



AN BILLE UM RIALÁIL LEICTREACHAIS (LEASÚ) 2002
ELECTRICITY REGULATION (AMENDMENT) BILL 2002

EXPLANATORY MEMORANDUM

General

This Bill chiefly provides for a system of regulation, in the interests of public safety, of the electrical contracting sector in Ireland. The main provisions contained in the Bill are—

- (a) an extension of the functions for the Commission for Electricity Regulation to oversee safety and technical standards in the electrical contracting sector in Ireland; and
- (b) imposition of an obligation on electrical contractors, electricians and employers of electricians operating in factory environments, to register with an Electrical Contracting Supervisory Body who will supervise electricians, electrical contractors and registered employers and ensure adherence with appropriate technical codes.

Commencement of the Act

The Act shall be commenced upon a date to be appointed by the Minister for Public Enterprise within ninety days from the date of enactment of the legislation.

Financial implications for the Exchequer

It is intended that the system of regulation established under this Bill shall be self-financing and impose no additional drain on the Exchequer.

Detailed provisions

Section 1 is a standard provision setting out the short title of the Bill, providing for the commencement of the Act on the appointed day and providing for the collective citation and construction of the Electricity Regulation Acts 1999 to 2002.

Section 2 contains the general interpretation section and is a standard provision. The section defines the categories of persons whose activities are covered by the Bill and include an electrician, an electrical contractor and an employed electrician. The section also defines an Electrical Contracting Supervisory Body and defines the nature of the work to which it applies.

Section 3 formally extends the functions of the Commission for Electricity Regulation ensuring that the electrical contracting industry operates to the highest possible standards of public safety.

Section 4 confers powers on the Commission to inspect work on electrical installations in the State, and provides that inspection in a domestic premises can only be forcibly permitted on foot of a Court Order.

Section 5 formally extends the provisions of section 12 of the Electricity Regulation Act 1999 by conferring authority on a judge of the District Court to order an inspection of premises under the Act.

Section 6 contains a formal prohibition on the ESB to connect premises for supply of electricity without proper evidence that the electrical installations on the premises have been completed by an electrician, electrical contractor or registered employer who has complied with the technical and public safety codes and is a member of an Electrical Contracting Supervisory Body.

Section 7 obliges all electricians, registered employers and electrical contractors to register annually with an Electrical Contracting Supervisory Body. *Section 7* also provides that in the interest of public safety, and to overcome a shortcoming with the existing system of regulation, no electrician, registered employer or electrical contractor can be registered to more than one Electrical Contracting Supervisory Body. *Section 7* also creates a number of offences relating to the unauthorised installation, maintenance, repair or construction of electrical installations. These sections are aimed at ensuring that the Act is enforceable and to encourage electrical contractors, electricians and registered employers to join an Electrical Contracting Supervisory Body. *Section 7* provides that anybody found guilty of an offence may face a fine not exceeding €1,904.61 or imprisonment for a term not exceeding 12 months, or both.

Section 8 provides for the establishment, recognition and operation of Electrical Contracting Supervisory Bodies. An Electrical Contracting Supervisory Body is an organisation that is solely dedicated to and concerned with the supervision of electricians and electrical contractors. The Body must ensure that they operate to the highest standards of public safety and comply with all codes, rules and requirements necessary to ensure that electrical work is carried out safely. Electrical Contracting Supervisory Bodies should be licensed by the Commission for Electrical Regulation and *section 8* sets out the functions and roles of the Electrical Contracting Supervisory Bodies. In particular it specifies how these functions should relate to the maintenance of public safety in the electrical contracting sector.

Section 9 specifies the precise functions of the Commission for Electricity Regulation in the regulation of the electrical contracting sector including the determination of technical codes of practice, the establishment of connection criteria for the supply of electricity and the establishment of rules for the recognition, licensing, operation and control of Electrical Contracting Supervisory Bodies. The detail for the codes, Connection Criteria and rules for Electrical Contracting Supervisory Bodies are laid out further in *sections 1* to *3* of the Bill. The Commission is also charged with setting the appropriate license fee that each Electrical Contracting Body should pay to the Commission in respect of the performance of the function under the Act.

Section 10 extends the current appeal procedure that applies to the Commission for Electricity Regulation to disputes relating to the regulation of the electrical contracting sector in the State.

Schedule 1 contains the technical codes of practice and addresses the matters that the Commission for Electricity Regulation should take account of when devising such codes.

Schedule 2 addresses the matters concerning the connection criteria that the Commission needs to take account of.

Schedule 3 outlines the rules for the recognition, licensing, operation and control of Electrical Supervisory Bodies and specifies the matters that the Commission must have regard to when devising such rules.

An Teachta Séamus Ó hUiginn,
Feabhra, 2002.