

Version No. 010
Electricity Safety (Equipment) Regulations
1999

S.R. No. 47/1999

Version incorporating amendments as at 4 April 2006

TABLE OF PROVISIONS

<i>Regulation</i>	<i>Page</i>
PART 1—PRELIMINARY	1
1. Objectives	1
2. Authorising provisions	1
3. Commencement	1
4. Revocations	1
5. Definitions	2
PART 2—MINIMUM SAFETY STANDARDS	4
6. Minimum safety standards	4
PART 3—COMPLIANCE, ACCEPTANCE AND APPROVAL	5
7. Applications	5
8. Approval of equipment	6
9. Certificates of approval	7
PART 4—MODIFICATIONS, RENEWALS AND TRANSFERS	8
10. Notification of modification to electrical equipment	8
11. Renewal of certificate	9
12. Renewal of approval	10
13. Transfer of certificate	11
14. Replacement of certificate	12
PART 5—MARKING	13
15. Marking of prescribed electrical equipment	13
16. Prescribed authorities	13
17. Prescribed methods and processes	13

<i>Regulation</i>	<i>Page</i>
PART 6—GENERAL	15
18. Register of certificates	15
19. Testing by the Office	15
20. Disposal of samples	16
21. Rebate of fees	16
22. Transitional	16
23. <i>Revoked</i>	17
24. Expiry of regulation 23	17
<hr/>	
SCHEDULE	18
<hr/> <hr/>	
ENDNOTES	19
1. General Information	19
2. Table of Amendments	20
3. Explanatory Details	21

Version No. 010
Electricity Safety (Equipment) Regulations
1999

S.R. No. 47/1999

Version incorporating amendments as at 4 April 2006

PART 1—PRELIMINARY

1. Objectives

The objectives of these Regulations are to—

- (a) prescribe minimum standards of safety for electrical equipment;
- (b) provide for certification under Part 4 of the **Electricity Safety Act 1998**;
- (c) provide for the approval and marking of prescribed electrical equipment;
- (d) prescribe fees and various other matters authorised by the **Electricity Safety Act 1998**.

2. Authorising provisions

These Regulations are made under sections 153 and 157 of the **Electricity Safety Act 1998**.

3. Commencement

These Regulations come into operation on 3 May 1999.

4. Revocations

- (1) The Electrical Approvals Board Regulations 1994 are **revoked**¹.
- (2) The Electrical Approval Regulations 1994 are **revoked**².

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Part 1—Preliminary

r. 5

5. Definitions

In these Regulations—

"approved laboratory" means a laboratory accredited by the National Association of Testing Authorities or approved by the Office;

"AS/NZS 3820:1998" means Australian/New Zealand Standard 'Essential safety requirements for low voltage electrical equipment, AS/NZS 3820:1998', published jointly by Standards Australia and Standards New Zealand on 5 October 1998, as amended from time to time;

"AS/NZS 4417.1:1996" means Australian/New Zealand Standard 'Marking of electrical products to indicate compliance with regulations—Part 1: General rules for use of the mark, AS/NZS 4417.1:1996', published jointly by Standards Australia and Standards New Zealand on 5 August 1996, as amended from time to time;

"AS/NZS 4417.2:1996" means Australian/New Zealand Standard 'Marking of electrical products to indicate compliance with regulations—Part 2: Specific requirements for electrical safety regulatory applications, AS/NZS 4417.2:1996', published jointly by Standards Australia and Standards New Zealand on 5 August 1996, as amended from time to time;

"electrical appliance" means a self-contained electrical appliance in which electrical energy is converted into heat, motion or any other form of energy or is substantially changed in its electrical character, but does not include an electrical luminaire;

Reg. 5 def. of
"electrical
appliance"
inserted by
S.R. No.
38/2001 reg. 5.

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Part 1—Preliminary

r. 5

"electrical device" means a device to—

- (a) distribute, control, condition, protect or switch low voltage electrical power; or
- (b) enable the connection of electrical circuits or apparatus;

Reg. 5 def. of
"electrical
device"
inserted by
S.R. No.
38/2001 reg. 5.

"electrical luminaire" means a portable, self-contained electrical appliance that produces visible, ultraviolet or infra-red light output for illuminative, decorative, therapeutic or cosmetic purposes;

Reg. 5 def. of
"electrical
luminaire"
inserted by
S.R. No.
38/2001 reg. 5.

"the Act" means the **Electricity Safety Act 1998**.

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Part 2—Minimum Safety Standards

r. 6

PART 2—MINIMUM SAFETY STANDARDS

6. Minimum safety standards

For the purposes of section 54 of the Act—

- (a) the minimum standards for electrical toys are the standards specified in clauses 4.1, 4.2, 4.3 and 4.4 of AS/NZS 3820:1998; and
- (b) the minimum standards for all other electrical equipment are the standards specified in clauses 4.1, 4.2, 4.3 and 4.5 of AS/NZS 3820:1998.

Reg. 6(b)
amended by
S.R. No.
92/2005 reg. 5.

PART 3—COMPLIANCE, ACCEPTANCE AND APPROVAL

7. Applications

- (1) An application for a certificate of compliance under section 55 of the Act must be—
 - (a) in writing in the form of Appendix B of AS/NZS 4417.2:1996; and
 - (b) accompanied by—
 - (i) a test report or certificate from an approved laboratory; and
 - (ii) a sample of the electrical equipment; and
 - (iii) technical documentation which adequately describes the electrical equipment.
- (2) An application for a certificate of acceptance under section 56 of the Act must—
 - (a) contain the details required to be completed by Appendix B of AS/NZS 4417.2:1996; and
 - (b) be accompanied by—
 - (i) a test report or certificate from an approved laboratory; and
 - (ii) a sample of the electrical equipment; and
 - (iii) technical documentation which adequately describes the electrical equipment.
- (3) The prescribed fee for an application is the relevant fee in Part A of the Schedule.

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Part 3—Compliance, Acceptance and Approval

r. 8

-
- (4) The Office may—
- (a) require the applicant to provide additional information about the electrical equipment;
 - (b) waive the requirement for any of the items referred to in sub-regulation (1)(b) or (2)(b).
- (5) A certificate remains in force for the period specified in the certificate not exceeding 5 years.

8. Approval of equipment

- (1) An application for approval under section 58 of the Act must—
- (a) contain the details required to be completed by Appendix B of AS/NZS 4417.2:1996; and
 - (b) be accompanied by—
 - (i) a test report or certificate from an approved laboratory; and
 - (ii) a sample of the electrical equipment; and
 - (iii) technical documentation which adequately describes the electrical equipment.
- (2) The prescribed fee for an application is the relevant fee in Part A of the Schedule.
- (3) The Office may—
- (a) require the applicant to provide additional information about the electrical equipment;
 - (b) waive the requirement for any of the items referred to in sub-regulation (1)(b).

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Part 3—Compliance, Acceptance and Approval

r. 9

9. Certificates of approval

- (1) If the Office approves prescribed electrical equipment, it may issue a certificate of approval in relation to that prescribed electrical equipment.
 - (2) A certificate of approval remains in force for the period specified in the certificate not exceeding 5 years.
-

PART 4—MODIFICATIONS, RENEWALS AND TRANSFERS

10. Notification of modification to electrical equipment

- (1) If the holder of a certificate of acceptance or certificate of approval proposes to make any modification to the electrical equipment that would not result in the constitution of new equipment, the holder may apply to the Office for the modification of the certificate relating to that equipment.
 - (2) An application must be—
 - (a) in writing and contain the details required to be completed by Appendix B of AS/NZS 4417.2:1996; and
 - (b) accompanied by—
 - (i) a report or certificate about the testing of the modified electrical equipment from an approved laboratory; and
 - (ii) a sample of the modified electrical equipment; and
 - (iii) technical documentation which adequately describes the modified electrical equipment; and
 - (c) accompanied by the relevant fee set out in Part A of the Schedule.
 - (3) The Office may—
 - (a) require the applicant to provide additional information about the electrical equipment;
 - (b) waive the requirement for a test report or certificate if it is satisfied that the proposed modifications to the electrical equipment are not significant enough to require further testing.
-

-
- (4) If the Office determines that the effect of the proposed modification is to create a new item of electrical equipment, the Office may refuse to modify the current certificate and require an application for another approval or a new certificate.

11. Renewal of certificate

- (1) A person who holds a certificate of acceptance that is in force may apply to the Office for the renewal of the certificate.
- (2) An application must be—
- (a) in writing and contain the following—
 - (i) the name and address of the applicant; and
 - (ii) the name and address of a person in Australia nominated by the applicant who can provide information about the application; and
 - (iii) the number of the certificate; and
 - (iv) a description of the type of equipment and its brand name, model name and model number; and
 - (b) accompanied by a declaration by the applicant or a person authorised by the applicant stating whether or not—
 - (i) the electrical equipment has been modified since the certificate for that equipment was issued or modified; and
 - (ii) the standards for the testing of that electrical equipment have changed since the certificate was issued or modified; and
 - (c) accompanied by the relevant fee set out in Part A of the Schedule.
-

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Part 4—Modifications, Renewals and Transfers

r. 12

-
- (3) If the Office is satisfied that—
- (a) the electrical equipment has not been modified; and
 - (b) the standards for the testing of that electrical equipment have not changed since the certificate was issued or modified—
- the Office may renew the certificate.
- (4) If the Office is not satisfied in accordance with sub-regulation (3), the Office may refuse to renew the certificate and require an application for a new certificate to be made.

12. Renewal of approval

- (1) A person who holds a certificate of approval for prescribed electrical equipment that is in force may apply to the Office for the renewal of the approval and the issue of a new certificate.
- (2) An application must be—
- (a) in writing and contain the following—
 - (i) the name and address of the applicant; and
 - (ii) the name and address of a person in Australia nominated by the applicant who can provide information about the application; and
 - (iii) the number of the approval and the certificate; and
 - (iv) a description of the type of equipment and its brand name, model name and model number; and

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Part 4—Modifications, Renewals and Transfers

r. 13

-
- (b) accompanied by a declaration by the applicant or a person authorised by the applicant stating whether or not—
- (i) the electrical equipment has been modified since the certificate for that equipment was issued or modified; and
 - (ii) the standards for the testing of that electrical equipment have changed since the certificate was issued or modified; and
- (c) accompanied by the relevant fee set out in Part A of the Schedule.
- (3) If the Office is satisfied that—
- (a) the electrical equipment has not been modified; and
 - (b) the standards for the testing of that electrical equipment have not changed since the approval was granted or the certificate relating to that approval was modified (whichever last occurred)—
- the Office may renew the approval and issue a new certificate of approval.
- (4) If the Office is not satisfied in accordance with sub-regulation (3), the Office may refuse to renew the approval and require an application for a new approval to be made.

13. Transfer of certificate

- (1) A person who holds a certificate of acceptance or approval who proposes to transfer the certificate to another person, may apply to the Office to have the certificate amended to refer to the name of the person to whom the certificate is to be transferred.

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Part 4—Modifications, Renewals and Transfers

r. 14

-
- (2) An application must be—
- (a) in writing, signed by the applicant and contain the name and address of the person to whom the certificate is to be transferred; and
 - (b) accompanied by—
 - (i) the certificate to be transferred; and
 - (ii) a statement, signed by the person to whom the certificate is to be transferred, that the person agrees to accept the responsibilities of a certificate holder; and
 - (iii) the relevant fee set out in Part A of the Schedule.

14. Replacement of certificate

If a person who holds a certificate referred to in these Regulations can establish in writing to the Office's satisfaction that the certificate issued to that person has been lost, damaged or destroyed, the Office may issue a replacement certificate on payment of the relevant fee set out in Part A of the Schedule.

PART 5—MARKING

15. Marking of prescribed electrical equipment

- (1) For the purposes of section 57 of the Act, prescribed electrical equipment for which a certificate of approval has been issued by the Office must be marked with one or both of the following—
 - (a) the approval number allocated by the Office;
 - (b) the regulatory compliance mark set out in Appendix A to AS/NZS 4417.1:1996.
- (2) If the Office determines that it is not practicable to mark the electrical equipment, the Office must state this in the certificate of approval and the marking must appear on the package in which the electrical equipment is to be supplied.

16. Prescribed authorities

For the purposes of section 57(2)(b) of the Act, a prescribed authority in relation to a class, description or type of electrical equipment declared under section 57(1) of the Act is the regulatory authority in a State (other than Victoria) or Territory or in New Zealand that is responsible for approving electrical equipment of that class, description or type in that State or Territory or in New Zealand (as the case may be).

Reg. 16
substituted by
S.R. No.
146/2003
reg. 3.

17. Prescribed methods and processes

For the purposes of section 57(2)(c) of the Act a prescribed method or process is an electrical equipment safety certification system that is conducted—

- (a) by an electrical equipment safety certification body operating in Australia or New Zealand and accredited under the Joint

Reg 17(a)
amended by
S.R. No.
38/2001 reg. 6.

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Part 5—Marking

r. 17

Accreditation System of Australia and New Zealand; and

- (b) in accordance with Australian /New Zealand Handbook 'Guide 65—General requirements for bodies operating product certification systems, SAA/SNZ HB18.65:1998' published jointly by Standards Australia and Standards New Zealand on 5 February 1998, as amended from time to time.
-

PART 6—GENERAL

18. Register of certificates

- (1) The Office must keep a register of certificates of acceptance, approval and compliance.
- (2) In respect of each certificate that is in force, the register must set out details of the following—
 - (a) the date of the certificate;
 - (b) the name and address of the certificate holder;
 - (c) a description of the electrical equipment to which the certificate relates;
 - (d) the expiry date of the certificate.
- (3) If the holder of a certificate under Part 4 of the Act changes name or address, the certificate holder must notify the Office within 20 business days after the change.
- (4) On payment of the relevant fee set out in Part A of the Schedule, the Office may provide a copy of the register or an extract from the register.

19. Testing by the Office

- (1) The Office, by notice in writing given to the holder of a certificate of approval, may require the certificate holder to provide a sample of the electrical equipment to be tested by the Office.
- (2) The certificate holder must within 15 business days after receipt of a notice under sub-regulation (1) deliver the sample required to the Office or to a laboratory nominated in the notice.

Penalty: 5 penalty units.

20. Disposal of samples

The Office may dispose of a sample of electrical equipment provided to the Office by an applicant or certificate holder for the purposes of these Regulations if it is not collected within 20 business days after the Office has given notice to the applicant or certificate holder that the sample is ready for collection.

21. Rebate of fees

- (1) The Office may rebate the payment of a fee for the issue of a certificate of compliance if a certificate has previously been issued in respect of the electrical equipment referred to in the certificate and a modification has been made to the equipment that would not result in the constitution of new equipment.
- (2) The Office may rebate the payment of a fee for the issue of a modified certificate if the Office waives the requirement for a test report or certificate referred to in regulation 10(2)(b)(i).

22. Transitional

- (1) Any certificate of approval for electrical equipment that is deemed to be approved under section 161(1) of the Act is to be treated as a certificate of approval issued under these Regulations.
- (2) Approval for electrical equipment that is deemed to be approved under section 161(1) of the Act expires on the date prescribed in the approval granted under the Electrical Approval Regulations 1994³.
- (3) If no expiry date is prescribed in the approval referred to in sub-regulation (2), the approval expires on 31 December 1999.

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Part 6—General

r. 24

* * * * *

Reg 23
inserted by
S.R. No.
92/2005 reg. 6,
expired by
force of S.R.
No. 47/1999
reg. 24.

24. Expiry of regulation 23

Regulation 23 expires on 3 April 2006.

Reg 24
inserted by
S.R. No.
92/2005 reg. 6.

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Sch.

SCHEDULE

Sch. Pt A
amended by
S.R. No.
38/2001
reg. 7(a)-(e).

Part A—Fees

<i>Item</i>	<i>Description</i>	<i>Fee</i>
1.	New certificate of compliance	\$545
2.	New certificate of acceptance	\$763
3.	Renewal of certificate of acceptance	\$218
4.	Modification of certificate of acceptance	\$436
	In this Part " category " means a category set out in Part B	
5.	New certificate of approval—category 1	\$360
6.	New certificate of approval—category 2	\$500
	* * * * *	
8.	Renewal of certificate of approval	\$218
9.	Modification of certificate of approval—category 1	\$218
10.	Modification of certificate of approval—category 2	\$320
	* * * * *	
12.	Transfer of certificate	\$164
13.	Issue of replacement certificate	\$109
14.	Copy of register	\$55
15.	Extract from register	\$44

Sch. Pt B
substituted by
S.R. No.
38/2001 reg 8.

Part B—Categories

<i>Equipment</i>	<i>Category</i>
Electrical devices	1
Electrical luminaires	1
Electrical appliances	2

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Endnotes

ENDNOTES

1. General Information

The Electricity Safety (Equipment) Regulations 1999, S.R. No. 47/1999 were made on 28 April 1999 by the Governor in Council under sections 153 and 157 of the **Electricity Safety Act 1998**, No. 25/1998 and came into operation on 3 May 1999: regulation 3.

The Electricity Safety (Equipment) Regulations 1999 will sunset 10 years after the day of making on 28 April 2009 (see section 5 of the **Subordinate Legislation Act 1994**).

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Endnotes

2. Table of Amendments

This Version incorporates amendments made to the Electricity Safety (Equipment) Regulations 1999 by statutory rules, subordinate instruments and Acts.

Where a provision has expired, the provision has been omitted and an explanatory sidenote included.

Electricity Safety (Equipment) (Fees) Regulations 2001, S.R. No. 38/2001

Date of Making: 8.5.01

Date of Commencement: 13.5.01: reg. 3

Electricity Safety (Equipment) (Amendment) Regulations 2003, S.R. No. 146/2003

Date of Making: 9.12.03

Date of Commencement: 9.12.03

Electricity Safety (Equipment) (Amendment) Regulations 2005, S.R. No. 92/2005

Date of Making: 27.7.05

Date of Commencement: 1.8.05: reg. 3

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Endnotes

3. Explanatory Details

¹ Reg. 4(1): S.R. No. 102/1994.

² Reg. 4(2): S.R. No. 173/1994.

³ Reg. 22(2): See note 2.

**Table of Applied, Adopted or Incorporated Matter Required by
Subordinate Legislation Regulations 1994**

Note that the following table of applied, adopted or incorporated matter is included in accordance with the requirements of regulation 6 of the Subordinate Legislation Regulations 1994.

Statutory Rule Provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 6	AS/NZS 3820:1998 , Australian/New Zealand Standard, 'Essential safety requirements for low voltage electrical equipment' published jointly by Standards Australia and Standards New Zealand on 5 October 1998, as amended from time to time.	Clauses 4.1, 4.2, 4.3 and 4.4.
Regulations 7(1)(a) and (2)(a), 8(1)(a) and 10(2)(a)	AS/NZS 4417.2:1996 , Australian/New Zealand Standard 'Marking of electrical products to indicate compliance with regulations—Part 2: Specific requirements for electrical safety regulatory applications', published jointly by Standards Australia and Standards New Zealand on 5 August 1996, as amended from time to time.	Appendix B

Electricity Safety (Equipment) Regulations 1999
S.R. No. 47/1999

Statutory Rule Provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 15(1)(b)	AS/NZS 4417.1:1996 , Australian/New Zealand Standard 'Marking of electrical products to indicate compliance with regulations— Part 1: General rules for use of the mark', published jointly by Standards Australia and Standards New Zealand on 5 August 1996, as amended from time to time.	Appendix A
Regulation 17(b)	Australian/New Zealand Handbook 'Guide 65— General requirements for bodies operating product certification systems', SAA/SNZ HB18.65:1998 published jointly by Standards Australia and Standards New Zealand on 5 February 1998, as amended from time to time.	The whole
