



ELECTRICITY AMENDMENT REGULATIONS 1999

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 18th day of October 1999

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

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

ANALYSIS

- | | |
|-------------------------------------------------------------------------------|--------------------------------------------------------------------|
| 1. Title and commencement | 11. Notification of construction of or additions to electric lines |
| 2. Interpretation | 12. Offences |
| 3. Application | 13. Declared articles |
| 4. Testing | 14. Specified fittings or electrical appliances |
| 5. Forms for certificates of compliance other than under employer licences | 15. Offences |
| 6. Electrical safety | 16. Schedule revoked |
| 7. Fittings and electrical appliances | 17. Prescribed fees |
| 8. Isolation of fixed wired appliances and ranges | |
| 9. Construction of works and electrical installations | |
| 10. Notification of existence of particular types of electrical installations | |

SCHEDULE

Fees Payable Under Parts 2 and 3

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Electricity Amendment Regulations 1999, and are part of the Electricity Regulations 1997* (“the principal regulations”).

(2) These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

2. Interpretation—(1) Regulation 2 (3) of the principal regulations is amended by revoking the definition of the term “ECP 3”, and substituting the following definition:

“‘ECP 3’ means the New Zealand Electrical Code of Practice for Electrical Safety of Fittings and Electrical Appliances (NZECP 3: 1998) issued by the Manager of Energy Inspection acting under delegated authority from the Secretary of Commerce on 28 July 1998, and approved by the Minister on 21 November 1998.”.

(2) Regulation 2 (3) of the principal regulations is amended by adding the following definitions:

“‘ECP 52’ means the New Zealand Electrical Code of Practice for Retrofit Heaters for Spa-Pool Installations (NZECP 52: 1996) issued by the Acting Secretary on 15 May 1996, and approved by the Minister on 13 July 1997:

“‘ECP 60’ means the New Zealand Electrical Code of Practice for Inspection, Testing and Certification of Low Voltage A.C. Railway Signalling Control Circuits (NZECP 60: 1997) issued by the Secretary on 6 July 1997, and approved by the Minister on 11 March 1998”.

3. Application—Regulation 3 (c) of the principal regulations is amended by omitting the word “on”, and substituting the word “of”.

4. Testing—(1) Regulation 37 (1) of the principal regulations is amended by omitting the expression “ECP 11”, and substituting the expression “NZS 3000, ECP 11, or ECP 60 (which applies to Low Voltage A.C. Railway Signalling equipment)”.

(2) Regulation 37 of the principal regulations is amended by revoking subclause (2), and substituting the following subclause:

“(2) Where the supply of electricity to a low voltage electrical installation has been disconnected for at least 6 months, the owner or operator of that installation must, before that installation is connected to a power supply, ensure that the installation is checked and tested by a registered electrical inspector or a person authorised to carry out that kind of checking and testing under an employer licence, in accordance with NZS 3000 or ECP 11.”

5. Forms for certificates of compliance other than under employer licences—Regulation 43 of the principal regulations is amended by revoking subclause (1), and substituting the following subclause:

“(1) For the purposes of regulations 39 to 42, the Board may prescribe a form or forms for the certification of prescribed electrical work.”

6. Electrical safety—Regulation 69 of the principal regulations is amended by omitting subclause (1), and substituting the following subclause:

“(1) Works, electrical installations, fittings, electrical appliances, and associated equipment must be designed, constructed, maintained, installed, and used—

“(a) So as to be electrically safe; or

“(b) For electrical appliances hired, leased, or sold second-hand, so as to comply with the testing requirements of AS/NZ 3760: 1996; or

“(c) For Type I or Type II RCD’s used to supply power by a flexible cord and plug to electrical appliances that operate on the electrode boiler principle, so as to comply with AS 3190: 1994; or

“(d) For portable electrical appliances used in constructing, moving, or demolishing a building, so as to comply with AS/NZS 3012: 1995; or

“(e) For electrical installations, so as to comply with NZS 3000; or

“(f) For all other fittings and electrical appliances, so as to comply with AS/NZS 4417: 1998.”

7. Fittings and electrical appliances—Regulation 76 of the principal regulations is amended by revoking subclause (4), and substituting the following subclause:

“(4) Regulation 69 (1) is satisfied if,—

“(a) For fittings and electrical appliances used in hazardous areas, ECP 24 is complied with; and

“(b) For medical fittings and medical electrical appliances used for patient care, ECP 12 is complied with; and

“(c) For all other fittings and electrical appliances ECP 3, ECP 52 (which applies to Retrofit Heaters for Spa-Pool Installations), or AS/NZS 4417: 1998 is complied with.”

8. Isolation of fixed wired appliances and ranges—Regulation 78 of the principal regulations is amended by revoking subclause (3), and substituting the following subclause:

“(3) The installation wiring for supply to a low voltage electric range that is not fixed in position must—

“(a) Incorporate an isolating switch that is readily accessible and located adjacent to the electric range; and

“(b) Terminate at a socket-outlet of appropriate voltage and current rating.”

9. Construction of works and electrical installations—Regulation 87 of the principal regulations is amended by revoking subclause (2), and substituting the following subclause:

“(2) Regulation 69 (1) is satisfied if,—

“(a) For the installation of cables, ECP 28 is complied with; and

“(b) For the installation and use of metal sheathed mineral insulated cables and fittings, ECP 33 is complied with; and

“(c) For electrical wiring work in domestic premises, ECP 51 is complied with; and

“(d) For electrical installations, NZS 3000 is complied with.”

10. Notification of existence of particular types of electrical installations—Regulation 95 of the principal regulations is revoked.

11. Notification of construction of or additions to electric lines—Regulation 96 of the principal regulations is revoked.

12. Offences—(1) Regulation 100 (a) of the principal regulations is amended by inserting, after the word “installs,” the word “sells,”.

(2) Regulation 100 of the principal regulations is amended by adding to the end of paragraph (h) the expression “; or”, and also by adding the following paragraph:

“(i) Sells, or offers to sell, any fitting or electrical appliance that has a regulatory compliance mark but does not comply with AS/NZS 4417: 1998.”

13. Declared articles—(1) Regulation 101 of the principal regulations is amended by revoking subclause (2).

(2) Regulation 101 of the principal regulations is amended by revoking subclauses (9) and (10), and substituting the following subclauses:

“(9) A declared article is deemed to have the Secretary’s approval under subclause (1) if the declared article—

“(a) Is approved or certified by an organisation, agency, programme, or regime recognised by the Secretary under subclause (10); and

“(b) Complies, as required, with any terms or conditions of approval or certification.

“(10) The Secretary may, from time to time, give public notice recognising an organisation or agency, or a programme or regime of compliance, for the purposes of subclause (9).”

14. Specified fittings or electrical appliances—The principal regulations are amended by inserting, after regulation 101, the following regulation:

“101A. (1) The Secretary may, from time to time,—

“(a) Specify fittings or electrical appliances that must not be sold, or offered for sale, before a declaration of compliance by the supplier is given; and

“(b) Prescribe the form of declaration of compliance that must be used by a supplier.

“(2) Decisions by the Secretary under subclause (1)—

“(a) Must be made by notice in the *Gazette*; and

“(b) May be amended or revoked, at any time, by notice in the *Gazette*.

“(3) A declaration of compliance prescribed by the Secretary under subclause (1) must—

“(a) Include a statement, by the supplier of specified fittings or electrical appliances, that the fittings or electrical appliances comply with regulation 69; and

“(b) Refer to or specify any documents used as the basis for the statement under paragraph (a).”

15. Offences—Regulation 107 of the principal regulations is amended by inserting, after paragraph (a), the following paragraph:

“(aa) Sells, or offers to sell, any fittings or electrical appliances specified by the Secretary under regulation 101A (1) (a) for which there is no declaration of compliance:”.

16. Schedule revoked—Schedule 8 of the principal regulations is revoked.

17. Prescribed fees—Schedule 9 of the principal regulations is amended by revoking the table under the heading *Fees Payable under Parts 2 and 3*, and substituting the table set out in the Schedule of these regulations.

Reg. 17

SCHEDULE
FEES PAYABLE UNDER PARTS 2 AND 3

<i>Matter in Respect of Which Fees Payable</i>	<i>Fee (\$) (GST incl)</i>	<i>Provision of the Act or these Regulations Under Which Fee Payable</i>
Application for registration	69	section 82 (2) (b)
Application for registration certificate	34	section 88
Application for provisional licence	34	regulation 4 (5)
Application for written examination (electrical service technician and tradesperson)	60	regulation 7 (1)
Application for written examination (electrician, line mechanic, electrical inspector)	85	regulation 7 (1)
Application for practical assessment	25	regulation 7 (1)
Application for practical examination	220	regulation 7 (1)
Application for late examination	68	regulation 7 (2)
Application for special written examination	149	regulation 7 (2)
Application for re-marking of examination paper	25	regulation 7 (3)
Application for return of examination scripts	25	regulation 7 (4)
Application for certified copy of entry in register	25	regulation 11 (2)
Application for practising licence	117	regulation 96 (2) (b) and regulation 12 (3)
Application for replacement certificate or licence	30	regulation 14
Application for employer licence	400	regulation 101 (1) and regulation 16 (3)
Application for restoration of name to register	34	section 94 (1)
Application for forms for certificates of compliance for—		
(a) Domestic and commercial or industrial work	6	regulation 43 (1)
(b) Ongoing commercial or industrial work	50	regulation 43 (1)

MARIE SHROFF,
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 the 28th day after the date of their notification in the *Gazette*, make miscellaneous amendments to the Electricity Regulations 1997.

Regulation 2 updates an existing electrical code of practice and inserts definitions of new codes of practice.

Regulation 3 clarifies regulation 3 (c) of the principal regulations by correcting a wrong word.

Regulation 4 adds methods by which certain installations may be checked and tested before electricity is re-supplied.

Regulation 5 amends regulation 43 so that the Electrical Workers' Registration Board may prescribe 1 form for certification of prescribed electrical work and is no longer required to prescribe a number of forms.

Regulation 6 amends regulation 69 by stipulating that works, electrical installations, fittings, electrical appliances, and associated equipment must be electrically safe or, for particular items, must comply with particular requirements.

Regulation 7 amends regulation 76 by redefining the safety requirements that must be met for certain fittings and electrical appliances; if met, the fittings and appliances are deemed to comply with regulation 69 (requiring electrical safety).

Regulation 8 removes the current requirement in regulation 78 (3) for plugs and sockets for electric ranges.

Regulation 9 amends regulation 87 by applying a New Zealand standard to certain works and electrical installations; if met, the works and installations are deemed to comply with regulation 69 (requiring electrical safety).

Regulations 10 and 11 revoke regulations 95 and 96 of the principal regulations which impose notification requirements for the existence of certain installations and for the completion of construction or addition to high voltage conductors of electric lines.

Regulation 12 amends regulation 100 (a) so that a sale or offer to sell a fitting or electrical appliance that carries a mark of compliance but does not in fact comply, is an offence.

Regulation 13 amends regulation 101 and permits the Secretary to recognise organisations or compliance regimes that may certify or approve "declared articles". "Declared articles" are those stated by the Secretary to require the Secretary's approval before being sold in New Zealand. Fittings or electrical appliances which are approved or certified by an organisation or regime recognised by the Secretary are deemed to have been approved for sale by the Secretary.

Regulation 14 inserts *new regulation 101A* which permits the Secretary, by notice in the *Gazette*, to specify fittings or electrical appliances that must not be sold, or offered for sale, before the supplier of the fitting or appliance has made a declaration of compliance. The Secretary may prescribe a form of declaration of compliance, and must notify that form in the *Gazette*. A declaration of compliance must include a statement by the supplier that the fitting or appliance complies with regulation 69 and must refer to, or specify, documents which sustain that statement.

Regulation 16 revokes Schedule 8 of the principal regulations, which specifies types or categories of fittings or electrical appliances as declared articles.

Regulation 17 replaces that part of Schedule 9 which prescribes fees payable under Parts 2 and 3.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 21 October 1999.
These regulations are administered in the Ministry of Commerce.