

DRAFT FOR CONSULTATION

Electricity (Safety) Regulations 2009

Governor-General

Order in Council

At Wellington this day of 2009

Present:
in Council

Pursuant to section 169, 169A, and 169B of the Electricity Act 1992, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

- 1 Title**
These regulations are the Electricity (Safety) Regulations 2009.
- 2 Commencement**
These regulations come into force on 1 January 2010.

Preliminary provisions

- 3 Application: things these regulations do not apply to**
These regulations do not apply to any of the following:
- (a) fittings or electrical appliances manufactured solely for export or imported solely for re-export:
 - (b) any ship (other than a pleasure vessel containing connectable installations), aircraft, train, locomotive, tram, or trolley bus, and the fittings of any such ship, aircraft, train, locomotive, tram, or trolley bus:
 - (c) any road vehicle and the fittings of any road vehicle, other than fittings that operate at standard low voltage:
 - (d) restricted weapons (within the meaning in section 2 of the Arms Act 1983).
- 4 Interpretation**
- (1) In these regulations, unless the context otherwise requires,—
- a.c.** means alternating current
- Act** means the Electricity Act 1992
- appliance** means an electrical appliance as defined in section 2(1) of the Act
- AS/NZS**, when immediately followed by a number, means a joint Australian and New Zealand Standard of that number
- audited safety management system** has the meaning set out in regulation 33
- caravan park** means an area of land—
- (a) that is used, or intended to be used, to site 2 or more vehicles or relocatable buildings containing connectable installations; and

- (b) on which are installed fittings to supply electricity to those installations

CCC marks means the marks that are required by the Conformity Cooperation Agreement to be put on fittings and appliances

certificate of compliance means a certificate issued in respect of prescribed electrical work done on an installation and issued in accordance with regulation 67

conductor means a wire, cable, bar, or tube, used or placed in position for the conveyance of electricity; but does not include the wire of an electric fence

Conformity Cooperation Agreement means the Agreement between the Government of New Zealand and the Government of the People's Republic of China on Cooperation in the Field of Conformity Assessment in Relation to Electrical and Electronic Equipment and Components (which is Annex 14 of the Free Trade Agreement between the Government of New Zealand and the Government of the People's Republic of China done at Beijing on 7 April 2008), and includes—

- (a) any amendments made to, and in accordance with, the Agreement; and
- (b) any rules or standards that are applied by or to the Agreement, in accordance with the Agreement

d.c. means direct current

earthed means effectively connected to the general mass of earth

electric line means all conductors (including fittings supporting, or connected to, those conductors), whether above or below ground, that are used, or intended to be used, in, or in connection with, the supply of electricity from the outgoing terminals of a generating station, a building, enclosure, or other structure to—

- (a) the incoming terminals of another building, enclosure, or other structure; or
- (b) an appliance, in any case where the appliance is supplied with electricity other than from a terminal in a building, enclosure, or other structure

electrical medical device means a medical device, other than an implant, that is supplied with electricity

electrically safe, in relation to works, installations, fittings, appliances, and associated equipment, means that there is no significant risk of injury or death to any person, or of damage to any property, as a result of the use of, or passage of electricity through, the works, installations, fittings, appliances, or associated equipment; and **electrically unsafe** has a corresponding meaning

electricity supply system has the meaning set out in section 61A(2) of the Act

extra-low voltage means any voltage normally not exceeding 50 volts a.c. or 120 volts ripple-free d.c.

generating station means those parts of works that are used principally for the generation of electricity

grade A offence has the meaning set out in regulation 5(1)

grade B offence has the meaning set out in regulation 5(2)

high voltage means voltage exceeding 1 000 volts a.c. or 1 500 volts d.c.

IEC, when immediately followed by a number, means a standard of that number set by the International Electrotechnical Commission

IEC shock currents standard means the magnitude and duration of shock currents specified—

- (a) for a.c. current, in Zones AC-2 and above in Figure 20 in IEC/TS 60479-1; and
- (b) for d.c. current, in Zones DC-2 and above in Figure 22 in IEC/TS 60479-1

install, in relation to an installation, includes to construct, alter, or add to the whole or any part of the installation

installation means an electrical installation as defined in section 2(1) of the Act

insulated, in relation to conductors and other fittings, means that the conductors or fittings are covered with insulation in such a manner that a person may safely handle them when they are live

isolated, in relation to fittings or appliances, means that the fittings or appliances are or have been deliberately disconnected from any source of electricity

isolating transformer means a transformer that has its input and output windings electrically separated to limit hazards that may occur because of accidental simultaneous contact between earth and—

- (a) live parts; or
- (b) metal parts that may become live in the event of an insulation fault

live means charged with electricity so that a difference in voltage exists to earth or between conductors

low voltage means any voltage exceeding 50 volts a.c. or 120 volts ripple-free d.c. but not exceeding 1 000 volts a.c. or 1 500 volts d.c.

main earthing system means an earthing system of an installation that—

- (a) operates at standard low voltage; and
- (b) incorporates both an earth electrode and an earthing lead that is connected at that earth electrode and at the switchboard

main switchboard, in respect of an installation, means the switchboard that is used by the consumer to provide the greatest degree of control of the supply of electricity to that installation

mains means those fittings forming part of an installation that are used for the supply of electricity to the main switchboard of that installation

mains parallel generation system means fittings that—

- (a) are used or intended for use by any person in the generation of, or in connection with the generation of, electricity for that person's use; and
- (b) are capable of supplying electricity to fittings that, at the same time, are supplied with electricity from other systems of electrical supply

mains work means work on mains, main switchboards, or main earthing systems, other than work on fittings that are used, or designed or intended for use, by any person in, or in

connection with, the generation of electricity for that person's use and not for supply to any other person

medical location means a patient treatment area, or any other place set aside or used to undertake medical or dental examinations of, or procedures on, humans

MEN switchboard means a switchboard that has a connection to an earth electrode via an earthing lead, and a connection between earth and neutral made by a removable link, for the purposes of creating a MEN system

Multiple Earthed Neutral system or **MEN system** means a system of supply of electricity in which the neutral is connected to the earth—

- (a) at the source of supply (being either the generating station or the substation from which electricity, at the voltage at which it is delivered to the consumer, is derived); and
- (b) at points on the supply system; and
- (c) at every installation connected to that system

NZS, when immediately followed by a number, means a New Zealand Standard of that number

patient treatment means the diagnosis, treatment, prevention, monitoring, or alleviation of a medical or dental condition, or of a disability, in humans

personal protective equipment means items of apparel and equipment worn by a person that are intended either to prevent the occurrence of harm to the person or to minimise any harm that may occur from hazards that are present in the workplace or hazards that may arise in the course of work

prescribed electrical work means work of a type described in clause 1 of Schedule 1 that is not work of a type described in clause 2 of that schedule

residual current device or **RCD** means a device for isolating supply to protected circuits, socket-outlets, or appliances in the event of a current flow to earth that exceeds a predetermined level

safety management system has the meaning set out in regulation 33

shock currents means electrical currents that pass through the body of a person or animal, and that have characteristics that are likely to cause disorders of physiological processes of the body

standard low voltage means,—

- (a) in respect of electricity supplied by either a single-phase MEN system or a multiple-phase MEN system, a nominal voltage of 230 volts a.c. between phase and neutral; or
- (b) in respect of electricity supplied by any other system, a nominal voltage,—
 - (i) in relation to single-phase supplies, of 230 volts a.c. between conductors; or
 - (ii) in relation to 2-phase supplies, of 400 volts a.c. or 460 volts a.c. between conductors; or
 - (iii) in relation to multiple-phase supplies, of 400 volts a.c. between conductors

substation means those parts of works or installations, being a building, structure, or enclosure, incorporating fittings that are used principally for the purposes of the control of the distribution of electricity

telecommunications network voltage, in relation to telecommunications lines or equipment, means a voltage that is not greater than the limits specified in AS/NZS 60950.

- (2) For the purpose of the definition of **connectable installation** in section 2(1) of the Act in relation to a vehicle, a relocatable building, or a pleasure vessel, a connectable installation is one that is designed or intended for, or is capable of, connection to an external power supply that operates at or above standard low voltage.
- (3) Unless the context otherwise requires, terms used in these regulations that are not defined in subclause (1) or in the Act have the meaning given to them (if any),—
 - (a) in the case of installations, in AS/NZS 3000; and
 - (b) in all other cases, in IEC 60050.
- (4) In these regulations, electrical codes of practice (**ECPs**) and official standards (such as AS/NZS and IEC) are referred to by the abbreviations listed in Schedule 2.

Compare: SR 1997/60 r 2

*Offences***5 Grade A and grade B offences**

- (1) A **grade A offence** is an offence for which the defendant, on summary conviction, is liable to,—
 - (a) in the case of a natural person, a fine not exceeding \$10,000; or
 - (b) in any other case, a fine not exceeding \$50,000.
- (2) A **grade B offence** is an offence for which the defendant, on summary conviction, is liable to,—
 - (a) in the case of a natural person, a fine not exceeding \$2,000; or
 - (b) in any other case, a fine not exceeding \$10,000.

6 Strict liability offences

- (1) Subclauses (2) and (3) apply to every offence in these regulations except those that specifically refer to a defendant's state of knowledge or intention regarding the facts constituting the offence.
- (2) In a prosecution for an offence to which this subclause applies it is not necessary for the prosecution to prove that the defendant knew or intended the facts that constitute the offence.
- (3) It is a defence to a prosecution for an offence to which this subclause applies if the defendant proves—
 - (a) that—
 - (i) the action or event to which the prosecution relates was necessary for the purpose of saving or protecting life or health, or preventing serious damage to property; and
 - (ii) the defendant's conduct was reasonable in the circumstances; and
 - (iii) the effects of the action or event were adequately mitigated or remedied by the defendant after it occurred; or
 - (b) that the action or event to which the prosecution relates was due to an event beyond the control of the defendant (such as natural disaster, mechanical failure, or sabotage) and—

- (i) the action or event could not reasonably have been foreseen or been provided against by the defendant; and
- (ii) the effects of the action or event were adequately mitigated or remedied by the defendant after it occurred.

Compare: Building Act 2004 s 388

7 Infringement offences

- (1) Offences against the following are infringement offences:
 - (a) all offences against any regulation in Parts 2 to 6 of these regulations:
 - (b) section 20(d) of the Act (failure to report accidents, etc):
 - (c) section 162 of the Act (doing prescribed electrical work in breach of section 74 of the Act):
 - (d) section 163 of the Act (employing someone to do prescribed electrical work in breach of section 74 of the Act).
- (2) The infringement fee for a grade A offence is,—
 - (a) for an individual, \$1,000; and
 - (b) for a body corporate, \$3,000.
- (3) The infringement fee for a grade B offence is,—
 - (a) for an individual, \$500; and
 - (b) for a body corporate, \$1,000.
- (4) The infringement fee for an offence against any of sections 20(d), 162, and 163 of the Act is the infringement fee set for a grade A offence.
- (5) The prescribed form for infringement notices is set out in form 1 of Schedule 3.
- (6) Reminder notices for infringement offences must be in form 2 of Schedule 3.

Part 1

General safety requirements

Requirements for electrical safety

8 Overview

This Part sets out the basic safety rules for the electrical safety of works, installations, fittings, appliances, and associated equipment.

9 Doing work on works, installations, fittings, and appliances

- (1) A person who does work on works, installations, fittings, or appliances must ensure that the resulting works, installations, fittings, or appliances are electrically safe.
- (2) A person who does work on works, installations, fittings, or appliances must, while doing the work, take all practicable steps to ensure that people and property are protected from dangers arising from the work.
- (3) In this regulation,—
dangers arising from the work includes dangers associated with fire, burns, electric shock, mechanical injury, toxicity, radiation, and the use of associated equipment
doing work includes doing, or supervising the doing of, any of the following:
 - (a) constructing or manufacturing (including assembling):
 - (b) installing (including connecting):
 - (c) maintaining (including repairing):
 - (d) testing, certifying, and inspecting.
- (4) A person commits a grade A offence if he or she—
 - (a) does work on any works, installations, fittings, or appliances and fails to comply with subclause (1); or
 - (b) while doing work on any works, installations, fittings, or appliances, fails to take all practicable steps to ensure that people and property are protected from danger arising from the work, where the person doing the work knows, or can reasonably be expected to know, of the danger that may arise from the work.

Compare: SR 1997/60 rr 69(1), 100

10 Designing works, installations, fittings, and appliances

- (1) A person who designs, or supervises the design of, works, installations, fittings, or appliances must ensure that, if the finished design were constructed, installed, or manufactured as designed, the finished work, installation, fitting, or appliance would be electrically safe.
- (2) A person who designs works, installations, fittings, or appliances commits a grade A offence if he or she fails to comply with subclause (1).

Compare: SR 1997/60 rr 69(1), 100(a)

11 Using works, installations, fittings, appliances, and associated equipment

- (1) A person who owns or operates works, installations, fittings, or appliances must not use, and must not allow any other person to use, the works, installations, fittings, or appliances if the works, installations, fittings, or appliances are electrically unsafe.
- (2) A person who uses, or supervises the use of, associated equipment must ensure that the associated equipment is not used in a manner that renders the associated equipment a danger to persons or property.
- (3) A person who owns or operates works, installations, fittings, or appliances commits a grade A offence if he or she uses, or allows another person to use, the works, installations, fittings, or appliances, knowing that, or being reckless as to whether, the works, installations, fittings, or appliances are electrically unsafe.
- (4) A person who uses, or supervises the use of, associated equipment commits a grade A offence if he or she fails to comply with subclause (2).

Compare: SR 1997/60 rr 69(1), 100(b)

12 Sale of fittings and appliances

- (1) Every new fitting or appliance that is sold or offered for sale must be electrically safe.
- (2) Every used appliance that is sold or offered for sale must be electrically safe.

- (3) A person who sells or offers to sell a fitting or appliance in breach of subclause (1) or subclause (2), knowing that, or being reckless as to whether, the fitting or appliance is electrically unsafe, commits a grade A offence.

Compare: SR 1997/60 rr 69(1), 100(i), (j)

13 Minimising risk of contact with live conductive parts

- (1) A person who has control of any works, installations, fittings, appliances, or associated equipment must, if the magnitude and duration of the shock currents could exceed the IEC shock currents standard, take all practicable steps to minimise the risk of contact between—
- (a) any exposed conductive parts of the works, installations, fittings, appliances, or associated equipment that are live, or live under fault conditions; and
 - (b) any person or animal, including any thing being worn or carried by a person or animal.
- (2) A person who is in control of any construction, building, excavation, or other work on or near electric lines must—
- (a) comply with ECP 34; and
 - (b) maintain safe distances—
 - (i) between the conductors and fittings of the electric lines and other electric lines, telecommunications lines, stay wires, buildings, structures, ground surfaces, and water surfaces; and
 - (ii) when building up, removing, excavating, or disturbing ground near an electric line; and
 - (iii) when operating mobile plant near an electric line.
- (3) A person who has control of any works, installations, fittings, appliances, or associated equipment commits a grade A offence if he or she fails to comply with subclause (1).
- (4) A person who is in control of any construction, building, excavation, or other work on or near electric lines commits a grade A offence if he or she fails to comply with subclause (2).

Compare: SR 1997/60 rr 93, 94(1), 100(e)

14 High voltage works and installations

- (1) On all premises where electricity is, or is to be, used at high voltage, the owner of the works or installations that use the

high voltage electricity must install and maintain, in a conspicuous position, durable notices providing instructions on the treatment of electric shock.

- (2) A person who owns works or installations that use high voltage electricity commits a grade A offence if he or she fails to comply with subclause (1).

Compare: 1997/60 r 34(3)

15 Obligation to notify Secretary of danger

- (1) Any person who carries out prescribed electrical work (including a person acting under an exemption) and has reasonable grounds to believe that any works, installation, fitting, or appliance presents immediate danger to life or property must, as soon as practicable, advise both the following people of the danger:

- (a) the owner or occupier of the property where the danger exists;
- (b) the Secretary.

- (2) A person commits a grade A offence if the person has reasonable grounds to believe that any works, installation, fitting, or appliance presents an immediate danger to life or property and the person fails to comply with subclause (1).

Compare: SR 1997/60 r 50

When things deemed electrically safe or electrically unsafe

16 When works, installations, fittings, and appliances deemed to be electrically unsafe

- (1) Works, installations, fittings, and appliances are deemed to be electrically unsafe if measures are not in place that—
- (a) prevent an electric current passing through the body of a person, or limit that current so that the magnitude and duration of the shock currents cannot exceed the IEC shock currents standard; and
- (b) provide for the automatic disconnection of the power supply to the works, installations, fittings, or appliances on the occurrence of a fault; and

- (c) prevent direct or indirect accidental contact with exposed fittings or exposed conductive parts.
- (2) Subclause (1) does not limit regulations 17 to 22 or the circumstances when any works, installations, fittings, or appliances may be found to be electrically unsafe.

Compare: SR 1997/60 r 94(2)

17 Electrically unsafe works and installations

Works and installations are deemed to be electrically unsafe if—

- (a) the characteristics of any fittings used in the works or installations are impaired; or
- (b) conductors are inadequately identified; or
- (c) where colour is used to identify conductors in a low voltage domestic installation,—
 - (i) the neutral conductor is identified by any colour except black; and
 - (ii) black is used to identify any conductor other than the neutral conductor; or
- (d) connections between conductors, and between conductors and other fittings, are not safe and reliable; or
- (e) fittings are installed in such a way that any designed cooling conditions are impaired; or
- (f) fittings that cause or are subject to high temperatures or electric arcs are placed in such a position, or are unguarded, so as to create a risk of ignition of flammable or explosive materials or of injury to persons or damage to property; or
- (g) cables (including underground cables) are inadequately protected against the risk of damage by nature of their covering or method of installation; or
- (h) cables are bent beyond their design criteria; or
- (i) there is insufficient space, access, and lighting to operate, maintain, repair, test, and inspect all fittings of the works and installations (other than cables) in a safe manner.

18 Electrically unsafe fittings

Fittings are deemed to be electrically unsafe if—

- (a) the unearthed conductive parts of the fittings are separated from live parts by no more than basic insulation; or
- (b) they are intended to have, or are supplied as having, a safety function, but do not in fact serve that safety function.

Compare: SR 1997/60 r 76A

19 Electrically unsafe appliances

An appliance is deemed to be electrically unsafe if—

- (a) the voltage at which it operates safely is inadequately marked on the appliance; or
- (b) it is not constructed so as to be safe under both normal and abnormal conditions; or
- (c) the unearthed conductive parts of the appliance are separated from live parts by no more than basic insulation; or
- (d) the appliance is fitted with a flat 3-pin plug with the dimensions specified in AS/NZS 3112, but the appliance is not designed to operate safely at standard low voltage.

Compare: SR 1997/60 r 76A

20 Electrically unsafe RCDs

- (1) This regulation sets out when an RCD that operates at standard low voltage is deemed to be electrically unsafe.
- (2) A portable RCD designed or used to protect against electric shock (whether or not it is an RCD referred to in subclauses (3) to (6)) is deemed to be electrically unsafe if it does not operate when only 1 live conductor is available.
- (3) An RCD installed as part of an installation and used to protect against electric shock is deemed to be electrically unsafe if it—
 - (a) does not disconnect all live conductors within—
 - (i) 300 milliseconds when passing leakage current at 30 milliamperes; or
 - (ii) 40 milliseconds when passing leakage current at or above 150 milliamperes; and
 - (b) disconnects all live conductors when passing leakage current at or below 15 milliamperes; and

- (c) does not meet the limits specified in the IEC shock currents standard when tested with pulsating d.c. current.
- (4) An RCD designed or used as part of an installation for the protection of property is deemed to be electrically unsafe if it has a maximum operating time of more than 0.5 seconds at RCD residual rating current, or 0.15 seconds at 5 times RCD residual rating current.
- (5) An RCD designed or used as part of an installation to protect against electric shock to patients during patient treatment is deemed to be electrically unsafe if it—
 - (a) does not disconnect all live conductors within 40 milliseconds when passing leakage current at 10 milliamperes and at 50 milliamperes; and
 - (b) disconnects all live conductors when passing leakage current at or below 4.5 milliamperes.
- (6) An RCD installed as part of an installation and used to protect children against electric shock (as provided for in AS/NZS 3000) is deemed to be electrically unsafe if it—
 - (a) does not disconnect all live conductors within—
 - (i) 300 milliseconds when passing leakage current at 10 milliamperes; or
 - (ii) 40 milliseconds when passing leakage current at 5 milliamperes; and
 - (b) disconnects all live conductors when passing leakage current at or below 5 milliamperes.

Compare: 1997/60 r 64

21 Specific installations, fittings, and appliances deemed to be electrically safe

The following installations, fittings, and appliances are deemed to be electrically safe if they comply with the standard indicated:

- (a) installations, fittings, and appliances in patient treatment areas: AS/NZS 2500, AS/NZS 3003, AS/NZS 3551, and NZS 3003.1 (whichever is appropriate):
- (b) electric fences: AS/NZS 3014:
- (c) electric security fences: AS/NZS 3016:
- (d) electricity supplies on construction sites: NZS 3012:

- (e) electricity supplies on film and television sites: NZS 4249.

Compare: SR 1997/60 r 69B(a), (d), (e)

22 When fittings and appliances that are used or sold are deemed to be electrically safe

- (1) A fitting or appliance that is in use, or available for use, (whether by the owner or any other person, such as an employee or tenant, or under a hire or lease agreement) is deemed to be electrically safe if—
 - (a) it has been tested, inspected, and tagged in accordance with AS/NZS 3760; or
 - (b) it is supplied with an RCD that has been tested, inspected, and tagged in accordance with AS/NZS 3760.
- (2) A new fitting or appliance that is sold or offered for sale is deemed to be electrically safe if—
 - (a) it complies with AS/NZS 3820 and whichever official standard listed in Schedule 3 applies to the fitting or appliance; or
 - (b) in relation to an appliance imported into New Zealand in purported compliance with the Conformity Cooperation Agreement, it complies with the requirements of that agreement.
- (3) A used appliance that is sold or offered for sale is deemed to be electrically safe if—
 - (a) it is tested, inspected, and tagged in accordance with AS/NZS 5761; or
 - (b) it has been disabled and marked in accordance with AS/NZS 4701.
- (4) Subclause (3) does not apply to electrical medical devices.

Compare: 1997/60 r 76

Part 2 Systems of supply

Electricity supply system

23 Systems in general

- (1) A person supplying electricity or line function services may choose the configuration and voltage of supply systems for that electricity, subject to this regulation.
- (2) Installations (other than fittings of a kind referred to in paragraph (b) of the definition of electrical installation in section 2(1) of the Act) designed and constructed to operate at standard low voltage must be connected to a MEN system of supply.
- (3) An installation supplied with electricity from a MEN system of supply must have at least 1 MEN switchboard, and the switchboard must be located electrically closest to the point of supply.
- (4) A person commits a grade A offence if he or she connects an installation to a supply of electricity otherwise than in accordance with this regulation.

Compare: SR 1997/60 rr 52(1), (2), (4), 67(a)

24 Voltage supply to installations

- (1) The supply of electricity to installations operating at a voltage of 200 volts a.c. or more but not exceeding 250 volts a.c. (calculated or measured at the point of supply)—
 - (a) must be at standard low voltage; and
 - (b) except for momentary fluctuations, must be kept within 6% of that voltage.
- (2) The supply of electricity to installations operating at other than standard low voltage (calculated or measured at the point of supply)—
 - (a) must be at a voltage agreed between the electricity retailer and the customer; and
 - (b) unless otherwise agreed between the electricity retailer and the customer, and except for momentary fluctuations, must be maintained within 5% of the agreed supply voltage.

- (3) A person who supplies electricity commits a grade A offence if he or she supplies it otherwise than in accordance with this regulation.

Compare: SR 1997/60 rr 53(1), (2), 67(a)

25 Frequency of electricity supplied

- (1) The frequency of electricity supplied by a person must be maintained within 1.5% of 50 hertz, except for momentary fluctuations.
- (2) The requirement in subclause (1) may be varied for electrical installations operating at other than standard low voltage, if the electricity retailer and the person receiving the supply agree.
- (3) A person who supplies electricity commits a grade A offence if he or she supplies it otherwise than in accordance with this regulation.

Compare: SR 1997/60 rr 55, 67(a)

26 Requirements relating to safety of electricity supplied

- (1) In order to preserve the safety of electricity supplied,—
- (a) the electrical characteristics of the supply system must not be altered in a way that may cause danger to persons or property; and
 - (b) reasonable steps must be taken to ensure that the maximum prospective fault currents on the supply system are limited to reasonable levels.
- (2) A person who supplies electricity or line function services commits a grade A offence if he or she—
- (a) alters the electrical characteristics of the supply system in breach of subclause (1)(a); or
 - (b) fails to take reasonable steps to ensure that the maximum prospective fault currents on the supply system are limited to reasonable levels.

Compare: SR 1997/60 rr 57, 67

27 Requirements relating to quality of supply

- (1) In order to preserve the quality of electricity supplied, the use of fittings and appliances must not unduly interfere with the satisfactory supply of electricity to any other person, or impair

the safety, or interfere with the operation, of any other fittings or appliances.

- (2) In relation to interference from harmonics, compliance with whichever of the following standards is applicable is deemed to be compliance with subclause (1):
 - (a) ECP 36:
 - (b) IEC 61000-3-2 (as amended by the deviation contained in AS/NZS 61000.3.2):
 - (c) IEC/TS 61000-3-4:
 - (d) IEC 61000-3-12.
- (3) In relation to interference from flicker, compliance with whichever of the following standards is applicable is deemed to be compliance with subclause (1):
 - (a) IEC 61000-3-3:
 - (b) IEC/TS 61000-3-5:
 - (c) IEC 61000-3-11.
- (4) A person commits a grade B offence if he or she uses fittings or appliances that breach, or result in the breach of, subclause (1).

Compare: SR 1997/60 rr 56, 67

28 Protection against fault currents

- (1) A person who supplies line function services to a consumer must, in respect of that consumer, provide a service protective fitting (being a fitting that can interrupt the supply of electricity to an installation) of appropriate rating for protection against short circuits or earth faults on mains.
- (2) A person who supplies line function services commits a grade A offence if he or she fails to comply with subclause (1).

Compare: SR 1997/60 rr 62(3), 67(h)

29 Requirements relating to construction of telecommunications equipment

- (1) If telecommunications equipment is being constructed in the vicinity of works or installations, the person constructing the telecommunications equipment must ensure that it is constructed so as to ensure that electricity conveyed through

- the works or installations does not cause any induced voltage, earth potential rise, or shock currents, that is or are likely to—
- (a) cause damage to the telecommunications equipment; or
 - (b) cause a danger to any person.
- (2) If works or installations are being constructed in the vicinity of telecommunications equipment, the person constructing the works or installations must ensure that they are constructed so as to ensure that electricity conveyed through them does not cause any induced voltage, earth potential rise, or shock currents that is or are likely to—
- (a) cause damage to the telecommunications equipment; or
 - (b) cause a danger to any person.
- (3) Shock currents and induced voltages on telecommunications equipment are deemed not to be likely to cause a danger to persons if—
- (a) the magnitude and duration of shock currents cannot exceed the IEC shock currents standard; or
 - (b) in respect of a fault in an a.c. system of supply of electricity, induced voltages and their duration do not exceed—
 - (i) 430 volts a.c., for a duration of 5 seconds; and
 - (ii) 650 volts a.c., for a duration of 0.5 seconds; or
 - (c) in respect of a fault on a d.c. system of supply of electricity, or in respect of a fault on an electrified railway operating on a d.c. system of supply of electricity, induced voltages and their duration do not exceed 1 000 volts peak.
- (4) Induced voltages are deemed not to be likely to cause damage to any telecommunications equipment where induced voltages and their duration do not exceed,—
- (a) in respect of a fault on an a.c. system of supply of electricity,—
 - (i) 430 volts a.c., for a duration of 5 seconds; and
 - (ii) 650 volts a.c., for a duration of 0.5 seconds; or
 - (b) in respect of a fault on a d.c. system of supply of electricity, or in respect of a fault on an electrified railway operating on a d.c. system of supply of electricity, 1 000 volts peak.

- (5) Any single-wire earth return system complying with ECP 41 is deemed to comply with this regulation in respect of induced voltages.
- (6) In this regulation, **telecommunications equipment** means any telecommunication line (as defined in the Act), structure, device, or thing designed or intended for use for telecommunications purposes.
- (7) A person commits a grade A offence if he or she—
 - (a) constructs telecommunication equipment in the vicinity of works or installations and fails to comply with subclause (1); or
 - (b) constructs works or installations in the vicinity of telecommunications equipment and fails to comply with subclause (2).

Compare: SR 1997/60 r 58

Part 3 **Safety of works**

Testing of works

30 Testing works before connecting to supply

- (1) Before any works on which prescribed electrical work has been done are connected to a power supply, the person who does the connection must be satisfied that tests have been carried out that ensure,—
 - (a) in the case of new works, that the completed works are electrically safe; and
 - (b) in the case of the maintenance or alteration of, or addition to, existing works, that the work done has not reduced the safety of the existing works and that any alterations or additions are also electrically safe.
- (2) If the person doing the connection for existing works has not done the testing himself or herself, the person must sight documentation, signed by the person who did the work, that sets out what tests were carried out and what the results were.
- (3) A person who connects works to a power supply commits a grade A offence if he or she fails to comply with this regulation.

Compare: SR 1997/60 rr 37, 51

*Rules applying in relation to all works***31 Protective fittings for works**

- (1) The owner of works must ensure that the works have adequate electrical protection against short circuits and earth faults.
- (2) Where fittings forming part of any works are used to protect against over-current, short circuiting, earth fault current, over-voltage, under-voltage, and no voltage, the owner of those works must ensure that the fittings are designed and installed to achieve the maximum practicable sensitivity and minimum practicable operating times in relation to the characteristics of the circuits or other fittings that those fittings protect.
- (3) Any owner or operator of works that contain fittings referred to in subclause (2) must ensure that the fittings are set to achieve the maximum practicable sensitivity and minimum practicable operating times in relation to the characteristics of the circuits or other fittings that those fittings protect.
- (4) A person who owns works commits a grade A offence if he or she fails to comply with subclause (1) or (2).
- (5) A person who owns or operates works commits a grade A offence if he or she fails to comply with subclause (3).

Compare: SR 1997/60 rr 61, 62(1), 67(i)

32 Interference with, or movement of, works

- (1) A person must not interfere with, or move or attempt to move, any works, whether or not the works have been damaged, unless—
 - (a) the person obtains permission from the owner or operator of the works; or
 - (b) the person is authorised by an enactment; or
 - (c) an emergency requires it.
- (2) A person commits a grade B offence if he or she breaches subclause (1).

Compare: SR 1997/60 rr 93A, 100(d)(vi)

Works covered by audited safety management systems

33 Overview and definitions

- (1) Regulations 34 to 42 set out requirements relating to safety management systems.
- (2) Certain electricity generators and electricity distributors are required to have safety management systems under section 61A of the Act.
- (3) In regulations 34 to 42,—

accredited auditor means an auditor accredited by any of the following:

- (a) a body accredited by the Joint Accreditation System of Australia and New Zealand;
- (b) a body accredited by a current member of the International Accreditation Forum;
- (c) a body approved, by or under an international agreement between New Zealand and another country that is not a member of the International Accreditation Forum, to assess a person's compliance with these regulations or safety management systems generally

audited safety management system means a safety management system for which an audit certificate has been issued under regulation 38 and not cancelled under regulation 40

hazard has the meaning set out in section 169A of the Act

safety management system means a system that is implemented by a safety management system operator for the purpose of ensuring that all practicable steps are taken to prevent the electricity supply system from presenting a significant risk of—

- (a) serious harm to any member of the public; or
- (b) significant damage to property owned by a person other than the body that implements and maintains the safety management system

safety management system operator means—

- (a) an owner of works that chooses to implement and maintain a safety management system; or

- (b) an electricity generator or electricity distributor that is required, by section 61A(1) of the Act, to implement and maintain a safety management system.

34 What safety management systems must do

- (1) Every safety management system must comply with either—
 - (a) NZS 7901; or
 - (b) regulations 35 and 36.
- (2) Nothing in regulation 35 or 36 applies to safety management systems that comply with NZS 7901.

35 Substantive requirements of safety management systems

Every safety management system must provide for the following:

- (a) the systematic identification of existing and new or potential hazards associated with the electricity supply system, if possible before, and otherwise as, the hazards arise;
- (b) the assessment by the safety management system operator, at appropriate regular intervals, of the scope and magnitude of each hazard;
- (c) the steps that must be taken to eliminate, isolate, or minimise hazards (both generally and with respect to particular hazards), and to limit risks from those hazards;
- (d) the assessment of the effectiveness of steps taken to eliminate, isolate, or minimise hazards and to mitigate risks from hazards;
- (e) the investigation of accidents that involve or affect the electricity supply system or the part of the electricity system that the safety management system operator is involved in;
- (f) how the safety management system operator proposes to continually enhance the safety management system.

36 Documentation of safety management systems

- (1) Every safety management system must be fully documented, and the documentation must include, at a minimum, a description of the following:

- (a) the electricity supply system (including its components) to which the safety management system relates;
 - (b) all the matters referred to in regulation 35.
- (2) The documentation of the safety management system must be in a format and style that enables anyone auditing it to read it easily.

37 Audit of safety management systems

- (1) Safety management systems must be regularly audited, at intervals of no more than 5 years, by an accredited auditor.
- (2) However, the first audit under this regulation of a safety management system must take place within 2 years after the date on which this regulation comes into force.
- (3) The audit is for the purpose of confirming that the safety management system itself, and its implementation by the safety management system operator, comply with,—
- (a) in the case of a safety management system that purports to comply with NZS 7901, that standard; and
 - (b) in any other case, with the requirements of regulations 35 and 36.

38 Audit certificate for safety management systems

- (1) If an accredited auditor is satisfied of the matters in regulation 37(3), the auditor may issue an audit certificate for the safety management system.
- (2) The audit certificate comes into force on and from the date it is issued and remains in force for 5 years, unless earlier cancelled.

39 Statutory declaration by safety management system operator

- (1) Every safety management system operator must, at least once every 5 years, make, and send to the Secretary, a statutory declaration that confirms that the operator's safety management system has a current audit certificate.
- (2) However, the first statutory declaration made under this regulation must be made and sent to the Secretary within 6 months after the first audit of the safety management system.

40 Cancellation of audit certificate

- (1) The audit certificate of an audited safety management system must be cancelled if—
- (a) an accredited auditor, having conducted an audit, is satisfied that the safety management system, or its implementation by the safety management system operator, does not meet the requirements of regulation 37(3); or
 - (b) a person who, having carried out any functions on behalf of the Secretary under section 5 of the Act, is satisfied that the audited safety management system is not being implemented.
- (2) The person cancelling an audit certificate must issue a notice of cancellation to the safety management system operator, and give a copy of the notice of cancellation to the Secretary.

41 Certification and declaration deemed to be compliance with section 61A of Act

For the purpose of section 61A of the Act, a person is deemed to be implementing and maintaining a safety management system if—

- (a) the person holds a current audit certificate in respect of an audited safety management system; and
- (b) the Secretary has received the statutory declaration required by regulation 39 within the time required by that regulation.

42 Offences by accredited auditors

An accredited auditor commits a grade A offence if he or she—

- (a) issues an audit certificate under regulation 38 without being satisfied of the matters in regulation 37(3); or
- (b) fails to cancel an audit certificate in the circumstances in regulation 40(1); or
- (c) fails to issue a notice, or give a copy of the notice, as required by regulation 40(2).

*Works not covered by audited safety
management systems*

43 Regulations 44 to 52 do not apply to works covered by audited safety management systems

Nothing in regulations 44 to 52 apply to works that are covered by an audited safety management system.

44 Safety checks of works

- (1) Every owner of works must establish and implement a safety checking system that complies with subclause (2) for regularly checking the safety of the works.
- (2) The safety checking system must—
 - (a) require that the works are checked for compliance with all the requirements of regulations 45 to 51; and
 - (b) provide for periodic checking of the works at reasonable intervals; and
 - (c) require records to be kept of the results of every periodic check.
- (3) A person who owns works commits a grade A offence if he or she—
 - (a) fails to comply with subclause (1); or
 - (b) fails to carry out the checks required by a system established and operated in accordance with this regulation.
- (4) A person who operates works commits a grade A offence if the works have not been checked as required by a system established for the purposes of this regulation, and the person knows that the works have not, or is reckless as to whether the works have, been checked.

Compare: SR 1997/60 rr 60(3), 66(5), 67(f), (j)

45 Loading on works

- (1) The owner of works must ensure that the works are designed, constructed, and maintained to minimise as far as practicable the risk of injury or death to persons or damage to property from the expected loading, having regard to the recognised natural occurrences in the areas that the works are or are to be situated.

- (2) The owner of works must ensure that overhead electric lines are constructed of suitable conductors and other fittings so that, as far as practicable, the lines—
 - (a) are capable of withstanding, without damage, the likely static and dynamic loading; and
 - (b) do not become unsafe or dangerous to the public or to persons likely to work on them.
- (3) If overhead line structures are found to be incapable of supporting design loads, the owner of the structures must—
 - (a) mark them; and
 - (b) repair or replace them within 12 months of finding them to be incapable of supporting the design loads.
- (4) If overhead line structures are found to be at risk of failure under normal loads, with the risk of injury to any person or damage to any property other than that of the owner of the line, the owner of the structures must—
 - (a) mark them; and
 - (b) repair them not later than 3 months after the finding of the possibility of failure.
- (5) A person who owns works commits a grade A offence if he or she—
 - (a) constructs or maintains works, or requires works to be designed in such a way, that the works are inconsistent with the requirements set out in subclause (1); or
 - (b) fails to comply with any of the obligations in subclauses (2) or (3).

Compare: SR 1997/60 rr 66, 67(j)

46 Requirements for earthing systems in works

- (1) Every owner of works must ensure as far as practicable that the works incorporate an earthing system that is designed, installed, operated, and maintained to ensure—
 - (a) the effective operation of protection fittings in the event of earth fault currents; and
 - (b) that the voltage of each conductor is restricted to a value consistent with the level of insulation applied; and
 - (c) that step voltages, touch voltages, and transferred voltages are controlled to prevent danger to any person.

- (2) An earthing system that complies with ECP 41 is deemed to comply with subclause (1)(c).
- (3) A person who owns works commits a grade A offence if he or she fails to comply with subclause (1).
Compare: SR 1997/60 rr 60(1), 67(g)

47 Single-wire earth return systems of works

- (1) The owner of works must ensure that the design and construction of single-wire earth return systems comply with ECP 41.
- (2) A single-wire earth return system that does not comply with ECP 41 is deemed to be electrically unsafe.
- (3) A person who owns works commits a grade B offence if he or she fails to comply with subclause (1).
Compare: SR 1997/60 r 58(5)

48 Isolation fittings for works

- (1) The owner of works must ensure that the works have an isolation fitting to disconnect the works from its supply of electricity when necessary, including in an emergency.
- (2) If the works comprise separate parts, the owner must also ensure that each part has an isolation fitting to disconnect that part from its supply of electricity when necessary, including in an emergency.
- (3) A person who owns works commits a grade A offence if he or she fails to comply with subclause (1) or (2).
Compare: SR 1997/60 rr 65, 67(i)

49 High voltage conductors of overhead electric lines

- (1) The owner of works must ensure that high voltage conductors of overhead electric lines have earth fault protection fittings that interrupt fault currents to earth in 5 seconds or less.
- (2) Short circuit and earth fault protective fittings of the auto-closing type must operate for not more than 3 consecutive closures during a period not longer than 60 seconds, and must not be capable of further reclosures unless manually reset.
- (3) A person who owns works commits a grade A offence if he or she fails to comply with subclause (1).
Compare: SR 1997/60 r 62(5), (6)

50 Work on live high voltage overhead electric lines

- (1) Work on live high voltage overhead electric lines must be carried out in accordance with ECP 46.
- (2) A person who works on live high voltage overhead electric lines commits a grade A offence if he or she fails to comply with subclause (1).

Compare: SR 1997/60 r 28

51 Permanent notices on works

- (1) The owner of works must ensure that conspicuous and durable notices reading **Danger Live Wires**, or some equivalent warning, are affixed, and maintained in a legible condition, on all poles or other supports that carry uninsulated conductors and that may be climbed without the use of any equipment.
- (2) A person who owns works commits a grade A offence if he or she fails to comply with subclause (1).

Compare: SR 1997/60 rr 66(6), 67(j)

52 Keeping records and plans

- (1) The owner of works must keep such records and plans of those works as will enable the owner, if required, to readily locate any fittings of the works.
- (2) A person who owns works commits a grade B offence if he or she fails to comply with subclause (1).

Compare: SR 1997/60 rr 59, 67(f)

Part 4 Safety of installations

53 Low voltage and extra-low voltage installations must comply with AS/NZS 3000

- (1) A person who installs an installation that operates at low voltage or extra-low voltage must ensure that the installation complies with either Part 1 or Part 2 of AS/NZS 3000.
- (2) A person who installs a low voltage or extra-low voltage installation commits a grade A offence if he or she fails to comply with subclause (1).

Compare: SR 1997/60 r 69A

54 Complying with Part 2 of AS/NZS 3000

- (1) A person who installs a domestic installation that has a maximum demand at or below 80 A single phase or 50 A per phase in multi phase must ensure that the installation complies with Part 2 of AS/NZS 3000.
- (2) A person who installs any of the following must ensure that the installation complies with Part 2 of AS/NZS 3000 and also with the standard indicated:
 - (a) an installation in a medical location: AS/NZS 3003:
 - (b) a connectable installation in a pleasure craft: AS/NZS 3004.1:
 - (c) a site installation that—
 - (i) is in a marina: AS/NZS 3004.2; or
 - (ii) is in a show or carnival: AS/NZS 3002; or
 - (iii) supplies any other connectable installation: AS/NZS 3001:
 - (d) an installation in a hazardous area: AS/NZS 60079.14.
- (3) If a person installs any of the following so that it complies with Part 2 of AS/NZS 3000, the person must also ensure that the installation complies with the standard indicated:
 - (a) a refrigeration system: AS/NZS 1677.2:
 - (b) an animal stunning or meat conditioning system: NZS 6116:
 - (c) a stand-alone power system: AS 4509.1:
 - (d) a photovoltaic array: AS/NZS 5033:
 - (e) an emergency power supply in a hospital — AS/NZS 3009.
- (4) A person who installs an installation to which this regulation applies commits a grade A offence if he or she fails to comply with any of subclauses (1) to (3).

Compare: SR 1997/60 r 69B

55 Declarations of conformity if complying with Part 1 of AS/NZS 3000

- (1) This regulation applies to new installations installed in accordance with Part 1 of AS/NZS 3000.
- (2) Before starting work on the installation, the installer must hold a declaration of conformity for the installation that complies with subclause (3).

- (3) The declaration of conformity must—
 - (a) identify the supply system with which the installation is compatible; and
 - (b) identify the design and confirm that it complies with regulation 56; and
 - (c) confirm that the design, and the design and verification process, complies with Part 1 of AS/NZS 3000; and
 - (d) be signed by the designer of the installation (who may be the installer); and
 - (e) comply with ISO/IEC 17050.
- (4) A declaration of conformity signed by a person other than the installer may be treated by the installer as evidence that the design complies with Part 1 of AS/NZS 3000.
- (5) A person who installs an installation commits a grade A offence if he or she fails to comply with subclause (2).
- (6) A person who gives a false declaration of conformity commits a grade A offence.

56 Installation must be in accordance with design

- (1) A person who installs an installation in accordance with Part 1 of AS/NZS 3000 must install it in accordance with the design identified in the declaration of conformity for the installation.
- (2) A person who installs an installation commits a grade A offence if he or she fails to comply with subclause (1).

57 Specific safety rules for installations under Part 1 of AS/NZS 3000

- (1) This regulation applies to installations installed in accordance with Part 1 of AS/NZS 3000, and applies despite anything in that Part.
- (2) In a 2-wire or a 4-wire installation in which no conductor is earthed, switches and circuit breakers must be fitted in all conductors used in the installation, and all poles must operate substantially together.
- (3) Switches, fuse links, or circuit breakers must not be inserted into an earthed conductor or into any earthing connection.
- (4) However, subclause (3) does not apply to the extent that,—

- (a) in the case of a traction system or the middle conductor of a 3-wire direct current system, a circuit breaker may be inserted into the earthed conductor; and
 - (b) in the case of an impedance earthed system, the neutral earthing connection may be switched, but only if the associated transformer starpoint is earthed at all times, either directly or through the neutral earthing impedance.
- (5) Installations must be designed so that the voltage drop is not more than 5% under maximum load conditions between the point of supply and—
- (a) any socket-outlet within an electrical installation operating at standard low voltage; or
 - (b) the supply terminals of any fixed wired appliance connected to an electrical installation operating at standard low voltage.

Compare: SR 1997/60 rr 53(3), 72

58 Socket-outlets for operation at standard low voltage

- (1) Every 3-pin flat-pin socket-outlet that has the dimensions specified in AS/NZS 3112 and that is installed in, or in connection with, any works, installation, or appliance must be installed in such a way that it may only be supplied at standard low voltage.
- (2) If a 3-pin flat-pin socket-outlet is connected, it must be connected so that—
- (a) the earth-continuity conductor is connected to the slot on the radial line; and
 - (b) the order of connection, in a clockwise direction when the socket-outlet is viewed from the front, is—
 - (i) earth-continuity conductor:
 - (ii) active conductor:
 - (iii) neutral (or other) conductor.
- (3) A person who installs an installation commits a grade A offence if he or she breaches subclause (1) or (2).

Compare: SR 1997/60 r 74

59 Notices when carrying out work on installations

- (1) While a person is carrying out prescribed electrical work on an installation, the person must, if there is a reasonable risk of danger associated with the work, erect or affix the sign as set out in B3.6 in ISO 6834 at each access point to the premises on which the installation is located.
- (2) A person who carries out prescribed electrical work on an installation commits a grade B offence if he or she fails to comply with subclause (1).

Compare: SR 1997/60 r 34

60 Domestic electrical wiring work

- (1) A person who carries out prescribed electrical work in reliance on the exemption in section 79 of the Act (exemption for domestic electrical wiring) must carry it out, and test the work, in accordance with ECP 51.
- (2) For the purposes of section 79(1)(a) of the Act, the domestic electrical wiring work that an owner of premises may do is as follows:
 - (a) installing, extending, and altering subcircuits (including submains), but only if—
 - (i) the person does not enter (whether personally, by holding any material or equipment, or otherwise) any enclosure where live conductors are likely to be present; and
 - (ii) the work is tested and certified in accordance with Part 2 of AS/NZS 3000, before being connected to a power supply, by a person authorised to inspect mains work:
 - (b) removing and replacing any of the following kinds of fittings, but only if the work does not involve work on any switchboard:
 - (i) switches, socket-outlets, and light fittings:
 - (ii) permanent connection units, ceiling roses, cord-grip lampholders, and flexible cords connected to any of them:
 - (iii) batten holders:
 - (iv) water heater switches:
 - (v) thermostats:

- (vi) elements:
- (c) removing and replacing fuse links:
- (d) connecting and disconnecting fixed wired appliances:
- (e) relocating existing switches, socket-outlets, and lighting outlets that are supplied with electricity by tough plastic-sheathed cables.

Compare: SR 1997/60 r 47

Testing and certifying installations

61 Connecting installations

- (1) This regulation applies when an installation, or any part of it, is being connected to a power supply and the installation is not—
 - (a) a connectable installation; or
 - (b) a low voltage installation to which regulation 62 applies.
- (2) Before connecting an installation to a power supply, the person doing the connection must—
 - (a) do all of the following:
 - (i) ensure that the polarity and phase rotation of the supply is correct:
 - (ii) ensure that the protection of the supply is correctly rated:
 - (iii) verify the safety of revenue meters and associated load control fittings of mains by confirming that there is a declaration for any revenue meter, signed by its installer, confirming that it is safe to connect:
 - (iv) ensure that the installation is compatible with the supply system:
 - (v) if the supply is from a MEN system, verify that there is a main earthing system; and
 - (b) if prescribed electrical work has been done on the installation, either certify it or sight a certificate given by another person that complies with subclause (3); and
 - (c) if prescribed electrical work that is required, by regulation 70, to be inspected has been done on the installation, either give or sight a signed certificate of compli-

ance for the work that is dated not earlier than 6 months before the proposed connection.

- (3) Any certification for the purpose of subclause (2)(b) must—
- (a) be dated not earlier than 6 months before the proposed connection; and
 - (b) certify the matters in regulation 67(3) (as well as the matters in regulation 67(1) and (2)).
- (4) A person who connects an installation to a power supply commits a grade A offence if he or she fails to comply with subclause (2) or (3).

Compare: SR 1997/60 r 43A

62 Reconnecting low voltage installations on which no prescribed electrical work done

- (1) This regulation applies to a low voltage installation—
- (a) that is disconnected from a power supply; and
 - (b) on which no prescribed electrical work has been done since the installation was last disconnected.
- (2) If the period since the last disconnection is 6 months or less, regulation 61 does not apply and a person may reconnect the installation without doing the things referred to in that regulation.
- (3) If the period since the last disconnection is more than 6 months, regulation 53 does not apply but the person doing the connection must, before reconnecting the installation, give or sign a certificate issued in accordance with Part 5 of AS/NZS 3019 that—
- (a) was issued no earlier than 6 months before the date of reconnection; and
 - (b) certifies that the installation is suitable for continued use; and
 - (c) is given by a person authorised to certify mains work.
- (4) A person who connects an installation to which this regulation applies commits a grade A offence if he or she fails to comply with subclause (3).

Compare: SR 1997/60 r 44

63 Testing prescribed electrical work on low voltage installations

- (1) Every low voltage installation on which prescribed electrical work is done must be tested in accordance with AS/NZS 3000.
- (2) However, subclause (1) does not apply to an installation on which prescribed electrical work has been done by a person acting under the exemption in section 79 of the Act (exemption for domestic electrical wiring), unless, in order to comply with regulation 60, the work is required to be tested.
- (3) Despite subclause (1), prescribed electrical work done on low voltage a.c. railway signalling equipment must be tested in accordance with ECP 60, and not in accordance with AS/NZS 3000.
- (4) A person who does prescribed electrical work on an installation commits a grade B offence if he or she fails to ensure that the installation is tested as required by this regulation.

Compare: SR 1997/60 rr 37, 39

64 Testing prescribed electrical work on high voltage installations

- (1) Every high voltage installation on which prescribed electrical work is done must be tested for operational safety before it is connected to a power supply.
- (2) A person who connects a high voltage installation to a power supply without ensuring that the installation has first been tested for operational safety commits a grade A offence.

65 What work must be certified before connection

- (1) Prescribed electrical work on installations must be certified before the installation is connected to a power supply if the work involves placing or positioning, or replacing or repositioning, conductors, or fittings attached to conductors.
- (2) However, prescribed electrical work of a kind described in subclause (1) does not have to be certified if it is any of the following:
 - (a) work done on an installation by a person acting under the exemption in section 79 of the Act (exemption or do-

- mestic electrical wiring), unless regulation 60 requires the work to be certified:
- (b) the repair or replacement of a faulty or damaged conductor:
 - (c) the replacement of a fuse carrier with a circuit breaker appropriate to the rating of the electrical circuit in which the replacement is being made:
 - (d) the replacement of any fitting with a fitting of an appropriate size, type, and rating for the electrical circuit:
 - (e) the installation of a revenue meter and associated load control fittings, provided that—
 - (i) the work is covered by a declaration of conformity, signed by the installer, that confirms that the revenue meter is safe to connect; and
 - (ii) the work does not involve alterations to mains or a main switchboard.
- (3) Prescribed electrical work done on animal stunning appliances and meat conditioning appliances must be treated as if it were work done on an installation.
- (4) A person who connects an installation on which prescribed electrical work has been done commits a grade B offence if he or she connects the installation without ensuring that the work is certified as required by this regulation.

Compare: SR 1997/60 r 39(1), (2)

66 When work to be certified

The certification of prescribed electrical work must be done—

- (a) in the case of completed work, as soon as is convenient after it is completed, but in any case no later than 7 days after completion; and
- (b) in any other case, no later than the end of the day after the day on which the contract for the work terminates.

Compare: SR 1997/60 r 39(5)

67 Obligation of person certifying prescribed electrical work

- (1) A person who certifies prescribed electrical work must be satisfied on reasonable grounds that—

- (a) the thing on which the work has been done is, and will be when connected to a power supply, electrically safe; and
 - (b) the work was done in accordance with the Act and these regulations.
- (2) A certificate of compliance for a completed new low voltage installation must also—
- (a) confirm that the person certifying the work has sighted the relevant declaration of conformity (as required by regulation 55); and
 - (b) indicate whether the installation is installed in accordance with a design prepared in accordance with Part 1 of AS/NZS 3000 or was installed in accordance with Part 2 of AS/NZS 3000.
- (3) Any certificate of compliance may also certify any of the following:
- (a) that particular tests have been satisfactorily completed;
 - (b) that the rating of the earthing system for the installation is correct;
 - (c) that particular fittings on which work has been done are safe to connect to a power supply;
 - (d) that the installation or particular parts of an installation are safe to connect to a power supply.
- (4) A person who certifies prescribed electrical work done on an installation commits a grade B offence if he or she—
- (a) signs the certificate when not satisfied as required by subclause (1); or
 - (b) fails to comply with subclause (2).

Compare: SR 1997/60 r 39(6)–(8)

68 Certification

- (1) Prescribed electrical work is certified when a certificate that complies with these regulations is signed by a person authorised to certify the work.
- (2) Every certificate of compliance must be given within 20 working days of its completion to—
 - (a) the person who commissioned the work; or
 - (b) the occupier of the premises where that work was carried out.

- (3) A copy of the certificate must be retained for 3 years—
 - (a) by the person certifying the work and, if the work has been inspected, the person inspecting the work; or
 - (b) if the person certifying the work, or the person inspecting the work, is acting under an employer licence, by the person's employer.
- (4) Where, in accordance with subclause (3)(a), the person certifying or inspecting the work retains a copy of the certificate, that person must, within 20 working days of any written request from the Board, supply a copy of the certificate to the Board.
- (5) A person who certifies or inspects prescribed electrical work done on an installation commits a grade B offence if he or she—
 - (a) fails to ensure compliance with subclause (2) or (3); or
 - (b) fails to comply with a request under subclause (4).

Compare: SR 1997/60 rr 40(2)–(6), 42

69 Forms for certificates of compliance

- (1) Every certificate of compliance must be on the appropriate form supplied by the Board.
- (2) Each form supplied by the Board must have a unique identifier.
- (3) A fee is payable to the Board for each certificate of compliance supplied, and different fees may be payable for different kinds of certificates.
- (4) The fees for certificates of compliance are as set out in Schedule 6.

Compare: SR 1997/60 rr 40(1), 43

Inspecting certain installations

70 Work that must be inspected

Prescribed electrical work that must be certified must also be inspected if it is any of the following:

- (a) work carried out in accordance with Part 1 of AS/NZS 3000;
- (b) work on installations that operate at high voltages (other than high voltage discharge lighting, where that lighting was installed in accordance with AS/NZS 3832):

- (c) mains work:
- (d) work on the installation of mains parallel generation systems:
- (e) work in hazardous areas:
- (f) work on installations in medical locations:
- (g) work on electrical medical devices:
- (h) work on animal stunning appliances or meat conditioning appliances.

Compare: SR 1997/60 r 41(1)

71 Inspection of prescribed electrical work

- (1) The purpose of an inspection of prescribed electrical work is to determine whether—
 - (a) the fittings on which the work has been carried out are safe; and
 - (b) the prescribed electrical work has been done in accordance with the Act and these regulations.
- (2) A person who inspects prescribed electrical work must be satisfied on reasonable grounds that—
 - (a) the thing on which the work has been done is, and will be when connected to a power supply, electrically safe; and
 - (b) the work was done in accordance with the Act and these regulations.
- (3) A person may not inspect prescribed electrical work if the person has—
 - (a) personally carried out the work; or
 - (b) supervised someone else carrying out the work; or
 - (c) certified the work.
- (4) The person carrying out an inspection of a new installation must be given any declaration of conformity (as required by regulation 55) relating to the work, and must retain the declaration for 3 years.
- (5) If the person inspecting the work is satisfied of the matters in subclause (1), and has carried out the inspection in accordance with the requirements of these regulations, the person may record those facts on a certificate of compliance for the work and sign the certificate.

- (6) A person who inspects prescribed electrical work commits a grade A offence if he or she—
- (a) signs a certificate of compliance for the work when not satisfied as required by subclause (2); or
 - (b) signs the certificate in breach of subclause (3); or
 - (c) fails to comply with subclause (4).

Compare: SR 1997/60 r 41(4), (5), (6)

72 Inspections of certain kinds of prescribed electrical work

- (1) A person who inspects any prescribed electrical work done on an installation that complies with Part 1 of AS/NZS 3000 must carry out the inspection in accordance with that standard and in accordance with the verification process described in the declaration of conformity of the installation (as required under regulation 55).
- (2) A person who inspects the following kinds of prescribed electrical work must do so in accordance with AS/NZS 3000 and also the standard indicated:
- (a) work on installations in medical locations: AS/NZS 3003;
 - (b) work on installations in hazardous areas: AS/NZS 2381.1;
 - (c) mains work: AS/NZS 3000;
 - (d) work on mains parallel generation systems: AS/NZS 3000;
 - (e) work on animal stunning appliances or meat conditioning appliances: NZS 6116.
- (3) A person who purports to inspect anything referred to in this regulation commits a grade B offence if he or she fails to inspect the thing as required by this regulation.

Compare: SR 1997/60 r 41(2), (3)

73 Periodic inspection of certain installations

- (1) The owners and operators of the following installations must ensure that the installations are periodically inspected as set out below, to determine whether they are electrically safe and otherwise comply with these regulations:

- (a) low voltage installations in caravan parks: in accordance with AS/NZS 3001, at intervals not exceeding 5 years:
 - (b) low voltage installations in boat marinas: in accordance with AS/NZS 3004.1, at intervals not exceeding 5 years:
 - (c) low voltage installations at demolition and constructions sites: in accordance with AS/NZS 3012:
 - (d) low voltage installations at carnivals and fair grounds: in accordance with AS/NZS 3002, at intervals not exceeding 1 year:
 - (e) low voltage and extra-low voltage installations in hazardous areas: in accordance with AS/NZS 60079.12:
 - (f) low voltage and extra-low voltage installations in medical locations: in accordance with NZS 3003.1, at intervals not exceeding 4 years.
- (2) The owners and operators of high voltage installations must ensure that the installations are inspected for operational safety at intervals not exceeding 5 years.
 - (3) Inspections referred to in subclause (1)(a) to (c) and subclause (2) may be undertaken only by a person who is authorised to inspect prescribed electrical work on the relevant kind of installation in the relevant location.
 - (4) Inspections referred to in subclause (1)(d) to (f) may be undertaken by any person with the competencies referred to in the relevant standard specified.
 - (5) The results of each periodic inspection must be recorded—
 - (a) for high voltage installations, on the form prescribed for the purpose by the Secretary; and
 - (b) in any other case, on the form prescribed in the relevant standard.
 - (6) A person who completes an inspection must give the record of the inspection to the person requesting the inspection and keep a copy of it for at least 3 years, or send a copy to the Secretary.
 - (7) A person who owns and retains in service an installation that is required by this regulation to be periodically inspected commits a grade B offence if the installation is not inspected in accordance with subclause (1) or (2), as appropriate.

- (8) A person who does an inspection under this regulation commits a grade A offence if he or she,—
- (a) in the case of an inspection referred to in subclause (1)(a) to (c) and subclause (2), is not authorised to inspect that kind of installation in that location; or
 - (b) in the case of an inspection referred to in subclause (1)(d) to (f), does not have the appropriate competencies; or
 - (c) fails to comply with subclause (5) or (6).
- (9) A person commits a grade A offence if he or she uses an installation that is required by this regulation to be periodically inspected knowing that subclause (8) applies to the person who did the inspection.

Compare: SR 1997/60 rr 46, 51(a)

Connectable installations

74 No supply without warrant of electrical fitness

- (1) Before supplying electricity at standard low voltage to a connectable installation, the person supplying electricity must verify that the connectable installation has a current warrant of electrical fitness.
- (2) A person who supplies electricity commits a grade B offence if he or she fails to comply with subclause (1).

Compare: SR 1997/60 rr 98(5), 100(d)

75 Restrictions on use of connectable installations

- (1) A person must not hire or lease out, or offer to hire or lease out, a thing (such as a vehicle, relocatable building, or vessel) that contains a connectable installation unless the connectable installation has a current warrant of electrical fitness.
- (2) A person who hires or leases out, or offers to hire or lease out, a thing to which subclause (1) applies commits a grade B offence if he or she fails to comply with subclause (1).

Compare: SR 1997/60 rr 97(4), 100(g)

76 Issue of warrants of electrical fitness for connectable installations

- (1) The following people may issue warrants of electrical fitness for connectable installations:
 - (a) a person who is authorised to inspect mains work;
 - (b) a person who, immediately before these regulations come into force, is authorised by the Secretary to issue warrants of electrical fitness, but only in respect of the same class of connectable installations that the authorisation relates to;
 - (c) in relation to a connectable installation that has been certified under regulation 67, the person who did the certification (and, to avoid doubt, the warrant may be issued at the same time that the certification is done).
- (2) Every warrant of fitness for a connectable installation must be issued in accordance with AS/NZS 3001, except that a warrant of fitness in respect of a pleasure vessel must be issued in accordance with AS/NZS 3004.2.
- (3) A person who issues a warrant of electrical fitness must—
 - (a) give it to the person who requests the warrant; and
 - (b) keep a copy of the completed warrant for at least 5 years, or send a copy to the Secretary; and
 - (c) complete a warrant of fitness sticker that is in the form prescribed by the Secretary; and
 - (d) affix the sticker in a prominent place on the connectable installation.
- (4) A warrant of electrical fitness for a connectable installation expires on the sooner of—
 - (a) the date on which a new warrant of electrical fitness is issued for the connectable installation; or
 - (b) the date that is 4 years from its date of issue or, in the case of a connectable installation in a medical location, 1 year from its date of issue.
- (5) Every warrant of electrical fitness must be in a form that is either—
 - (a) the form prescribed by the relevant standard referred to in subclause (2); or
 - (b) a form prescribed by the Secretary.

- (6) The fee payable for the supply of forms of warrants prescribed by the Secretary is set out in Schedule 5.
Compare: SR 1997/60 rr 97(3)–(7), 100(d)

Part 5

Safety of fittings and appliances

77 Maintenance of domestic appliances

- (1) A person who carries out prescribed electrical work in reliance on the exemption in section 80 of the Act (exemption for maintenance of domestic appliances) must carry it out in accordance with ECP 50.
- (2) For the purposes of section 80(1)(c) of the Act, the prescribed electrical work that the owner of any appliance may do or assist in doing is work on appliances that operate at low voltage.
Compare: SR 1997/60 r 48

78 Evidence of compliance with standards

- (1) A test report that confirms that a low voltage fitting or appliance complies with AS/NZS 3820 or any standard listed in Schedule 3 is conclusive evidence of compliance with the relevant standard.
- (2) A **test report** is an original or certified copy of a report issued—
- (a) by a laboratory—
 - (i) accredited by the Testing Laboratory Registration Council; or
 - (ii) accredited by a body that has a mutual recognition agreement with the Testing Laboratory Registration Council; or
 - (iii) approved as a testing laboratory by or under an international agreement between New Zealand and another country (being any territory for whose international relations the Government of the country is responsible) ; or
 - (b) under the Certification Body Scheme of the Worldwide System for Conformity Testing and Certification of Electrotechnical Equipment and Components, known as the IECEE CB Scheme.

79 Offences relating to false or incorrect marking

- (1) A person commits a grade A offence if he or she tags or marks a fitting or appliance with a false or incorrect tag or marking.
- (2) A person commits a grade A offence if he or she sells or offers for sale a fitting or appliance that bears the CCC mark, but the mark—
 - (a) was applied otherwise than in accordance with the Conformity Cooperation Agreement; or
 - (b) does not comply with that Agreement.

Compare: 1997/60 rr 87, 100(ab)

80 Use of hand-held appliances

- (1) Hand-held appliances may be connected to a supply of electricity only by—
 - (a) a plug of suitable capacity; or
 - (b) a cord connector of suitable capacity.
- (2) The voltage of electricity supplied to a hand-held appliance must not exceed 250 volts to earth.
- (3) If a hand-held appliance is used by a person who is partly or wholly immersed in a conducting substance, or who is in a substantially conductive situation, the appliance must be—
 - (a) fixed-wired and connected through a continuous flexible cord to a supply of electricity from a source isolated from earth with a voltage between conductors not exceeding 250 volts; or
 - (b) supplied with electricity from a safety extra-low voltage source; or
 - (c) double-insulated and supplied with electricity through an RCD.
- (4) If a hand-held appliance is used indoors in a situation that is normally damp, or is used outdoors, or in a building or structure under construction, the appliance must be—
 - (a) fixed-wired and connected through a continuous flexible cord to a supply of electricity from a source isolated from earth with a voltage between conductors not exceeding 250 volts; or
 - (b) supplied with electricity from a safety extra-low voltage source; or

- (c) supplied with electricity from a monitored earth circuit where the supply to the appliance is automatically disconnected if the earth to the appliance is broken or disconnected; or
- (d) supplied with electricity from a source connected to earth so that the voltage to earth will not be greater than 55 volts a.c.; or
- (e) supplied with electricity through an RCD; or
- (f) supplied with electricity from a source isolated from earth with a voltage between conductors not exceeding 250 volts; or
- (g) double-insulated.

Compare: SR 1997/60 rr 77, 100(c)

81 Declaration of compliance required before sale of declared medium risk articles

- (1) The Secretary may, by notice in the *Gazette*, declare that particular low voltage fittings or appliances, or particular types or classes of low voltage fittings or appliances, are medium risk fittings or appliances (in this regulation called **declared medium risk articles**).
- (2) A declared medium risk article may not be sold or offered for sale unless the supplier (being the manufacturer or importer) has made a declaration of compliance.
- (3) Every declaration of compliance must—
 - (a) contain a description of the declared medium risk article; and
 - (b) contain a statement that the article complies with—
 - (i) a named official standard, being a standard listed in Schedule 2; or
 - (ii) AS/NZS 3820; or
 - (iii) the Conformity Cooperation Agreement; and
 - (c) if paragraph (b)(i) or (ii) applies, include a statement of how to obtain a copy of the test report, or other documentation, that shows how the article complies with the relevant standard; and
 - (d) be in the form that is prescribed by the Secretary or, if no form is prescribed, comply with ISO/IEC 17050.

- (4) A person who sells or offers for sale a declared medium risk article commits a grade A offence if, at the time of the sale or offer to sell,—
- (a) a valid declaration of compliance for the article has not been made, as required by subclause (2); or
 - (b) the person cannot provide, within a reasonable time, a copy of a declaration of compliance when asked to do so.

Compare: SR 1997/60 r 101A

82 Declared high risk articles not to be sold unless approved

- (1) The Secretary may, by notice in the *Gazette*, declare that particular low voltage fittings or appliances, or particular types or classes of low voltage fittings or appliances, are high risk fittings or appliances (in this regulation and regulations 83 and 84 called **declared high risk articles**).
- (2) A declared high risk article may not be sold or offered for sale unless—
- (a) it is approved for sale by the Secretary under regulation 83 and all conditions of the approval are complied with; or
 - (b) it is deemed, under regulation 84, to be approved by the Secretary, and all relevant terms and conditions to which the approval is subject are complied with.
- (3) A person who sells or offers for sale a declared high risk article commits a grade A offence if—
- (a) the article is not approved for sale under regulation 83; or
 - (b) the article is approved for sale under regulation 83, or deemed to be approved under regulation 84, but all relevant terms and conditions of the approval or deemed approval are not complied with.

Compare: Sr 1997/60 r 101(1), (9)

83 Approval by Secretary for sale of declared high risk articles

- (1) Any person may apply to the Secretary for approval to sell a declared high risk article by applying in the prescribed form and paying the prescribed fee set out in Schedule 4.

- (2) The Secretary may refer the application to an experienced person for advice on compliance by the declared high risk article with electrical safety requirements.
- (3) The Secretary must notify the applicant in writing of his or her decision, and must notify the applicant of any conditions of the approval imposed by the Secretary.
- (4) The Secretary may, on giving 7 days' notice in writing to the applicant,—
 - (a) vary or withdraw the approval; or
 - (b) vary or revoke any condition, or specify any additional conditions, to which the approval is subject.

Compare: SR 1997/60 r 101(2)–(8)

84 Deemed approval by Secretary for sale of declared high risk articles

- (1) A declared high risk article is deemed to have the Secretary's approval if the article—
 - (a) is approved or certified by an organisation, agency, programme, or regime recognised by the Secretary under subclause (2); and
 - (b) complies, as required, with any terms or conditions of the approval or certification.
- (2) The Secretary may, by notice in the *Gazette*, recognise an organisation or agency, or a programme or regime of compliance, for the purposes of subclause (1).
- (3) The Secretary may, by notice in the *Gazette*, specify conditions to which a deemed approval is subject.
- (4) The Secretary may, by notice in the *Gazette*,—
 - (a) vary or withdraw any deemed approval; or
 - (b) vary or revoke any conditions, or specify additional conditions, to which the deemed approval is subject.
- (5) A notice given under subclause (4) takes effect on the seventh day after the date of notification.

Compare: 1997/60 r 101(6)(b), (7)(b), (8), (9), (10)

85 Prohibitions relating to fittings and appliances

- (1) If the Secretary believes on reasonable grounds that a fitting or appliance is or may be electrically unsafe, the Secretary

may prohibit all or any of the following activities in relation to the fitting or appliance: its manufacture, importation, sale, installation, or use.

- (2) If a fitting or appliance is imported into New Zealand in purported compliance with the Conformity Cooperation Agreement but it does not in fact comply with the Conformity Cooperation Agreement, the Secretary may prohibit all or any of the following activities in relation to the fitting or appliance: its importation, sale, installation, or use.
- (3) A prohibition under this regulation—
 - (a) must be made by notice in the *Gazette*; and
 - (b) takes effect on and from the date specified for the purpose in the notice, which date must be later than the date of publication of the notice in the *Gazette*; and
 - (c) must adequately describe the fitting or appliance being prohibited; and
 - (d) must give brief reasons for the belief that the fitting or appliance,—
 - (i) if subclause (1) applies, is or may be electrically unsafe; or
 - (ii) if subclause (2) applies, does not comply with the Conformity Cooperation Agreement.
- (4) Where the Secretary knows the New Zealand address of the manufacturer, importer, seller, or user concerned, the Secretary must give notice of the prohibition to that person before the date specified in the notice in the *Gazette* as the date on which the prohibition takes effect.
- (5) A prohibition made under this regulation may be varied or revoked in the same way that it may be made.
- (6) A person commits a grade A offence if he or she manufactures, imports, sells, installs, or uses any fitting or appliance contrary to a prohibition made under this regulation.

Compare: SR 1997/60 r 102

Testing of appliances

86 Testing prescribed electrical work on appliances

- (1) A person must verify that an appliance is electrically safe before releasing it from his or her control if the person has—

- (a) done any prescribed electrical work on the appliance; or
 - (b) done any work on the appliance that may affect its electrical safety.
- (2) A person is deemed to comply with subclause (1) if,—
- (a) in the case of prescribed electrical work done in reliance on section 80 of the Act (exemption for maintenance of domestic appliances), the work is tested in accordance with ECP 50:
 - (b) in the case of low or extra-low voltage electrical medical devices, the work is tested in accordance with AS/NZS 3551:
 - (c) in the case of all other low or extra-low voltage appliances, the work is tested in accordance with AS/NZS 5762.
- (3) A person who fails to comply with subclause (1) commits a grade A offence.
- Compare: SR 1997/60 rr 38, 51(a)

Periodic inspections of electrical medical devices

87 Periodic inspection of electrical medical devices

- (1) The owner of an electrical medical device must ensure that it is periodically inspected to determine whether it is electrically safe and complies with AS/NZS 3551.
- (2) A periodic inspection under this regulation may be undertaken only by a person who has the required competencies set out in AS/NZS 3551.
- (3) The results of each periodic inspection must be recorded on the form prescribed by AS/NZS 3551.
- (4) The person who completes the inspection must give the record of the inspection to the person requesting the inspection and keep a copy of it for at least 3 years, or send a copy to the Secretary.
- (5) A person who owns an electrical medical device commits a grade B offence if the device is not inspected in accordance with subclause (2).

- (6) A person who undertakes an inspection under this regulation commits a grade A offence if he or she is not authorised to undertake the inspection.
- (7) A person who owns or operates an electrical medical device commits a grade A offence if he or she uses, or allows another person to use, the electrical medical device knowing that—
- (a) it has not been inspected as required by this regulation;
 - or
 - (b) the person who inspected it was not authorised to do so.
- Compare: SR 1997/60 r 46(2)(c), (d)

Part 6

Employer licences and Board provisions

Exemptions from restrictions on who may do prescribed electrical work

88 Limits of work that supervised person may do

For the purposes of section 76(a) of the Act, the prescribed work that a person who is under supervision may do, or assist in doing, is any work that is within the scope of work that the person's supervisor is authorised to do.

89 Limits of work that trainee may do

For the purposes of section 77(1)(a) of the Act, the prescribed work that a trainee may do, or assist in doing, is any work that is within the particular class of work for which the trainee is seeking registration, and that is within the scope of work that the trainee's supervisor is authorised to do.

Compare: SR 1997/60 r 23

Employer licences and Board provisions

90 Requirements for system of operation of holders of employer licences

- (1) For the purposes of section 115(1)(a) of the Act, the requirements for the system of operation that must be maintained by the holder of an employer licence are that the holder—

- (a) identifies the prescribed electrical work (**identified prescribed electrical work**) that the holder undertakes under the licence; and
 - (b) has in place procedures for each of the following:
 - (i) carrying out, supervising, and monitoring the identified prescribed electrical work;
 - (ii) investigating injuries caused to persons, and damage caused to property, as a result of carrying out any identified prescribed electrical work;
 - (iii) taking action to prevent, and in response to, injuries to persons or damage to property that results from carrying out the identified prescribed electrical work; and
 - (c) identifies the skills and training required in order to carry out each kind of identified prescribed electrical work; and
 - (d) maintains a manual or other record that sets out the matters listed in subclause (2).
- (2) The manual referred to in subclause (1)(d) must set out—
- (a) all the matters referred to in subclause (1)(a) to (c); and
 - (b) the names of every employee of the holder who is to carry out identified prescribed electrical work, along with a description of the identified prescribed electrical work that each employee is trained, and has the skills, to do; and
 - (c) the location and address of each place of work from which the holder of the licence operates, and which is intended to be covered by the licence; and
 - (d) a contact person for the licence, who must be an employee of the licence holder, identified by name or position.

Compare: SR 1997/60 r 16

91 Approved persons

- (1) For the purposes of section 116(3) of the Act, the class of persons designated as approved persons is the class of persons whose names appear on a list, maintained by the Board, of people who—
- (a) hold an audit qualification issued by—

- (i) the Joint Accreditation System of Australia and New Zealand; or
 - (ii) a body accredited by a current member of the International Accreditation Forum; or
 - (iii) a body approved by or under an international agreement between New Zealand and another country that is not a member of the International Accreditation Forum; and
- (b) satisfy the Board that, having regard to their knowledge or experience of electrical work, and any other matters the Board considers relevant, they are capable of certifying whether or not a system of operation complies with section 115(1)(a) and (b) of the Act.
- (2) The Board may remove from the list the name of any person whom the Board is satisfied does not meet the requirements of subclause (1) and must give written notice to the person concerned.
- (3) Until the date that is 6 months after the date on which this regulation comes into force, the list must include the name of every person who applies (whether before or after this regulation comes into force) to have his or her name on the list and who satisfies paragraph (a) of subclause (1); but after that date, the list may only contain the names of people who satisfy both paragraph (a) and paragraph (b) of subclause (1).

92 Search criteria for register of electrical workers

The register of electrical workers may be searched by reference to the following criteria:

- (a) the name, or any part of the name, of a person:
- (b) the name of a town or city:
- (c) a New Zealand post code:
- (d) the name of a company or body corporate:
- (e) a unique identifier issued to an electrical worker or employer licence holder by the Registrar:
- (f) a licensing class:
- (g) any combination of the criteria in paragraphs (a) to (f).

93 Form of complaints

Every complaint made to the Board under section 144 of the Act must be made in writing and be addressed to the Registrar.

94 Fees payable to Board

- (1) The fees specified in Schedule 6 are payable to the Board in respect of the matters specified in that schedule.
- (2) The fees specified in Schedule 6 are inclusive of goods and services tax.
- (3) The Board may waive, refund, or remit the whole or any part of a fee that would otherwise be payable to it in any of the following circumstances:
 - (a) the application is for a practising licence that is issued for a period of less than 1 year;
 - (b) a fee is overpaid or paid in error;
 - (c) a person paying a fee for a particular type of application has, within the previous 12 months, paid a fee for the same type of application;
 - (d) in the case of an applicant for a practising licence, the cost of carrying out the Board's obligations under section 149(k) of the Act in respect of the class of work (or category of the class of work) for which the applicant is registered does not justify charging the full fee for the application.
- (4) Subclause (1) and Schedule 6 are revoked on the close of the date that is 3 years after this regulation comes into force.

Part 7**Working practices****95 Safety responsibilities of person who carries out work**

- (1) A person who carries out any prescribed electrical work, or any work referred to in clause (2)(e) to (g) of Schedule 1, must take all practicable steps,—
 - (a) before beginning the work, to check that any associated equipment and personal protective equipment to be used by that person is in good order and condition, and is safe for its intended use; and

- (b) to follow the procedures approved by the employer (if any) for the work to be carried out; and
 - (c) to use the associated equipment and the personal protective equipment provided in a competent manner.
- (2) The responsibilities set out in this regulation of a person carrying out work are in addition to, and do not limit, the responsibilities of that person under the Health and Safety in Employment Act 1992.

Compare: SR 1997/60 r 36

96 Responsibility of employers for safety of employees

- (1) An employer who employs a person to carry out any prescribed electrical work, or any work referred to in clause (2)(e) to (g) of Schedule 1, must take all practicable steps to ensure the safety of the employee while carrying out the work, and must take the steps described in subclauses (2) and (3) in particular.
- (2) The employer must take all practicable steps to—
- (a) provide safe working procedures for employees to follow when carrying out the work; and
 - (b) ensure that any associated equipment and personal protective equipment used by an employee is arranged, designed, made, tested, inspected, and maintained so that it is safe for the employee to use.
- (3) The employer must take all practicable steps to ensure that the employee who carries out the work—
- (a) has adequate knowledge and experience of the type of work being carried out; and
 - (b) has been adequately trained in the safe use of the associated equipment, the personal protective equipment, and the procedures for carrying out the work; and
 - (c) immediately before the start of the work, checks that the associated equipment and personal protective equipment is in good order and condition; and
 - (d) uses the equipment and the procedures that the employer has approved for the work.
- (4) Subclause (3)(a) does not apply if the employee is in training and the employer ensures that the employee is adequately supervised to ensure the safety of the employee.

- (5) The responsibilities of the employer set out in this regulation are in addition to, and do not limit, the responsibilities of the employer under the Health and Safety in Employment Act 1992.

Compare: SR 1997/60 r 35

97 Work on live conductors of low voltage overhead electric lines in installations

- (1) This regulation applies to work on live conductors of low voltage overhead electric lines in installations—
- (a) that have exposed live metal; or
 - (b) if there is a likelihood of accidental contact with any other conductor or bare earthed metal.
- (2) A person may only carry out the work if he or she uses the appropriate associated equipment and personal protective equipment.

Compare: SR 1997/60 r 29

98 Working near exposed live fittings or conductors

- (1) Every person working near an exposed live fitting must comply with Parts 5 and 9 of ECP 34.
- (2) This regulation does not apply to a person working—
- (a) near fittings of extra-low voltage; or
 - (b) on a live electric line; or
 - (c) on a live substation.

Compare: SR 1997/60 r 30

99 Work on disconnected high voltage fittings

- (1) This regulation applies to work on high voltage fittings that are disconnected from a supply of electricity.
- (2) A person doing work to which this regulation applies must ensure that the fittings are earthed before the work is commenced and remain earthed until the work is completed.
- (3) The fittings must be sufficiently earthed to protect any person working on them from exposure to a significant risk of electric shock or other injury.
- (4) A temporary earthing connection of a fitting must be adequate to carry any short circuit current that may flow.

- (5) A person may remove an earthing connection to test a fitting, but must take all practicable steps to ensure his or her own safety, and the safety of others in the vicinity.
- (6) A person doing work to which this regulation applies need not comply with subclause (2) if—
 - (a) the high voltage fitting is isolated but not earthed; and
 - (b) the person carries out the work using the procedures approved by the employer (if any); and
 - (c) the person uses appropriate associated equipment.

Compare: SR 1997/60 r 32

100 Work stringing additional conductors between poles or other supports

- (1) This regulation applies to work that consists of stringing additional conductors between poles or other supports where the poles or other supports already hold conductors.
- (2) The person carrying out work to which this regulation applies must ensure that—
 - (a) the existing conductors held by the poles or other supports are isolated and earthed before the work is commenced, and that they remain isolated and earthed until the work is completed; and
 - (b) the additional conductors are earthed before the work is commenced, and that they remain earthed until the work is completed; and
 - (c) the appropriate associated equipment referred to in regulation 96(2)(b) is used while carrying out the work.
- (3) No person may be on any cross-arm of poles or supports carrying conductors while additional conductors are being pulled up and tensioned, unless the poles or supports are on a pylon or similar structure.

Compare: SR 1997/60 r 31

101 Notices when working on works and installations

- (1) A person carrying out work on works or installations that are disconnected from a power supply must ensure that suitable warning notices to safeguard against the unintentional connection of a power supply to the works or installation are fixed at the point of disconnection of supply.

- (2) If works or installations have a locking facility for disconnecting them from the power supply, then any person disconnecting the works or installations from their power supply must use that facility to lock the disconnection.

Compare: SR 1997/60 r 34(1), (2)

102 Offences relating to Part 5

A person commits a grade A offence if he or she fails to take all practicable steps to comply with the requirements of any of regulations 95 to 101.

Part 8 Miscellaneous

Secretary's powers

103 Secretary's power to prescribe forms, etc

- (1) The Secretary may prescribe any form referred to in these regulations as a form prescribed by the Secretary.
- (2) The Secretary may prescribe the form for warrant of fitness stickers for the purpose of regulation 76.

104 Secretary's power to exempt from requirements

- (1) The Secretary may exempt specific works, installations, fittings, appliances, associated equipment, persons, or things from any requirement imposed by or under all or any of the following:
- (a) in Part 1, regulations 20 and 22;
 - (b) in Part 2, regulations 24, 25, and 29;
 - (c) in Part 4, regulations 55, 56, 58, 60, 65, 67, 70, 72, and 73;
 - (d) in Part 5, regulations 80 and 87.
- (2) An application for exemption must—
- (a) specify the precise exemption sought and the reason; and
 - (b) demonstrate how safety will be ensured if the exemption is granted; and
 - (c) be made on a form prescribed by the Secretary; and
 - (d) be accompanied by the fee prescribed in Schedule 5.

- (3) Every exemption—
 - (a) must be in writing; and
 - (b) must specify the period to which it applies; and
 - (c) may impose conditions on the exemption.
- (4) The Secretary must give notice of an exemption—
 - (a) to the applicant; and
 - (b) if the exemption will affect a wider range of people than the applicant, in the *Gazette*.
- (5) The Secretary may amend or revoke an exemption—
 - (a) if the holder of the exemption asks; or
 - (b) in order to prevent any danger or potential danger to any person or property, but only after giving the holder at least 20 working days' notice of the proposed amendment or revocation.
- (6) Notice of any amendment or revocation must be given in the same way as notice of an exemption.
Compare: SR 1997/60 r 103

Accident reports

105 Details to be provided in reporting accidents

- (1) Any person who notifies the Secretary of an accident, in accordance with section 16 of the Act, must give a full report in writing that sets out the following matters:
 - (a) the name and contact details of the person giving notice (which should include, if possible, telephone and fax numbers, and an email address):
 - (b) the place, date, and time of the accident:
 - (c) a complete description of the accident:
 - (d) a description of any injuries, damage, or losses resulting from the accident:
 - (e) where known, the names and contact information of any witness, investigator at the scene, or other person who could provide cogent information on the accident:
 - (f) possible causative factors (if any are known):
 - (g) any resuscitation applied, including the method, the length of time applied, the reason for discontinuing, and the person who applied the resuscitation:

- (h) any associated equipment involved, including the type, whether or not it operated correctly, and any reasons why it did not operate correctly:
 - (i) the condition of the associated equipment involved, including its age:
 - (j) where known, the name, age, sex, occupation, and residential address of the victim.
- (2) An accident may initially be notified to the Secretary by telephone, fax, email, or any other electronic means, as long as the full written report is sent to the Secretary within 2 weeks after that initial notification.
- (3) The full written report may be sent to the Secretary by post, fax, email, or any other electronic means.

Compare: 1997/60 r 106

Transitional provisions

106 Existing and in-process works, installations, fittings, and appliances

- (1) This regulation applies, for a period of 2 years from the date on which these regulations come into force, to works, installations, fittings, and appliances that are, on that date,—
- (a) installed, for sale, or in use in New Zealand; or
 - (b) under construction or being installed; or
 - (c) in transit to New Zealand; or
 - (d) the subject of an irrevocable purchasing order by a person in New Zealand.
- (2) Notwithstanding anything in these regulations, works, installations, fittings, and appliances to which this regulation applies may continue to be constructed, installed, sold, or used, provided that they—
- (a) are electrically safe; and
 - (b) complied with the requirements of the Electricity Regulations 1997 immediately before the date on which these regulations come into force; and
 - (c) continue to comply, as a minimum, with paragraph (b).
- (3) However, any works, installation, fitting, or appliance to which this regulation applies may be tested, certified, or inspected under either—

- (a) the Electricity Regulations 1997 as they are immediately before the date on which these regulations come into force; or
 - (b) these regulations.
- (4) This regulation expires and is revoked on the date that is 2 years after the date on which these regulations come into force.
Compare: SR 1997/60 r 68

107 Declared articles under previous regulations

- (1) Every fitting or appliance that, immediately before these regulations came into force, was a declared article under regulation 101 of the Electricity Regulations 1997 is a declared high risk article for the purpose of regulation 82 of these regulations, and regulation 82 applies accordingly.
- (2) Every approval, deemed approval, and every notice given under regulation 101 of the Electricity Regulations 1997 continues in force as if it had been given under regulation 83 or 84 (as appropriate) of these regulations.
- (3) An application made under regulation 101 of the Electricity Regulations 1997 is, after these regulations come into force, to be treated as if the application were made under regulation 83 of these regulations.

108 Specified fittings and appliances under previous regulations

- (1) Every fitting or appliance that, immediately before these regulations come into force, is the subject of a specification by the Secretary under regulation 101A of the Electricity Regulations 1997 (a **specified fitting or appliance**) is a declared medium risk article for the purpose of regulation 81 of these regulations, and regulation 81 applies accordingly.
- (2) Every declaration made before these regulations come into force in respect of a specified fitting or appliance, and that complies with regulation 101A of the Electricity Regulations 1997, is to be treated as if it is a declaration that complies with regulation 81 of these regulations.

109 Warrants of electrical fitness

A warrant of electrical fitness issued for the purposes of regulation 97 of the Electricity Regulations 1997 remains valid after those regulations are revoked until the date that is 4 years after its date of issue, and the warrant is to be treated as if the warrant had been issued under regulation 76 of these regulations.

110 Certificates of compliance

The revocation of the Electricity Regulations 1997 does not affect the validity of any certificate of compliance issued under those regulations.

*Arbitrators***111 Arbitrators**

- (1) The Secretary may from time to time, on request, appoint arbitrators for the purposes of providing opinions on disputes over whether or not the technical requirements of these regulations have been complied with.
- (2) The term of appointment of any arbitrator is 2 years, unless otherwise agreed between the appointee and the Secretary.
- (3) The procedure to be used by the arbitrator in carrying out the functions referred to in subclause (1) may be determined by the arbitrator.
- (4) Arbitrators may be paid remuneration by way of fees or allowances, and travelling allowances and expenses, in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act apply accordingly as if an arbitrator were a member of a statutory Board.
- (5) The person who requested the arbitration must pay the prescribed fee at the completion of the arbitration.

Compare: SR 1997/60 r 99

*Revocations and amendment***112 Revocation**

The Electricity Regulations 1997 (SR 1997/60) are revoked.

113 Amendment to Electricity (China Free Trade Agreement) Regulations 2004

- (1) This regulation amends the Electricity (China Free Trade Agreement) Regulations 2004.
 - (2) The schedule is revoked.
-

Draft

Schedule 1

r 4(1)

Prescribed electrical work

- 1 The following work is prescribed electrical work, unless it is work described in clause 2:
 - (a) the installation or maintenance of conductors used in works or installations:
 - (b) the installation or maintenance of fittings connected, or intended to be connected, to conductors used in works or installations:
 - (c) the connection or disconnection of fittings to or from a power supply, other than by means of a plug or pin inserted into a socket, or an appliance coupler inserted into an appliance inlet:
 - (d) the maintenance of appliances:
 - (e) the testing, certification, and inspection of work described in paragraphs (a) to (d):
 - (f) the supervision of any prescribed electrical work.

- 2 The following work is not prescribed electrical work:
 - Low voltage fittings*
 - (a) work done on low voltage fittings, but only if the work is done in accordance with ECP 51, and without payment or reward, and the work consists of—
 - (i) replacing a fuse link with a fuse link or plug-in miniature circuit breaker of an appropriate rating; or
 - (ii) affixing a plug, adaptor, cord extension socket, or appliance connector of an appropriate rating to a flexible cord designed for that purpose:
 - Extra-low voltage supply*
 - (b) work done on installations, fittings, or appliances that—
 - (i) are intended solely for connection to, or are associated solely with, electricity supplies not exceeding extra-low voltage; and
 - (ii) are not in a hazardous area or a medical location:
 - (c) repairing or adjusting fittings, or replacing fittings with the same or comparable fittings, in installations or appliances, but only if the work can be done without ex-

posure to live parts intended to operate at voltages exceeding extra-low voltage:

Operation

- (d) operating works, installations, or appliances:

Isolating and earthing

- (e) operating or switching works, installations, or appliances for the purpose of isolating and earthing the works, installations, or appliances, including manually connecting or disconnecting temporary earthing or bonding fittings and manually removing and reinserting fuses:

Electric lines

- (f) constructing overhead electric lines as part of any works, but only if the lines are being connected to poles or other supports that do not carry fittings that are already connected to a power supply:
- (g) constructing underground electric lines as part of any works, but only if the lines are being connected to fittings or installations that are not already connected to a power supply:

Permanent removal

- (h) permanently removing, dismantling, or demolishing works or installations that have been permanently disconnected from a power supply:

Appliances

- (i) maintaining appliances, but only if the work is done in accordance with user instructions prepared by the manufacturer and supplied with the appliance to the user:
- (j) repairing or reworking an appliance, but only if it is undertaken by the original manufacturer of the appliance:
- (k) the rewinding of coils and armatures:

Testing, teaching, experimenting, etc

- (l) installing temporary conductors between fittings (or between appliances, or between fittings and appliances) or repairing fittings and appliances, but only if the fittings or appliances are used for experimental testing,

demonstration, teaching, or research purposes in any electrical engineering workshop, manufacturing facility, electrical test room, laboratory, hospital, research project, or teaching institution:

- (m) experimental work on radio transmitters, receivers, and electronic apparatus, but only if the work is not carried out for payment or reward:

Telecommunications work

- (n) work done on or in connection with installations, fittings, or appliances used for telecommunications purposes, but only if—

- (i) the installations, fittings, or appliances operate at telecommunications network voltage, and the magnitude and duration of the shock currents cannot exceed the IEC shock currents standard; and

- (ii) the work can be done without exposure to conductive parts intended to operate at voltages that exceed extra-low voltage or telecommunications network voltage, as the case may be:

- (o) work done on or in connection with telecommunications lines or telecommunications network equipment (other than that to which paragraph (n) applies) associated with telecommunications lines, but only if the work can be done without exposure to live parts intended to operate at voltages that exceed extra-low voltage or telecommunications network voltage, as the case may be:

Electric fences

- (p) any work relating to the conductors, supports, or insulators of electric fences, and connecting them to, or disconnecting them from, an electric fence controller:

Temporary earthing

- (q) connecting or disconnecting temporary bonding conductors to or from any metal pipe or tube that forms (whether by design or not) part of an earthing system, but only if the temporary bonding conductor is for the

purpose of maintaining a continuous path to earth during work on the pipe or tube:

Draft

- New Zealand Defence Force apparatus*
- (r) assembling and repairing radio apparatus, fire control equipment, or searchlights used solely for defence purposes under the control of the New Zealand Defence Force, but only if the officer or non-commissioned officer who has control of the apparatus, equipment, or searchlight has directed the conditions of security that must be observed in the assembly or repair.

Schedule 2

r 4(4)

List of electrical codes of practice and official standards

Electrical codes of practice referred to in regulations

Abbreviations used in regulations

Abbreviations used in regulations	Full title
ECP 34	New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) issued on 9 August 2001
ECP 35	New Zealand Electrical Code of Practice for Power Systems Earthing (NZECP35:1993) issued on 4 February 1993
ECP 36	New Zealand Electrical Code of Practice for Harmonic Levels (NZECP36:1993) issued on 4 February 1993
ECP 41	New Zealand Electrical Code of Practice for Single Wire Earth Return Systems (NZECP41:1993) issued on 4 February 1993
ECP 50	New Zealand Electrical Code of Practice for Repair of Domestic Electrical Equipment (NZECP50:1993) issued on 4 February 1993
ECP 51	New Zealand Electrical Code of Practice for Electrical Wiring Work in Domestic Premises (NZECP51:1993) issued on 4 February 1993
ECP 52	New Zealand Electrical Code of Practice for Retrofit Heaters for Spa-Pool Installations (NZECP 52: 1996) issued on 15 May 1996

Abbreviations used in regulations

	Full title
ECP 54	New Zealand Electrical Code of Practice for Electrical Installations of Recessed Luminaires and Auxiliary Equipment (NZECP 54:2001) issued on 5 April 2001
ECP 60	New Zealand Electrical Code of Practice for Inspection, Testing and Certification of Low Voltage AC Railway Signalling Control Circuits (NZECP 60:1997) issued on 6 July 1997

Official standards referred to in regulations**Abbreviations used in regulations**

	Full title
AS/NZS 4509.1:1999	Australian Standard known as AS 4509.1 1999 (Stand alone power systems Part 1 Safety requirements)
AS/NZS 1677.2:1998	Joint Australian/New Zealand Standard known as AS/NZS 1677.2:1998 (Refrigerating systems – Safety requirements for fixed applications): including amendments 1 and 2
AS/NZS 2381.1	Joint Australian/New Zealand Standard known as AS/NZS 2381.1:1999 (Electrical equipment for explosive atmospheres – Selection, installation, and maintenance – General requirements)
AS/NZS 2500	Joint Australian/New Zealand Standard known as AS/NZS 2500:1995 (Guide to the safe use of electricity in patient care); and includes the amendment to that standard known as Amendment A: 2003
AS/NZS 3000	Joint Australian/New Zealand Standard known as AS/NZS 3000:2000 (Australia/New Zealand Wiring Rules); and includes the amendment to that standard known as Amendment 3: 2003
AS/NZS 3001	Joint Australian/New Zealand Standard known as AS/NZS 3001:2001 (Electrical installations – Movable premises (including caravans and their site installations))
AS/NZS 3002	Joint Australian/New Zealand Standard known as AS/NZS 3002:2002 (Electrical installations – Shows and carnivals)
AS/NZS 3003	Joint Australian/New Zealand Standard known as AS/NZS 3003:2003 (Electrical installations – Patient treatment areas of hospitals and medical and dental practices)
AS/NZS 3004	Joint Australian/New Zealand Standard known as AS/NZS 3004:2002 (Electrical installations – Marinas and pleasure craft at low voltage)

**Abbreviations used
in regulations**

Abbreviations used in regulations	Full title
AS/NZS 3009:1998	Joint Australian/New Zealand Standard known as AS/NZS 3009:1998 (Electric installations – Emergency power supplies in hospitals)
AS/NZS 3012	Joint Australian/New Zealand Standard known as AS/NZS 3012:2003 (Electrical installations – Construction and demolition sites)
AS/NZS 3014	Joint Australian/New Zealand Standard known as AS/NZS 3014:2003 (Electrical installations – Electric fences)
AS/NZS 3016	Joint Australian/New Zealand Standard known as AS/NZS 3016:2002 (Electrical installations – Electric security fences)
AS/NZS 3112	Joint Australian/New Zealand Standard known as AS/NZS 3112:2000 (Approval and test specification – Plugs and socket-outlets)
AS/NZS 3350.2.98	Joint Australian/New Zealand Standard known as Humidifiers AS/NZS 3350.2.98:1998 (Safety of household and similar electrical appliances – Particular requirements)
AS/NZS 3551	Joint Australian/New Zealand Standard known as AS/NZS 3551:1996 (Technical management programmes for medical devices); and includes the amendment to that standard known as Amendment A: 2003
AS/NZS 3760	Joint Australian/New Zealand Standard known as AS/NZS 3760:2003 (In-service safety inspection and testing of electrical equipment)
AS/NZS 3820	Joint Australian/New Zealand Standard known as AS/NZS 3820:1998 (Essential safety requirements for low voltage electrical equipment)
AS/NZS 3832	Joint Australian/New Zealand Standard known as AS/NZS 3832:1998 (Cold cathode illumination systems)
AS/NZS 4249	Joint Australian/New Zealand Standard known as AS/NZS 4249:1994 (Electrical safety practices – Film, video, and television sites)
AS/NZS 4417	Joint Australian/New Zealand Standard known as AS/NZS 4417:1998 (Marking of electrical products to indicate compliance with regulations (all parts))
AS/NZS 4701	Joint Australian/New Zealand Standard known as AS/NZS 4701:2000 (Requirements for domestic electrical appliances for reconditioning or parts recycling)
AS/NZS 5033:2005	Joint Australian/New Zealand Standard known as AS/NZS 5033:2005 (Installation of photovoltaic (PV) arrays): including amendment 7
AS/NZS 5761	Joint Australian/New Zealand Standard known as AS/NZS 5761:2005 (Inservice safety inspection and testing – Secondhand electrical equipment prior to sale)

**Abbreviations used
in regulations**

Abbreviations used in regulations	Full title
AS/NZS 5762	Joint Australian/New Zealand Standard known as 3760:2005 (Inservice safety inspection and testing – Repaired electrical equipment)
AS/NZS 60950	Joint Australian/New Zealand Standard known as AS/NZS 60950:2000 (Safety of information technology equipment)
AS/NZS 60079.12	Joint Australian/New Zealand Standard known as AS/NZS 60079.12:2000 (Electrical apparatus for explosive gas atmospheres — Classification of mixtures of gasses or vapours with air according to their maximum experimental safe gaps and minimum igniting currents)
BS 196	British Standard known as BS 196:1961 (Specification for protected type non-reversible plugs, socket-outlets, cable couplers, and appliance couplers with earthing contacts for single phase a.c. circuits up to 350 volts)
IEC 60050	International Electrotechnical Commission Standard known as IEC 60050 (International Electrotechnical Vocabulary)
IEC 60309	International Electrotechnical Commission Standard known as IEC 60309-1988 (Plugs, socket-outlets, and couplers for industrial purposes)
IEC 60479-1	International Electrotechnical Commission Standard known as IEC 60479-1:1994 (Effects of current on human beings and livestock – Part 1: General)
NZS 1989	New Zealand Standard known as NZS 1989:1965 (Specification for protected type non-reversible plugs, socket-outlets, cable couplers and appliance couplers with earthing contacts for single phase a.c. circuits up to 350 volts)
NZS 3003.1	New Zealand Standard known as NZS 3003.1:2003 (Electrical installations – Patient treatment areas of hospitals and dental practices)
NZS 3019	Interim New Zealand Standard known as NZS 3019 (Int):2002 (Electrical installations – In-service testing).
NZS 6115:2006	New Zealand Standard known as NZS 6115:2006 (Mobile electro-medical connectable installations)
NZS 6116: 2006	New Zealand Standard known as NZS 6116:2006 (Safe application of electricity in the meat processing industry)

Schedule 3
Forms for infringement offences

r 7

Form 1
Infringement notice
Section 165B, Electricity Act 1992

Infringement notice number:

This infringement notice is sent under section 165B of the Electricity Act 1992—

- to you (*see* details below)
- in respect of an alleged infringement offence (the offence—*see* details below)
- by a person authorised to issue an infringement notice (the informant—*see* details below).

Your details

Full name:

Full address:

Telephone number(s):

Date of birth:

Gender:

Occupation:

Details of offence

Nature of offence:

Where it occurred:

When it occurred:

Offence against [*specify provision of Electricity Act 1992 or Electricity (Safety) Regulations 2009*]

Details of informant

Secretary/Registrar*

*Select one.

Full address:

Form 1—*continued***Payment of infringement fee**

The amount of the infringement fee for the offence is \$[*amount*].

The fee is payable on or before [*date*], which is 28 days after the date on which this notice is posted to you or delivered to you personally.

The fee must be paid to the informant at the informant's address (*see above*) by delivering or posting it so that it arrives on or before the due date.

If paying by cheque, the cheque must be made out to [*specify*] and be crossed not negotiable. When paying, include the following information with the payment:

- the infringement notice number (given at the top of this notice):
- your full name:
- your address for contact, but only if it is different from the one shown on this notice.

Paying infringement fee by due date

If you pay the infringement fee on or before the due date, no further action will be taken against you.

General inquiries

You may contact the informant at any time. Contacting the informant does not stop the infringement fee being payable by the due date, unless you request a hearing.

If you want further information, or if you want to raise any other matter, write to the informant at the informant's address (*see above*). When writing, please give the infringement notice number (given at the top of this notice), your full name, and your address for contact (if different from the address on this notice).

Requesting a hearing

You should write to the informant if you want to request a hearing on the grounds that—

- you deny liability for the offence; or

Form 1—*continued*

- you admit liability for the offence, but you want a court to consider written submissions by you about any matter, such as the amount of the penalty.

If you write to request a hearing, the request must be signed by you and be received by the informant on or before the due date, or by any later time allowed by the informant. When writing, give the infringement notice number (given at the top of this notice), your full name, and your address for contact (if different from the address on this notice).

If you write to request a hearing and deny liability, and if the informant decides to commence court proceedings against you, you will be served with a notice of hearing. The notice will set out the place, date, and time of the hearing before the court.

If the court finds you guilty of the offence, court costs will be imposed on you in addition to any penalty.

If you write to request a hearing but you admit liability, your letter should clearly—

- admit liability; and
- set out the written submissions that you wish the court to consider.

The informant will file the letter containing your submissions in court. There is no provision for you to make oral submissions at the hearing, or for anyone else to do so on your behalf.

The court will impose court costs on you in addition to any penalty.

In any proceedings, it is a defence if you prove that the infringement fee was paid in full to the informant, at the informant's address, on or before the due date. Late payment, or payment to an address other than the informant's address, is not a defence, but late payments may be applied towards any fine and costs you become liable to pay.

If you do nothing

If you have not paid the infringement fee by the due date, and have not requested a hearing on or before that date (or within any further time that the informant allows), the informant may send you a reminder notice. The reminder notice will set out a **final due date**, which will

Form 1—*continued*

be the date that is 28 days after the date on which the reminder notice is posted or delivered to you.

If you do not pay the infringement fee on or before that final due date and do not request a hearing on or before that date (or within any further time the informant allows), you will be liable to pay court costs in addition to a fine of the same amount as the infringement fee.

Further information

Further information about infringement offences and fees is contained in sections 21 and 78A of the Summary Proceedings Act 1957. If there is anything in this notice that you do not understand, contact a lawyer.

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Form 2
Infringement reminder notice
Section 165B, Electricity Act 1992

Infringement notice number:

An infringement notice was sent under section 165B of the Electricity Act 1992—

- to you (*see* details below)
- in respect of an alleged infringement offence (the offence—*see* details below)
- by a person authorised to issue an infringement notice (the informant—*see* details below).

The infringement notice was served on [*date*] by [*method of service*].
This reminder notice is served on [*date*] by [*method of service*] at [*full address at which reminder notice served*].

Your details

Full name:

Full address:

Telephone number(s):

Date of birth:

Gender:

Occupation:

Details of offence

Nature of offence:

Where it occurred:

When it occurred:

Offence against [*specify provision of Electricity Act 1992 or Electricity (Safety) Regulations 2009*]

Details of informant

Secretary/Registrar*

*Select one.

Full address:

Form 2—*continued***Payment of infringement fee**

The amount of the infringement fee for the offence is \$ [*amount*].

Final due date

The due date for payment of the infringement fee was \$ [*date*]. By that date, payment had not been received and you had not requested a hearing.

The **final due date** is now [*date*], which is 28 days after the date on which this notice is posted to you or delivered personally.

The fee must be paid to the informant at the informant's address (*see above*), by delivering or posting it so that it arrives on or before the due date.

If paying by cheque, the cheque must be made out to [*specify*] and be crossed not negotiable. When paying, include the following information with the payment:

- the infringement notice number (given at the top of this notice):
- your full name:
- your address for contact, but only if it is different from the one shown on this notice.

Paying infringement fee by final due date

You can pay the infringement fee to the informant now, at the informant's address. If you pay it on or before the final due date, no further action will be taken against you.

General inquiries

You may contact the informant at any time. Contacting the informant does not stop the infringement fee being payable by the final due date, unless you request a hearing.

If you want further information, or if you want to raise any other matter, write to the informant at the informant's address (*see above*). When writing, please give the infringement notice number (given at the top of this notice), your full name, and your address for contact (if different from the address on this notice).

Form 2—*continued***Requesting a hearing**

You should write to the informant if you want to request a hearing on the grounds that—

- you deny liability for the offence; or
- you admit liability for the offence, but you want a court to consider written submissions by you about any matter, such as the amount of the penalty.

If you write to request a hearing, the request must be signed by you and be received by the informant on or before the final due date, or by any later time allowed by the informant. When writing, give the infringement notice number (given at the top of this notice), your full name, and your address for contact (if different from the address on this notice).

If you write to request a hearing and deny liability, and if the informant decides to commence court proceedings against you, you will be served with a notice of hearing. The notice will set out the place, date, and time of the hearing before the court.

If the court finds you guilty of the offence, court costs will be imposed on you in addition to any fine.

If you write to request a hearing but you admit liability, your letter should clearly—

- admit liability; and
- set out the written submissions that you wish the court to consider.

The informant will file the letter containing your submissions in court. There is no provision for you to make oral submissions at the hearing, or for anyone else to do so on your behalf.

The court will impose court costs on you in addition to any fine.

In any proceedings, it is a defence if you prove that the infringement fee was paid in full to the informant, at the informant's address, on or before the final due date. Late payment, or payment to an address other than the informant's address, is not a defence, but late payments may be applied towards any fine and costs you become liable to pay.

Form 2—*continued***If you do nothing**

If you do not pay the infringement fee on or before the final due date and do not request a hearing on or before that date (or within any further time that the informant allows), you will be liable to pay court costs in addition to a fine of the same amount as the infringement fee.

Further information

Further information about infringement offences and fees is contained in sections 21 and 78A of the Summary Proceedings Act 1957. If there is anything in this notice that you do not understand, contact a lawyer.

Schedule 4 r 22(2)(a)
**Standards applicable to fittings and
 appliances**

To come.

Schedule 5 rr 76(6), 83(1), 104(2)
Prescribed fees payable to Secretary

Matter in respect of which fees payable	Fee (\$) (GST incl)
Warrant of electrical fitness	1
Application for approval under regulation 83 to sell declared high risk electrical article	400
Application under regulation 104 for exemption from requirements	400

The fee for arbitration is \$80 per hour, plus reimbursement of all expenses of the arbitrator that are paid by the Secretary.

Schedule 6 Prescribed fees payable to Board

44 69, 94

Matter in respect of which fees payable	Fee (\$) (GST incl)
Certificates of compliance for—	
(a) domestic and commercial or industrial work	6
(b) ongoing commercial or industrial work	50
Application for registration	69
Application for registration certificate	34
Application for provisional licence	34
Application for written examination (electrical service technician)	60
Application for written examination (electrician, line mechanic, electrical inspector)	85
Application for practical assessment	25
Application for practical examination	220
Application for late examination	68
Application for special written examination	149
Application for re-marking of examination paper	25
Application for return of examination answer script	25
Application for certified copy of entry in register	25
Application for practising licence	117
Application for replacement certificate or licence	30
Application for employer licence	400
Application for restoration of name to register	34

Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 January 2010, replace the Electricity Regulations 1997. They are scheduled to come into force at the same time as provisions in the Electricity Amendment

Electricity (Safety) Regulations 2009

Act 2006 that (among other things) change the system for electrical worker registration.

[More to come.]

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*:
These regulations are administered by the Ministry of Economic Development.

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