
GOVERNMENT NOTICES

DEPARTMENT OF LABOUR

No. R. 242

6 March 2009

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 ELECTRICAL INSTALLATION REGULATIONS

The Minister of Labour has, under section 43 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), after consultation with the Advisory Council for Occupational Health and Safety and the Minister of Finance, made the regulations in the Schedule.

SCHEDULE

Definitions

1. In these regulations, "the Act" means the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), and any word or expression to which a meaning has been assigned in the Act has such meaning and, unless the context otherwise indicates —

"**accreditation authority**" means the South African National Accreditation System (SANAS) established by section 3 of the Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Act, 2006 (Act No. 19 of 2006);

"**certificate of compliance**" means —

- (a) a certificate with a unique number obtainable from the chief inspector, or a person appointed by the chief inspector, in the form of Annexure 1, and issued by a registered person in respect of an electrical installation or part of an electrical installation; or
- (b) a certificate of compliance issued under the Electrical Installation Regulations, 1992;

"**electrical contractor**" means a person who undertakes to perform electrical installation work on behalf of any other person, but excludes an employee of such first-mentioned person;

"**electrical installation**" means any machinery, in or on any premises, used for the transmission of electricity from a point of control to a point of consumption anywhere on the premises, including any article forming part of such an electrical installation irrespective of whether or not it is part of the electrical circuit, but excluding —

- (a) any machinery of the supplier related to the supply of electricity on the premises;
- (b) any machinery which transmits electrical energy in communication, control circuits, television or radio circuits;

- (c) an electrical installation on a vehicle, vessel, train or aircraft; and
- (d) control circuits of 50 V or less between different parts of machinery or system components, forming a unit, that are separately installed and derived from an independent source or an isolating transformer;

"Electrical Installation Regulations, 1992" means the Electrical Installation Regulations, 1992, promulgated by Government Notice No. R. 2920 of 23 October 1992;

"electrical tester for single phase" means a person who has been registered as an electrical tester for single phase in terms of regulation 11(2) for the verification and certification of the construction, testing and inspection of electrical installations supplied by a single-phase electricity supply at the point of control, excluding specialised electrical installations;

"Engineering Profession Act, 2000" means the Engineering Profession Act, 2000 (Act No. 46 of 2000);

"general control" in relation to electrical installation work that is being carried out, includes instruction, guidance and supervision in respect of that work;

"General Machinery Regulations" means the General Machinery Regulations, 1988, promulgated by Government Notice No. R. 1521 of 5 August 1988;

"installation electrician" means a person who has been registered as an installation electrician in terms of regulation 11(2) for the verification and certification of the construction, testing and inspection of any electrical installation, excluding specialised electrical installations;

"installation work" means —

- (a) the installation, extension, modification or repair of an electrical installation;
- (b) the connection of machinery at the supply terminals of such machinery; or
- (c) the inspection, testing and verification of electrical installations for the purpose of issuing a certificate of compliance;

"master installation electrician" means a person who has been registered as a master installation electrician in terms of regulation 11(2) for the verification and certification of the construction, testing and inspection of any electrical installation;

"point of consumption" means any point of outlet or the supply terminals of machinery which is not connected to a point of outlet and which converts electrical energy to another form of energy: Provided that in the case of machinery which has been installed for any specific purpose as a complete unit, the point of consumption shall be the supply terminals which have been provided on the unit of machinery for that purpose;

"point of control" means the point at which an electrical installation on or in any premises can be switched off by a user or lessor from the electricity supplied from the point of supply, or the point at which a particular part of an electrical installation on or in any premises can be switched off where different users occupy different portions of such premises;

"point of outlet" means any termination of an electrical installation which has been provided for connecting any electrical machinery without the use of tools;

"point of supply" means the point at which electricity is supplied to any premises by a supplier;

"provincial director" means the provincial director as defined in regulation 1 of the General Administrative Regulations promulgated by Government Notice No. R. 929 of 25 June 2003;

"registered person" means a person registered in terms of –

- (a) regulation 11; or
- (b) regulation 9 of the Electrical Installation Regulations, 1992, as an electrical tester for single phase, an installation electrician or a master installation electrician, as the case may be;

"specialised electrical installations" means electrical installations in —

- (a) explosive atmospheres as contemplated in SANS10086-1;
 - (b) the petroleum industry as contemplated in SANS10089-2;
 - (c) hazardous locations as contemplated in SANS10108; or
 - (d) medical locations as contemplated in SANS10142-1,
- published by Standards South Africa;

"supplier" in relation to a particular electrical installation, means any person who supplies or contracts or agrees to supply electricity to that electrical installation;

"supply terminals" in relation to machinery installed as a complete unit, means the terminals or connection clamps on such machinery where the external conductors supplying the machinery with electricity are terminated or connected.

Responsibility for electrical installations

2. (1) Subject to subregulation (3), the user or lessor of an electrical installation, as the case may be, shall be responsible for the safety, safe use and maintenance of the electrical installation he or she uses or leases.

(2) The user or lessor of an electrical installation, as the case may be, shall be responsible for the safety of the conductors on his or her premises connecting the electrical installation to the point of supply in the case where the point of supply is not the point of control.

(3) Where there is a written undertaking between a user or lessor and a lessee whereby the responsibility for an electrical installation has been transferred to the lessee, the lessee shall be responsible for that installation as if he or she were the user or lessor.

Approved inspection authorities for electrical installations

3. (1) The chief inspector may approve any person that has been accredited by the accreditation authority as an approved inspection authority for electrical installations.

(2) An application to be an approved inspection authority shall be made to the chief inspector in the form of Annexure 2 together with —

- (a) a certified copy of the accreditation certificate issued by the accreditation authority; and
- (b) the fee prescribed by regulation 14.

(3) An approved inspection authority for electrical installations shall inform the chief inspector of any change affecting its approval in terms of these Regulations within 14 days after such change.

Functions of approved inspection authorities for electrical installations

4. (1) An approved inspection authority for electrical installations may enter premises and conduct an inspection, test or investigation only when —

- (a) contracted by the chief inspector or provincial director for a specific electrical installation; or
- (b) requested by the user or lessor of an electrical installation to do so.

(2) An approved inspection authority for electrical installations may not operate as an electrical contractor.

Design and construction

5. (1) No person may authorise, design, install or permit or require the installation of an electrical installation, other than in accordance with a health and safety standard incorporated into these Regulations under section 44 of the Act.

(2) No person may use components within an electrical installation unless those components comply with the standards referred to in the relevant incorporated standard referred to in subregulation (1), and proof of compliance shall be identifiable on the components or certification shall be available from the manufacturer or supplier of the materials or components in

terms of the National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008).

(3) Items of an electrical installation not covered by an incorporated health and safety standard, and the conductors between the point of supply and the point of control, shall be installed in accordance with the by-laws or regulations of the supplier concerned.

(4) A registered person shall exercise general control over all electrical installation work being carried out, and no person may allow such work without such control.

(5) Where the voltage exceeds 1 kV, a person deemed competent in terms of paragraphs (b), (c) or (d) of the definition of a competent person in regulation 1 of the General Machinery Regulations, 1988, or a person registered in a professional category in terms of the Engineering Profession Act, 2000, shall approve the design of that part of an electrical installation.

(6) Where the intention is to supply five or more users from a new point of supply, the user shall appoint an approved inspection authority for electrical installations or a person deemed competent in terms of paragraph (b), (c) or (d) of the definition of a competent person in regulation 1 of the General Machinery Regulations, 1988, or a person registered in a professional category in terms of the Engineering Profession Act, 2000, who shall ensure the compliance contemplated in subregulation (1) from the commencement to the commissioning of the electrical installation.

(7) No supplier may restrict the application of a health and safety standard referred to in subregulation (1) when an electrical installation is installed, except where the distribution system of the supplier may be adversely affected by the application thereof.

Electrical contractor

6. (1) No person may do electrical installation work as an electrical contractor unless that person has been registered as an electrical contractor in terms of these Regulations.

(2) Any person who does electrical installation work as an electrical contractor shall register annually in the form of Annexure 3 with the chief inspector or a person appointed by the chief inspector.

(3) An application for registration as referred to in subregulation (2) shall be accompanied by the fee prescribed by regulation 14.

(4) The chief inspector or a person appointed by the chief inspector shall register any person referred to in subregulation (1) as an electrical contractor and enter such registration into the national database: Provided that such person —