



ANALYSIS

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| <p>Title</p> <ol style="list-style-type: none"> 1. Short Title 2. Power to prescribe fees 3. Delegation of functions and powers 4. Qualifications for registration as electricians and electrical servicemen and for limited registration 5. Repealing provisions relating to registration of persons previously registered under the Electrical Wiremen's Registration Act 1925 6. Qualification for registration as Inspectors of electrical wiring 7. Mode of registration | <ol style="list-style-type: none"> 8. Electrical servicemen and holders of limited registration may be limited in respect of work which they may undertake 9. Provisional licences and authorities 10. Removing requirement to publish register in <i>Gazette</i> 11. Certificate by Registrar to be evidence of registration, etc. 12. Notice of intention to begin electrical installation 13. Inspection of electrical installations 14. Disciplinary powers of Board 15. Appeals from Board |
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1966, No. 32

An Act to amend the Electricians Act 1952

[7 October 1966

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Electricians Amendment Act 1966, and shall be read together with and deemed part of the Electricians Act 1952 (hereinafter referred to as the principal Act).

2. Power to prescribe fees—(1) The principal Act is hereby amended by inserting, after section 7, the following section:

“7A. (1) The Board may from time to time, by resolution, prescribe the fees to be payable in respect of any matter for which fees are contemplated or required by or are deemed by the Board to be necessary for the purposes of this Act, and may prescribe the circumstances in which any such fee may be refunded or remitted in whole or in part.

“(2) No resolution passed under this section shall come into force until it is approved by the Minister.

“(3) Notwithstanding the provisions of section 7B of this Act (as inserted by section 3 of the Electricians Amendment Act 1966), the Board shall not delegate any power which it has under this section.”

(2) Section 37 of the principal Act is hereby amended by repealing paragraphs (d) and (k) of subsection (1).

(3) The following regulations are hereby revoked:

(a) Regulations 28 to 34 and 36 to 39 of the Electricians Registration Regulations 1956:

(b) The Electricians Registration Regulations 1956, Amendment No. 2:

(c) Regulations 3 to 7 of the Electricians Registration Regulations 1956, Amendment No. 3.

(4) Notwithstanding the revocation of the regulations referred to in subsection (3) of this section, those regulations shall continue to have effect until the Minister has approved a resolution of the Board prescribing fees, and circumstances in which any fee may be refunded in whole or in part, in substitution for those prescribed by those regulations.

3. Delegation of functions and powers—The principal Act is hereby further amended by inserting, after section 7A (as inserted by section 2 of this Act), the following section:

“7B. (1) Except as otherwise provided in this Act, the Board may from time to time delegate any of its functions and powers (except this power of delegation) to the Registrar, either as to matters within its jurisdiction generally, or in any particular case or matter or any particular class of cases or matters.

“(2) Subject to any general or special directions given or conditions imposed by the Board, the Registrar may, without confirmation by the Board, exercise or perform the delegated powers and functions in like manner and with the same effect as the Board could itself have exercised or performed them.

“(3) Where the Registrar purports to act pursuant to any such delegation, he shall be presumed to be acting in accordance with the terms of the delegation in the absence of proof to the contrary.

“(4) Every such delegation shall be revocable at will and no such delegation shall prevent the exercise or performance of any power or function by the Board.

“(5) Until any such delegation is revoked, it shall continue in force according to its tenor.”

4. Qualifications for registration as electricians and electrical servicemen and for limited registration—(1) Section 11 of the principal Act is hereby amended by omitting from paragraph (c) of subsection (1), paragraph (c) of subsection (2), and paragraph (c) of subsection (3), the words “he is the holder of a certificate that”.

(2) Regulation 14 of the Electricians Registration Regulations 1956 is hereby consequentially amended by revoking subclause (2).

5. Repealing provisions relating to registration of persons previously registered under the Electrical Wiremen’s Registration Act 1925—The principal Act is hereby further amended by repealing section 12.

6. Qualification for registration as Inspectors of electrical wiring—The principal Act is hereby further amended by repealing section 13, and substituting the following section:

“13. Every person who has been appointed as an Inspector of electrical wiring by an Electrical Supply Authority with the prior approval of the Board shall, on the prescribed fee being paid, be entitled to be registered under this Act as an Inspector of electrical wiring if he satisfies the Board—

“(a) That he—

“(i) Is a registered electrician or is registered under the Engineers Registration Act 1924 as an electrical engineer; and

“(ii) Has been, in the case of a registered electrician, employed or engaged in electrical wiring work, of a type or types considered by the Board to be satisfactory, for at least five years after being registered either as an electrical wireman under the Electrical Wiremen’s Registration Act 1925 or as an electrician under this Act, and is the holder of a registration certificate as an electrician free from endorsement; and

“(iii) Is not, in the case of an electrical engineer, for the time being suspended or disqualified from doing the work of a registered electrician; and

“(iv) Is not less than twenty-five years of age; and

“(v) Is a fit and proper person to inspect and test electrical wiring work and is competent to do so; or

“(b) That he—

“(i) Has been, in the case of a registered electrician, employed or engaged in electrical wiring work, of a type or types considered by the Board to be satisfactory, outside New Zealand for at least fifteen years and has been so employed or engaged within New Zealand for at least one year after his registration as an electrician under this Act, and is the holder of a registration certificate as an electrician free from endorsement; and

“(ii) Is not less than thirty years of age; and

“(iii) Is a fit and proper person to inspect and test electrical wiring work and is competent to do so.”

7. Mode of registration—(1) Section 14 of the principal Act is hereby amended by inserting, after subsection (5), the following subsection:

“(5A) If the Board, after considering any application as aforesaid, is of opinion that it possesses insufficient information to decide whether the applicant is entitled to be registered or not, it may defer its decision for any period not exceeding three months to enable further information to be obtained, and the Registrar shall notify the applicant accordingly.”

(2) Section 14 of the principal Act is hereby further amended by repealing subsection (6).

8. Electrical servicemen and holders of limited registration may be limited in respect of work which they may undertake—Section 15 of the principal Act is hereby amended—

(a) By omitting from paragraph (b) of subsection (2) the word “specified”, and substituting the word “approved”:

(b) By omitting from paragraph (c) of subsection (2) the word “specified”, and substituting the word “approved”.

9. Provisional licences and authorities—Section 16 of the principal Act is hereby amended by omitting from paragraph (c) of subsection (1) the words “Is the holder of a certificate that he”.

10. Removing requirement to publish register in *Gazette*—(1) Section 18 of the principal Act is hereby amended—

(a) By omitting from subsection (1) the words “in the *Gazette*”, and substituting the words “in such manner as he thinks fit”:

- (b) By omitting from subsection (2) the words “in the *Gazette*”, and substituting the words “in such manner as he thinks fit”:
 - (c) By omitting from subsection (6) the words “in the *Gazette*”.
- (2) Section 18 of the principal Act is hereby further amended by repealing subsections (3), (4), and (5).

11. Certificate by Registrar to be evidence of registration, etc.—The principal Act is hereby further amended by inserting, after section 18, the following section:

“18A. A certificate under the hand of the Registrar to the effect that any person was or was not registered as an electrician, an electrical serviceman, or an Inspector of electrical wiring, or that any person had limited registration or held a provisional licence, under this Act, at any time or during any period specified in the certificate, or as to any entry in any register kept under this Act, or as to any act or proceeding of the Board, shall be sufficient evidence of the matters therein specified, in the absence of proof to the contrary.”

12. Notice of intention to begin electrical installation—Section 23 of the principal Act is hereby amended—

- (a) By omitting the words “Before any electrical wiring work is begun”, and substituting the words “Before any person installs, or commences to install, any temporary electrical installation, fixed electrical wiring, fixed electrical appliance, or permanently connected semi-portable electrical appliance,”:
- (b) By omitting the word “work”, wherever it subsequently occurs, and substituting in each case the word “installation”.

13. Inspection of electrical installations—(1) The principal Act is hereby further amended by repealing section 24, and substituting the following section:

“24. (1) Except as provided in section 3 of this Act, the Electrical Supply Authority shall cause every electrical installation of a type referred to in section 23 of this Act to be inspected before it is connected with the source of supply, and it shall not be lawful to connect any such installation with a source of supply until it has been inspected, tested, and approved by the Electrical Supply Authority, and permission to make the connection has been given by the Authority:

“Provided that, in the case of an extension, repair, or alteration to an existing installation, the Electrical Supply Authority may, if it is satisfied that the work has been properly carried out and tested, give permission to connect to the source of supply, and defer the inspection and test for a period not exceeding three months.

“(2) Where a supply of electrical energy will not be obtained from an Electrical Supply Authority, connection with the source of supply shall not be made until either the installation has been inspected by a person for the time being authorised in that behalf by the General Manager of the New Zealand Electricity Department, or the General Manager has authorised the connection without inspection being made.

“(3) For the purposes of this section the source of supply shall be deemed to be any point at which a supply of electrical energy is available, whether that point is inside a building or not.”

(2) The Electricians Amendment Act 1959 is hereby consequentially repealed.

14. Disciplinary powers of Board—(1) Section 27 of the principal Act is hereby amended by inserting, after paragraph (a) of subsection (2), the following paragraph:

“(aa) In the case of a registered electrical serviceman, direct that his registration be restricted in accordance with subsection (1) of section 15 of this Act, or direct that he shall be limited to work only on approved premises or in the employ of an approved employer; or, in the case of a registered electrician, direct that his registration shall become a limited registration and limit that registration in accordance with subsection (2) of the said section 15; or, in the case of a holder of limited registration, further limit that registration in accordance with the said subsection (2); and in every such case for such period as it thinks fit; or”.

(2) Section 27 of the principal Act is hereby further amended by inserting, after subsection (5), the following subsection:

“(5A) Any person whose registration has been restricted or become limited or further limited under paragraph (aa) of subsection (2) of this section may at any time apply to the Board for the removal of the restriction or limitation or further limitation, or his reinstatement to registration as an electrician.”

15. Appeals from Board—Section 30 of the principal Act is hereby amended—

- (a) By inserting in subsection (1), after the words “or the suspension of registration”, the words “or the restriction or limitation or further limitation of registration, or the subsequent refusal of the Board to remove any such restriction or limitation or further limitation or to reinstate him to registration as an electrician”:
- (b) By inserting in paragraph (a) of subsection (2), after the words “or the removal of the suspension”, the words “or the removal of the restriction or limitation or further limitation of registration or his reinstatement to registration as an electrician”.

This Act is administered in the New Zealand Electricity Department.
