

GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID

No. R. 1161

9 December 2005

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT NO. 85 OF 1993)

DRAFT ELECTRICAL INSTALLATION REGULATIONS

The Minister of Labour intends, in terms of section 43 of the Occupational Health and Safety Act, 1993 on the recommendation of the Advisory Council for Occupational Health and Safety to repeal the Electrical Installation Regulations, 1992 and supersede it by wording in accordance with the schedule.

Interested persons are invited to submit any substantiated comments or presentations on the proposed regulations to the Director General of Labour, Private Bag X117, Pretoria, 0001 (for the attention of the chief inspector: Occupational Health and Safety), within 90 days of the date of publication of this notice.

SCHEDULE

1. Definitions

in these regulations any expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the content indicates otherwise

“accreditation authority” means the South African National Accreditation System (SANAS);

“annexure” means an annexure to these regulations;

“approved inspection authority for electrical installations” means a person or body approved by the chief inspector in terms of regulation 5 to carry out inspections, tests and investigations on electrical installations;

“electrical certificate of compliance” means a certificate, with a unique number obtainable from the chief inspector, in the form of annexure 4, and issued by a registered person in respect of an electrical installation or part of an electrical installation or 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, television or radio circuits; and
- (c) an electrical installation on a vehicle, vessel, train or aircraft;

“electrical tester for single phase” means a person who has been registered as an electrical tester for single phase in terms of regulation 13 and who has been approved by the chief inspector for the verification and certification of the construction, testing and inspection of electrical installations supplied by a single phase electricity supply, excluding specialized electrical installations;

“general control” includes the instruction, guidance and supervision by a registered person over electrical installation work that is being carried out;

“installation electrician” means a person registered as an installation electrician in terms of regulation 13 who has been approved by the chief inspector for the verification and certification of the construction, testing and inspection of any electrical installation, excluding specialized electrical installations.

“installation work” means the installation, extension, modification, repair of, or the inspection, testing and verification of electrical installations, including the connection of machinery at the supply terminals of such machinery;

“master installation electrician” means a person who has been registered as a master installation electrician in terms of regulation 13 and who has been approved by the chief inspector for the verification and certification of the construction, testing and inspection of any electrical installation;

“national database” means a database used for the capturing of all information necessary in terms of these regulations;

“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 the electrical installation on or in any premises can be switched off by an user or lessor from the electricity supplied from

the point of supply, or the point at which part of the installation on the premises can be switched off where different users occupy different parts 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 published under Government Notice No. R. 1449 of 6 September 1996;

“reasonably practicable safe electrical installation” in relation to an electrical installation that existed prior to the publication of the current edition of the health and safety standard incorporated into these regulations in terms of regulation 7 (1) means that such electrical installation complies with the general safety principles of such standard;

“registered person” means a person registered in terms of regulation 13 as an electrical tester for single phase, an installation electrician or a master installation electrician, as the case may be;

“SANS 1086-1” means the code of practice for the installation and maintenance of electrical equipment used in explosive atmospheres published by Standards South Africa;

“SANS 1089-2” means the electrical code of practice for the petroleum industry published by Standards South Africa;

“SANS 10180” means the code of practice for the classification of hazardous locations and the selection of electrical apparatus for use in such locations published by Standards South Africa;

“SANS 10142-1” means the Code of practice for the wiring of premises published by Standards South Africa;

“specialized electrical installations” means electrical installations in—

- (a) explosive atmospheres as contemplated in SANS1086-1;
- (b) the petroleum industry as contemplated in SANS1089-2;
- (c) hazardous locations as contemplated in SANS10108;
- (d) medical locations as contemplated in SANS10142-1;

“supplier” in relation to a particular electrical installation, means any body or 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;

“technical working group” means a technical working group established in terms of regulation 3;

“valid certificate compliance” means an electrical certificate of compliance which has been issued in accordance with these regulations **and** has been correctly completed in its entirety by a registered person.

Scope of application

2 (1) These regulations shall be applicable to users or lessors, approved inspection authorities for electrical installations, registered persons, electrical contractors, suppliers, designers and to suppliers of materials and other electrical articles or parts thereof whether temporary, permanent, or in a stationary or mobile state and installation.

Establishment of technical working group for Electrical Installation Regulations

3 (1) The chief inspector may establish one or more technical working groups to advise the him or her on any matter relating to these Regulations.

(2) A member of a technical working group shall be appointed by the chief inspector by reason of his or her knowledge of the matter for which the technical working group is established.

(3) A member of a technical working group who is not an officer may be remunerated from money appropriate for such purpose by the Minister.

(4) The chief inspector shall appoint the technical working group members for such period as he or she may determine at the time of appointment: Provided that the chief inspector may discharge a member at any time, for reasons that are fair and justifiable, and appoint a new member in his or her place.

(5) The chief inspector may co-opt any person or persons who have specialized knowledge of any matter dealt with by a technical working group.

(6) A technical working group shall conduct its work in accordance with the instructions and rules of conduct set by the chief inspector.

Responsibility for electrical installations

4 (1) The user or the lessor of the 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 and, except for work as permitted in regulation 11 (3), shall not tamper with or allow any tampering on any installation whether or not a certificate of compliance has been issued.

(2) The user or lessor of the 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 no written undertaking by the lessee to ensure compliance and the safety of the electrical installation he or she who leases, the owner of the electrical installation shall be deemed to be the user of such an electrical installation.

Approved inspection authorities for electrical installations

5 (1) The chief inspector may approve any juristic person or body that have been accredited by the accreditation authority, as an approved inspection authority for electrical installations.

(2) (a) Application for approval of an approved inspection authority contemplated in sub-regulation (1) shall be made to the chief inspector in the form of annexure 7;

(b) A valid accreditation issued by the accreditation authority shall accompany the application; and

(c) The application form shall be accompanied by the fee determined in terms of regulation 15.

(3) An Approved Inspection Authority for electrical installations shall inform the chief inspector of any changes affecting its approval in terms of sub-regulation (1) within 14 days after such changes.

(4) The chief inspector may at any time withdraw any approval of an approved inspection authority for electrical installations, subject to the provisions of section 35 of the Act and regulation 13 (5).

Functions of approved inspection authorities for electrical installations

6 (1) Approved inspection authorities for electrical installations shall only enter premises and conduct an inspection, test or investigation when:

(a) instructed to do so by the chief inspector or provincial director; or

(b) requested to do so by the owner or user of an electrical installation.

(2) Approved inspection authorities for electrical installations shall not operate as electrical contractors.

(3) Approved inspection authorities for electrical installations shall only inspect the types of installation for which they have been accredited by the accreditation authority.

(4) Approved inspection authorities for electrical installations shall be accountable and abide by a code of ethics determined by the chief inspector.