

DEPARTMENT OF
THE ATTORNEY-GENERAL AND JUSTICE

Electricity Safety Regulator

Annual Report
2021-2022

NTWork**Safe**



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Role and Responsibilities of the Electricity Safety Regulator

The role of the Electricity Safety Regulator was established by the introduction of the *Electricity Reform Act 2000* (the Act), which came into force on 1 April 2000.

The functions of the Electricity Safety Regulator are to monitor and regulate safety and technical standards with respect to electrical installations (excluding electrical infrastructure owned and operated by an electricity entity, and wires, fittings, equipment or accessories connected to and beyond an electrical outlet at which fixed wiring terminates).

The Electricity Safety Regulator has the power to do all things that are necessary or convenient to be done for or in connection with or incidental to the performance of those functions, which includes:

- inspections, site visits, and investigations;
- the provision of electrical safety advice and information;
- advice in relation to national performance standards for appliances and electrical equipment;
- input into training courses involving the regulation and standards for electrical work; and
- representation on the Electrical Regulatory Authorities Council.

Electricity Reform (Safety and Technical) Regulations

The Electricity Reform (Safety and Technical) Regulations (the Regulations) are created under the Act to provide for the safety and installation, testing and certification of electrical work.

The Regulations include safe work practices to assist employers and safeguard electrical workers. Additionally, provisions are made for other persons to work or operate safely in proximity to electrical infrastructure.

In 2017-18, the Government established a tri-partite Electrical Safety and Licensing Reference Group to examine the Act and the *Electrical Workers and Contractors Act 1978*. The purpose of the review was to examine and provide direction to the Northern

Territory Government about what amendments are necessary to address concerns in relation to electrical safety and electrical licensing. NT WorkSafe is participating in this review.

The Electrical Safety and Licensing Reference Group completed their report in December 2019. In 2020 Cabinet accepted the recommendations and authorised the development of new legislation.

As such, during 2021 a new Act was developed and introduced to the Legislative Assembly. This Act was introduced as the Electrical Safety Bill, and was debated and passed on 29 March 2022.

The new legislation aims to:

- impose obligations on persons who may affect the electrical safety of others by acts or omissions;
- update or make regulations, ministerial notices and codes of practice about electrical safety;
- enhance the requirements for safety management systems for prescribed electricity entities;
- introduce safety requirements for all electrical goods through the adoption of a national scheme;
- provide for the safety of all persons through modernised licensing and discipline of persons who perform electrical work;
- provide for the appointment of an Electrical Safety Regulator; and
- establish the Electrical Safety Board to advise the Minister and oversee the activities of the Electrical Safety Regulator.

The new legislation will apply to all places where electricity is transmitted or consumed. It will not be limited to workplaces, but extend to domestic residences and public places. The proposed legislation encompasses:

- all electrical installations, works of an electricity entity, electrical equipment, cathodic protection systems and activities conducted near and on exposed live electrical parts; and

- all persons who may affect the electrical safety of others and whose electrical safety may be affected.

In addition to stakeholder briefings, two public online information sessions about the Electrical Safety Bill 2021 were delivered in February and March 2022 to provide stakeholder information on proposed changes to the Northern Territory's electrical safety laws.

The development of the necessary Regulations and forms will proceed during 2022-2023.

Work Health and Safety Legislation

On 1 January 2012, the *Work Health and Safety (National Uniform Legislation) Act 2011* (WHS Act) and Regulations commenced in the Northern Territory. Part 4.7 of the Regulations – General electrical safety in workplaces and energised electrical work, addresses electrical safety in the workplace.

Public Awareness and Advice

The Electricity Safety Regulator publishes Safety Alerts and Information Bulletins on the NT WorkSafe website as a means of providing information and advice. The following information products were new or had content updated in 2021-2022.

Safety Alerts

- Power tool battery fires
- Product Safety Recall: Davey Water Products Pty Ltd – Spa Quip 800 and 1200 Spa Controllers

Bulletins

- Working close to overhead and underground power lines, gas pipes, and other infrastructure (updated)

The full catalogue of information products available are listed at:

<https://worksafe.nt.gov.au/safety-and-prevention/electrical-safety>

Activities of the Electricity Safety Regulator for 2021-2022

Part 5 of the Act outlines the safety responsibilities and technical requirements which are monitored by the Electricity Safety Regulator. Below are some of the activities undertaken by the Electricity Safety Regulator under Part 5.

Regulatory Requirement	No	Description
Certificates of Compliance audited as per sections 67 and 68 of the Act.	1082	Inspections and site visits
Complaints Investigated as per sections 67 and 68 of the Act.	40	Complaints
Report of accidents involving electric shock as per section 71 of the Act.	67	Electric Shocks

In previous years auditing inspections were carried out by TechSafe, an independent electrical inspection company. These inspections were prescribed inspections carried out in the Northern Territory on new electrical installations and solar inspections. Due to travel restrictions TechSafe was not engaged to conduct audit inspections in the Northern Territory for the 2021 -2022 financial year.

Part 6 of the Act provides for specific enforcement powers. A summary of enforcement powers exercised by the Electricity Safety Regulator and authorised officers in 2020-2021 is provided in the following table.

Regulatory Requirement	No	Description
Exercise of specific powers under section 10 of the Act – Require Information	0	
Exercise of specific powers under section 11 of the Act – Disclose Information	10	Fire Investigation Reports
Exercise of specific powers under section 70 of the Act – Rectification by Direction	62	Owner/Operator Non-compliance
Exercise of specific powers under section 70 of the Act – Rectification by Direction	119	Contractor Non-compliance
Exercise of specific powers under section 78, 79 and 80 of the Act – Disconnection	0	Installations disconnected

Part 7 of the Act provides for reviews and appeals. There were no applications for review made in the 2021-2022 financial year.

Regulatory Requirement	No	Description
Review of decisions as per section 83 of the Act – Review by Regulator	0	
Review of decisions as per section 84 of the Act – Appeals	0	
Review of decisions as per section 85 of the Act – Ministerial Intervention	0	
Dispensations as per section 87(4) of the Act	0	

The Electrical Safety Unit of NT WorkSafe continued engagement throughout 2021-2022 with Northern Territory electrical contractors regarding implementation of emerging clean and renewable energy technologies.