

South Australia

Electricity (General) (Miscellaneous) Amendment Regulations 2023

under the *Electricity Act 1996*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Electricity (General) (Miscellaneous) Amendment Regulations 2023*.

2—Commencement

These regulations come into operation on [*to be inserted*].

Part 2—Amendment of *Electricity (General) Regulations 2012*

3—Amendment of regulation 3—Interpretation

Regulation 3(1)—after the definition of *low voltage* insert:

metering provider has the same meaning as in section 59(5) of the Act;

4—Substitution of regulation 5

Regulation 5—delete the regulation and substitute:

5—Interpretation—definition of electrical installation

(1) The definition of *electricity infrastructure* in sub regulation 6 also require further clarification. The current definition in regulations technically specify *electricity infrastructure* as what is not electrical installation and hence has the potential for confusion. The definition of electricity infrastructure in Electricity Act 1996 is much clearer. Therefore, suggest to align the interpretation in Section 6 of Regulations with definition and interpretation in the Electricity Act 1996.

For the purposes of the definition of *electrical installation* in section 4 of the Act, each of the following is an electrical installation:

- (a) a set of wires and associated fittings, equipment and accessories installed for the conveyance, control, measurement or use of electricity for general power and lighting in a place used for electricity generating operations, or incidental or related operations;
 - (b) a set of wires and associated fittings, equipment and accessories installed for the conveyance, control, measurement or use of electricity for general power and lighting in any place where electricity is supplied, or is to be supplied, for consumption in that place by a non-recreational vehicle, recreational vehicle or relocatable unit;
 - (c) a set of wires and associated fittings, equipment and accessories installed for the conveyance, control, measurement or use of electricity for general power and lighting in any place where electricity is supplied, or is to be supplied, for consumption in that place during a public event.
- (2) In this regulation—
- motor vehicle* has the same meaning as in the *Motor Vehicles Act 1959*;

non-recreational vehicle means a motor vehicle or trailer, other than a recreational vehicle, that has provision for, or is intended for, connection to a low voltage supply of electricity from an external source;

public event means any carnival, concert, exhibition, fair, festival, game, parade, performance, show, sport or other event that is open to the public (whether on payment or free of charge);

recreational vehicle means a caravan (including a pop-up or fifth-wheel caravan), camper van or trailer, motor home, slide-on camper, tent trailer or other motor vehicle or trailer that is designed, adapted or converted for use as accommodation for recreational purposes and has provision for, or is intended for, connection to a low voltage supply of electricity from an external source;

relocatable unit means a prefabricated building or structure that is designed for human occupation or use, can be relocated from one site to another and has provision for, or is intended for, connection to a low voltage supply of electricity from an external source;

trailer has the same meaning as in the *Motor Vehicles Act 1959*.

5—Amendment of regulation 44E—Annual administration fee

- (1) Regulation 44E(1), formula—after "AEMC" insert:

+ AESB

- (2) Regulation 44E(1), definition of *AEMC*—after "subregulation (2)" insert:

(a)

- (3) Regulation 44E(1)—after the definition of *AEMC* insert:

AESB is the costs referred to in subregulation (2)(b)

- (4) Regulation 44E—delete subregulation (2) and substitute:

- (2) For the purposes of section 63AE(7)(c) of the Act, the following costs are prescribed:

- (a) the costs determined by the Minister of the administration in relation to retailing of electricity in South Australia of Part 9 of the *National Energy Retail Law (South Australia)* by the Australian Energy Market Commission established by the *Australian Energy Market Commission Establishment Act 2004*;
- (b) the costs determined by the Minister of the administration in relation to retailing of electricity in South Australia of the Energy Security Board as defined under section 2(1) of the National Electricity Law.

6—Amendment of regulation 54—Connection testing and inspection procedures

Regulation 54(3)—delete "the technical installation rules of the operator of the transmission or distribution network to which the meter is connected" and substitute:

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- (a) the metering installation rules of the metering provider; or
- (b) the metering installation rules published by the Technical Regulator

7—Amendment of regulation 55A—Electronic certificates of compliance

- (1) Regulation 55A(1)—delete subregulation (1) and substitute:
- (1) For the purposes of section 60(2) of the Act, an electronic certificate of compliance may only be relied on if—
 - (a) the certificate certifies that—
 - (i) the electrical installation to which the certificate relates complies with any applicable requirements set out in AS/NZS 3000 and any Australian Standard or Australian/New Zealand Standard called up by AS/NZS 3000; and
 - (ii) the electrical installation to which the certificate relates has been examined and tested in accordance with the standards and requirements referred to in regulation 56; and
 - (b) the certificate records the results of that examination and testing; and
 - (c) the certificate is issued by a registered electrical worker.
- (2) Regulation 55A(2)(b)—delete paragraph (b) and substitute:
- (b) in any other case—the registered electrical worker must—
 - (i) before the electrical installation is made available for energisation, complete the electronic certificate of compliance to the extent required by the Technical Regulator under regulation 57; and
 - (ii) within 30 days after the electrical installation was made available for energisation, provide the electronic certificate of compliance to—
 - (A) the Technical Regulator; and
 - (B) the owner or operator of the installation.
- (3) Regulation 55A(4)—delete "subregulation (2)(a)(i)" and substitute:
 subregulation (2)
- (4) Regulation 55A(4)(a)—delete "complete and issue" and substitute:
 complete, or complete and issue, (as the case requires)
- (5) Regulation 55A(4)(b)—delete "complete and issue" and substitute:
 complete, or complete and issue, (as the case requires)

As per AS/NZS 3000, Section 8.3.2.2 recording of test results on certificate of compliance is 'recommended'.

8—Amendment of regulation 56—Certain electrical installation work and electronic certificates of compliance

- (1) Regulation 56(1)—after paragraph (a) insert:
- (ab) the results of any examinations and testing conducted in accordance with paragraph (a) must be recorded on an electronic certificate of compliance issued by a registered electrical worker;

- (2) Regulation 56(1)(b)(ii)—delete subparagraph (ii) and substitute:
- (ii) if an electronic certificate of compliance is issued by a registered electrical worker other than under subparagraph (i), the registered electrical worker must—
 - (A) before the electrical installation is made available for energisation, complete the electronic certificate of compliance to the extent required by the Technical Regulator under regulation 57; and
 - (B) within 30 days after the electrical installation was made available for energisation, provide the electronic certificate of compliance to—
 - the Technical Regulator; and
 - the owner or operator of the installation;
- (3) Regulation 56(1)(d)—delete "paragraphs (b) and (c)" and substitute:
paragraph (b)
- (4) Regulation 56(1)(e)—delete "paragraphs (b) and (c)" and substitute:
paragraph (b)
- (5) Regulation 56(1b)—delete "subregulation (1)(b)(i)(A)" and substitute:
subregulation (1)(b)
- (6) Regulation 56(1b)(a)—delete "complete and issue" and substitute:
complete, or complete and issue, (as the case requires)
- (7) Regulation 56(1b)(b)—delete "complete and issue" and substitute:
complete, or complete and issue, (as the case requires)

9—Amendment of regulation 64—Work in proximity to conductors etc

Regulation 64(3), table—after the last row of the table insert:

330 kV	7.0	7.0	5.0	3.7
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10—Substitution of regulations 68 and 69

Regulation 68—delete regulations 68 and 69 and substitute:

68—Rescue and resuscitation training

Persons required to carry out, or to help in carrying out, electrical work must undergo suitable training annually to ensure their continued competency in rescue and resuscitation.

69—Suitability of testing instruments

- (1) If tests are required to be performed on electricity infrastructure, an electrical installation or safety equipment under the Act—
 - (a) the testing instruments used must be designed for and capable of correctly performing the required tests; and

- (b) each testing instrument must be tested and calibrated to ensure it is in proper working order.

Suggest review 5 years requirement since testing and calibration frequency of the testing equipment shall be defined by its condition of use and the environment.

- (2) The records of tests performed on testing instruments must be kept—
- (a) in the case of testing instruments purchased before the commencement of this subregulation—for at least 2 years;
- (b) in any other case—for at least 5 years.

11—Amendment of regulation 73—Safety, reliability, maintenance and technical management reports

- (1) Regulation 73(1)—delete "A person to whom this Division applies" and substitute:
Subject to subregulation (4), a person
- (2) Regulation 73(3)—delete "A person to whom this Division applies" and substitute:
Subject to subregulation (4), a person who owns or operates electricity infrastructure
- (3) Regulation 73(4)—delete subregulation (4) and substitute:
- (4) This regulation applies to a person exempted from the requirement to hold a licence under section 23 of the Act only to the extent specified by the Technical Regulator by notice in writing to the person.

12—Insertion of regulation 76A

After regulation 76 insert:

76A—Preparation, approval, publication and purchase of metering installation rules

A metering provider must—

- (a) prepare, maintain and periodically revise metering installation rules in relation to meters installed by or on behalf of the metering provider; and
- (b) obtain the approval of the Technical Regulator to the rules and any revision; and
- (c) publish the rules on an internet site to which the public has access free of charge; and
- (d) make copies of the rules available for purchase by the public for a reasonable fee (which must not exceed an amount fixed by the Commission).

Suggest include 'including download and print' after 'free of charge'

Schedule 1—Transitional provision

1—Transitional provision

Despite regulation 76A of the *Electricity (General) Regulations 2012* (as inserted by regulation 12), a metering provider is not required to comply with that regulation until 6 months after the commencement of this clause.

Editorial note—

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on

No of 2023