

DEPARTMENT OF LABOUR

Government Notice. R: 2920

23 October 1992

Electrical Installation Regulations, 1992

The Minister of Manpower has, under section 35 of the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983) and after consultation with the Advisory Council for Occupational Safety, made the regulations in the Schedule.

SCHEDULE

Definitions

1. In these regulations, "the Act" means the Machinery and Occupational Safety Act, 1983 (Act No. 6 of 1983), and a word and expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates -

"accredited person" means a person registered in terms of regulation 9 as an electrical tester for single phase, an installation electrician or a master installation electrician, as the case may be;

"Annexure" means an annexure to these regulations;

"certificate of compliance" means a certificate in the form of Annexure 1 issued by an accredited person in respect of an electrical installation or part of an electrical installation;

"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 Contracting Board of South Africa" means the board established by organisations involved in the electrical contracting industry with the address P.O. Box 33367, Jeppestown, 2043;

"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 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 used for the transmission of electricity of which the voltage shall not exceed 50V where such electricity is not derived from the main supply of a supplier;

(c) any machinery which transmits electrical energy in telecommunication, television or radio circuits;

(d) 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 9 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;

“installation electrician” means a person registered as an installation electrician in terms of regulation 9 who has been approved by the chief inspector for the verification and certification of the construction, testing and inspection of any electrical installation excluding specialised electrical installations: Provided that this exclusion shall come into effect only on 1 July 1994;

“installation work” means the installation, extension, modification or repair of an electrical installation, 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 9 and who has been approved by the chief inspector 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 convert 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 a user or lessor from the electricity supplied from the point of supply;

“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;

“regional director” means the regional director as defined in regulation 1 of the General Administrative Regulations published under Government Notice No. R.2206 of 5 October 1984;

“SABS 051” means the Code of practice for the prevention of explosive and electrical hazards in hospitals, SABS 051, published by the South African Bureau of Standards;

“SABS 086” means the Code of practice for the installation and maintenance of electrical equipment used in explosive atmospheres, SABS 086, published by the South African Bureau of Standards;

“SABS 089” means the Code of practice for the petroleum industry, SABS 089, published by the South African Bureau of Standards;

“SABS 0108” means the Code of practice for the classification of hazardous locations and the selection of electrical apparatus for use in such locations, SABS 0108, published by the South African Bureau of Standards;

“SABS 0142” means the Code of practice for the wiring of premises, SABS 0142, published by the South African Bureau of Standards;

“specialised electrical installations” means electrical installations in –

- (a) hazardous locations as contemplated in SABS 0108;
- (b) anaesthetising and similar locations as contemplated in SABS 051;
- (c) explosive atmospheres as contemplated in SABS 086; or
- (d) the petroleum industry as contemplated in SABS 089;

“supplier” in relation to a particular electrical installation, means any local authority, statutory 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.

Responsibility for electrical installations

2. (1) 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 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 connecting the electrical installation to the point of supply in the case where the point of supply is not the point of control.

Certificate of compliance

3. (1) Subject to the provisions of subregulation (3), every user or lessor of an electrical installation, as the case may be, shall have a valid certificate of compliance in respect of every such installation: Provided that where any addition or alteration has been effected to an electrical installation for which a certificate of compliance was previously issued, the user or lessor of such an installation shall obtain either a certificate of compliance for such an addition or alteration or a new certificate of compliance for the whole installation: Provided further that such certificate shall be transferable.

(2) Every user or lessor of an electrical installation, as the case may be, shall on request produce the certificate of compliance for that installation to an inspector or the supplier.

(3) Subregulation (1) shall not apply to electrical installations existing prior to the coming into force of these regulations: Provided that, if –

- (a) any addition or alteration is effected to such an installation; or

(b) there is a change of ownership of the premises on which such an installation exists after 1 January 1994, the user or lessor of the electrical installation, as the case may be, shall obtain a certificate of compliance for the whole installation, where after the provisions of subregulation (1) shall be applicable to such installation.

(4) A supplier may at any reasonable time inspect or test any electrical installation: Provided that the supplier shall not charge any fee for such inspection or test unless the inspection or test is carried out at the request of the user or lessor.

(5) If after an inspector or a supplier has carried out an inspection or test he detects any fault or defect in any electrical installation, such inspector or supplier may require the user or lessor of that installation to obtain a new certificate of compliance: Provided that if such fault or defect in the opinion of the inspector or the supplier constitutes an immediate danger to persons, the inspector or the supplier shall forthwith take steps to have the supply to the circuit in which the fault or defect was detected disconnected :
Provided further that where the fault or defect is of such a nature that it may indicate negligence on the part of an accredited person, the Inspector or the supplier, as the case may be, shall forthwith report those circumstances in writing to the chief inspector.

Construction

4. (1) No person shall install or permit or require the installation of an electrical installation, other than in accordance with a safety standard incorporated into these regulations under section 36 of the Act: Provided that items of an electrical installation not covered by such 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.

(2) Except in the case of electrical installations supplied by a single phase electricity supply at the point of supply, an accredited person shall exercise general control over all electrical installation work being carried out and no person shall allow such work without such control.

(3) No supplier shall restrict the application of a 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

5. (1) Any person, including a juristic person, who intends to do installation work as an electrical contractor shall annually register with the Electrical Contracting Board of South Africa.

(2) The Electrical Contracting Board of South Africa shall, free of charge, register as an electrical contractor and enter in a register kept for that purpose the name of any person who applies therefore in terms of subregulation (1) and who –

- (a) as a fixed address and has a telephone listed in his name; and
- (b) employs an accredited person on a full-time basis, or is himself an accredited person.

Commencement of and permission to connect installation work

6. (1) No person shall commence with installation work which would require a new electricity supply or an increase in electricity supply capacity unless the supplier has been notified thereof in the form of Annexure 2 (The forms are all available in Word for Windows format. See the Forms section for more details.): Provided that the supplier may waive this requirement in respect of such types of work as he may specify.

(2) No supplier shall connect or give permission for the connection of an electrical installation to the electricity supply unless a certificate of compliance for that installation has been produced to the supplier by the user of such electrical installation: Provided that this subregulation shall not apply in the case where the electricity supply was disconnected for non-payment of the electricity account, or where there has been a change of tenant but not of ownership.

(3) No person shall connect or permit the connection of any completed or partially completed electrical installation to the electricity supply unless it has been inspected and tested by an accredited person and a certificate of compliance has been issued by him.

Issuing a certificate of compliance

7. (1) Only an accredited person may, after having satisfied himself by means of an inspection and test that an electrical installation complies with the provisions of regulation 4 (1) , or, in the case of an electrical installation existing prior to the coming into force of these regulations, that it is reasonably safe, issue a certificate of compliance in the form of Annexure 1. Provided that where any addition or alteration has been effected to an electrical installation for which a certificate of compliance was previously issued, he may issue a certificate of compliance for such an addition or alteration only.

(2) If at any time prior to issuing a certificate of compliance any fault or defect is detected in any part of the electrical installation, the accredited person shall refuse to issue such certificate: Provided that if such fault or defect in the opinion of the accredited person constitutes an immediate danger to persons in the case where electricity is already supplied, he shall forthwith take steps to disconnect the supply to the circuit in which the fault or defect was detected.

Appeals

8. (1) Should a dispute arise over the interpretation of a safety standard referred to in regulation 4 between the user, the accredited person or the supplier, as the case may be, the affected person may appeal against that interpretation to the chief inspector through the regional director.

(2) (a) The person who appeals under subregulation (1) shall serve a notice of appeal, setting out fully the grounds of the appeal, on both the regional director and the person against whose interpretation he is appealing, by personally delivering the notice of appeal or sending it by registered post.

(b) The person against whose interpretation is appealed shall, within 14 days of the date on which he received the notice of appeal, forward such a notice and the reasons for this decision to the regional director.

(c) The regional director shall, on receipt thereof, forward the notice of appeal and the reasons of the person referred to in paragraph (b), to the chief inspector.

(3) The chief inspector shall, after he has considered the grounds of the appeal and the cause of the dispute, confirm, set aside or vary the interpretation of the safety standard referred to in subregulation (1) or substitute for such interpretation any other interpretation which, in his opinion, ought to have been given.

Application for registration as an accredited person

9.(1) (a) Application for registration as an accredited person shall be made to the chief inspector in the form of Annexure 3.

(b) The application shall be accompanied by the fees determined in terms of regulation 11.

(2) Any natural person who satisfies the chief inspector that he –

(a) has gained sufficient experience in and knowledge of a trade relevant to the qualifications for registration;

(b) has gained sufficient knowledge of the theory applicable to electrical installations and possesses the minimum qualifications laid down by the chief inspector; and

(c) has gained sufficient knowledge of the rules and the safety standards applicable to electrical installations, shall at the discretion of the chief inspector be registered as an electrical tester for single phase, an installation electrician or a master installation electrician, as the case may be, and the chief inspector shall furnish him with a certificate of registration subject to such conditions or restrictions as he may deem necessary.

(3) An accredited person shall on request produce his certificate of registration to an inspector, a supplier or any other person to whom he issues or towards whom he contracts to issue a certificate of compliance.

(4) The chief inspector shall cancel any certificate of registration issued in terms of subregulation (2) or referred to in regulation 13 (2) on which any erasure or alteration has been made by someone other than by the chief inspector.

(5) If in the opinion of the chief inspector an accredited person who is the holder of a certificate of registration issued in terms of subregulation (2) or referred to in regulation 13 (2) has been guilty of gross negligence in the execution of his duties or has failed to comply with any provision of these regulations, the chief inspector may endorse, suspend or cancel such certificate of registration.

Substitution of lost, damaged or destroyed certificate of registration

10.(1)(a) If a certificate of registration issued in terms of regulation 9(2) or referred to in regulation 13(2) has been lost, damaged or destroyed, the accredited person to whom the certificate was issued may apply to the chief inspector for a duplicate certificate.

(b) The application shall be accompanied by the fees determined in terms of regulation 11.

(2) After proof that a certificate of registration has been lost, damaged or destroyed has been submitted to the satisfaction of the chief inspector, he shall issue as substitution thereof a duplicate certificate on which the words 'duplicate / duplikaat' appear.

Fees payable

11. The fees payable in respect of an application in terms of regulation 9(1) or a duplicate certificate of registration in terms of regulation 10(1) is R75 and shall be payable in the form of uncanceled revenue stamps affixed to the application form. [R75 substituted by G.N.R.962 of 20 May 1994]

Offences and penalties

12. Any person who contravenes or fails to comply with a provision of regulation 2, 3, 4, 5, 6, 7 or 9.(3) shall be guilty of an offence and be liable on conviction to a fine or to imprisonment for a period not exceeding six months, and, in the case of a continuous offence, to an additional fine not exceeding R100 for each day on which the offence continues or to additional imprisonment not exceeding one day for each day on which the offence continues: Provided that the period of such additional imprisonment shall in no case exceed 90 days.

Repeal of regulations and saving

13.(1) Subject to subregulation (2) the Electrical Installation Regulations, 1985, published under Government Notice No. R. 2270 of 11 October 1985, as amended by Government Notices Nos. R. 2497 of 13 November 1987, R. 1595 of 12 August 1988, R. 2132 of 7 September 1990 and R. 1272 of 8 May 1992 and Government Notice No. R. 2272 of 11 October 1985, are hereby repealed.

(2) A certificate of registration as installation electrician, issued under regulations 11 or 13 (2) of the regulations repealed by subregulation (1), shall be deemed to be a certificate issued under regulation 9 of these Regulations.

Short title

14. These regulations shall be called the Electrical Installation Regulations, 1992.