	3.75	2
9.	20(4)	3.75	2
10.	20(6)	6.25	3.25
11.	21(1)	6	3
12.	22(1)	1	0.5
13.	22(2)	2.5	1

*Occupational Licensing (Electrical Work) Regulations 2018*  
*Statutory Rules 2018, No. 89*

---

Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 26 December 2018.

These regulations are administered in the Department of Justice.

**NOTES**

The foregoing text of the *Occupational Licensing (Electrical Work) Regulations 2018* comprises that instrument as indicated in the following table. Any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 31 December 2018 are not specifically referred to in the following table of amendments.

Citation	Serial Number	Date of commencement
<sup>1</sup> <i>Occupational Licensing (Electrical Work) Regulations 2018</i>	S.R. 2018, No. 89	31.12.2018

<sup>1</sup>Expires 26 December 2028 - Subordinate Legislation Act 1992