

Electricity Safety Bill – consultation draft submission

Submission instructions

Thank you for taking the time to review the Electricity Safety Bill and provide feedback.

To help with coordinating the review and tracking of responses, please following these instructions.

- 1 Please use the Submission Response Details sheet below to provide a response, including any suggested improvements.
- 2 Only document a response to a clause where you have a concern or issue, or a suggested enhancement.
- 3 Document the clause number (e.g 22), subclause (e.g. (2)) and paragraph e.g. (a) (as appropriate, e.g. for 22(2)(a)) in the column provided for each issue/suggestion you have.
- 4 If you are happy with a clause, there is no need to document anything.
- 5 Where no response is documented for a clause, it will be considered as an indication that you are happy with the clause as is.
- 6 Where you have an electricity safety issue or concern that is not covered in the Bill, please document it in the columns provided, without a clause, subclause and paragraph specification.
- 7 If you have no issues, concerns or suggested enhancements, please email John Britten (john.britten@justice.tas.gov.au) and acknowledge that is the case by 5 pm 28 February 2020.

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Clause	Subclause	Para	Issue/Concern	Suggestion/Wording	Action (DoJ Use)
43	(1)		AS2067 does not require dossier to be kept. Section 9 of AS2067 9.2 states “recorded’ and “relevant as-built drawings” Dossiers clearly relate to Hazardous Areas as per AS60079, but not High Voltage Installations	The owner or operator of a high voltage electrical installation must ensure that the high voltage electrical installation documentation requirements in accordance with AS2067 is available for review on site, or on the request of the Director or an authorised officer	
Part 4	(a) and (b)	Page 57	<i>Responsible supplier</i> under definition has no obligation to ensure it complies to the relevant Australian Standard	Suggest inclusion of the word ‘relevant Australian Standards’ be placed after ‘equipment’ in both (a) and (b)	
Part 1	Section 3		<p>Interpretation (definition) of a ‘serious electrical incident’.</p> <p>The definitions for what are currently a notifiable incident is given in the Work Health & Safety Act 2012, section 35. This currently details the requirements for reporting of notifiable incidents to the Regulator as defined in the WH&S Act.</p> <p>Part 1, section 3 definition for a serious electrical incident extends the definition of the WH&S Act for electrical incidents by including section (d) in the definition. This is a definition for an ‘electrical failure’ that is notifiable. It is suggested that this definition would be difficult to interpret.</p>	<p>It is suggested that the extension of the definition for an electrical incident to include section (d) should be removed.</p> <p>It is suggested that the definition in the WH&S Act for section 37 details the definition for a dangerous incident that defines what type of electrical incident covered by section (d) that would be notifiable.</p>	
Part 5	86 (1)		Section 86 (1) details that a safety management system must be submitted by	It is suggested that if it is not a requirement for an ‘owner or operator’, as defined in Part 1, section 3; to submit a safety management	

Clause	Subclause	Para	Issue/Concern	Suggestion/Wording	Action (DoJ Use)
			<p>an 'electrical entity' to the Director for approval.</p> <p>Section 86 (3) details than a safety management system 'may' be submitted by an 'electrical entity, owner or operator' other than those referred to in subsection (1).</p> <p>Section 86 (6) details that 'a person' must not commission or commence to operate an electrical installation unless a certified safety management system has been accepted by the Director.</p>	<p>system to the Director for approval, then reference to 'owner or operator' should be removed from all sections for Part 5.</p> <p>It is suggested that subsequent sections be modified to clarify that Part 5 is only applicable to an 'electrical entity'.</p>	
Part 6			<p>Part 6 is Serious Electrical Accidents.</p> <p>The definitions for what are currently a notifiable incident is given in the Work Health & Safety Act 2012, section 35. This currently details the requirements for reporting of notifiable incidents to the Regulator as defined in the WH&S Act.</p> <p>Part 6 provides a definition for a notifiable electrical accident, that shall also be reportable to the Director.</p>	<p>It is suggested that Part 6 be removed. The WH&S Act already details what is required for notifiable incidents.</p> <p>It is suggested that Part 6 requires there to be two points of notifiable reporting and investigation. As is stated in section Part 6, 102 (3).</p> <p>It is suggested that it is not fair and reasonable for a PCBU to report notifiable electrical accidents differently to any other notifiable accident.</p> <p>It is suggested that the Regulator as defined in WH&S Act is responsible for the investigation of notifiable accidents.</p>	