



Electrical Safety Regulation 2013

The [Electrical Safety Regulation 2013](#) (PDF, 846 KB) (the ES Regulation) identifies specific ways to meet electrical safety duties under the [Electrical Safety Act 2002](#) (PDF, 825 KB) (the ES Act) and establishes requirements for:

- electrical work
- electrical licensing
- working near overhead and underground electric lines
- electrical installations
- in-scope electrical equipment
- works of an electricity entity
- electricity supply
- safety management systems for prescribed electricity entities
- cathodic protection systems
- incident notification and reporting.

Note: The Regulation does not identify all that a person needs to do to fulfil their duties. However if a person does not follow a regulation they will be in breach of their duty.

Changes to the ES Regulation

The new ES Regulation commenced 1 January 2014 and replaces the Electrical Safety Regulation 2002. [Compare the differences between the 2002 and 2013 Regulations](#) (PDF, 249.41 KB)

General changes

- new provisions that reference the general risk management provisions of the Work Health and Safety Regulation 2011
- key terms such as duty, person conducting a business or undertaking (PCBU) and the regulator are used
- renumbering of sections and parts for the Regulation

Live work

- adoption of the model WHS Regulation provisions for live work but requirements are consistent with the 2002 regulation
- risk assessments are still required before performing live work
- Work must be carried out in accordance with a safe work method statement (SWMS) instead of a safe system
- Transitional provisions will preserve existing documented safe systems of work and are taken to be the SWMS from 1 January 2014
- safety observers must be assessed as competent for rescue and resuscitation procedures during the previous one year* (changing from six months in the 2002 Regulation).

* Please refer to the safety observer sections below for more information

- The requirement for rescue and resuscitation for workers who perform or assist in performing electrical work remains unchanged

- new requirement for PCBUs to ensure electrical equipment is de-energised before electrical work is carried out and making sure that it cannot be inadvertently re-energised
- high voltage live line work is unchanged, except high voltage live line work management plans which now refer to Australian Standards (replacing the withdrawn Energy Networks Association (ENA) guidelines)
- Requirements for testing and maintenance of test instruments and safety equipment continue to apply to ensure this equipment provides the levels of protection required. These requirements are now addressed in Part 9 of the new [Managing electrical risks in the workplace code of practice](#) (PDF, 385.51 KB) (with reference to manufacturer's instructions).

Safety observer – Refresher periods for live work

- The ES Regulation 2013 requires that a safety observer for energised electrical work is assessed as competent within the previous one year (the 2002 Regulation requires assessment within the previous six months).
For example, if a person undertakes refresher training on 10 February 2014 - they can act as a safety observer until 9 February 2015 without further assessment of their competence (reassessment is required after that date)

Safety observer – Expiry dates on existing or new statements/certificates

- If the person is issued with a statement or certificate stating that the period of competence is for only 6 months, the 12 month assessment period is valid from the time of re-assessment.
For example, if a person is assessed as competent on 20 December 2013 and is issued with a statement or certificate stating an 'expiry' date of 20 June 2014 - they are still not required to undertake further assessment until 19 December 2014.

It is important to note that there is no change to the roles and responsibilities of a safety observer or to the knowledge and skills required to fulfil the role. There is also no change to the type of training that a person should undertake to gain or maintain the required level of competence. The only change is that a person now only needs to have their competence to act as a safety observer assessed in the previous one year, rather than six months.

Licensing

- no significant changes, but some provisions have changed to remove duplication.

Overhead and underground electric lines

- adoption of the model WHS Regulation provisions that require a PCBU at a workplace to ensure, so far as is reasonably practicable that no person, plant or thing at the workplace comes within an unsafe distance from overhead and underground electric lines
- where a safe distance cannot be maintained the PCBU must conduct a risk assessment and implement control measures consistent with the risk assessment and consult with entities and their requirements if any
- exclusion zones distances remain unchanged and existing concepts and requirements for untrained, instructed and authorised persons are retained
- managing risk around exposed energised electrical parts is to be managed through application of risk management principles and the relevant code of practice.

Electrical installations

- no change to existing requirements for testing and tagging and safety switches
- new duty on a PCBU to ensure that unsafe electrical equipment at a workplace is either permanently removed from use or not used until it is repaired and made safe.

Incident notification and reporting

- no changes to what needs to be reported (serious electrical incident and dangerous electrical event)
- incident notification provisions will adopt the WHS Regulation reporting requirements i.e. notification immediately after becoming aware of the incident
- no change to notification requirements for distribution entities
- requirements to ensure an incident scene is not interfered with remains, wording will change to match WHS Regulation.

Other parts of the 2002 regulation remain unchanged except for minor terminology or drafting changes

- in-scope electrical equipment
- electrical equipment – general
- works of an electricity entity
- electrical supply
- safety management systems
- accredited auditors
- cathodic protection systems
- miscellaneous provisions.

Transitional provisions

A number of provisions are inserted to smooth the transition to the new 2013 Regulation. For example:

- Cathodic protection systems registered under the 2002 Regulation continues for the period of its registration under the 2013 regulation
- existing documented safe system of work for live work is taken to be the SWMS as required by the revised provisions.

Last updated

10 January 2017