

Electrical Licensing Board of Tasmania Annual Report 2003-04



Our vision – A safe electrical industry for workers, contractors and the public in Tasmania



Brian Aherne



Wim de Puit (Chairman)



Kim Backhouse



Bill Eldridge

Board Members 2003-04



Kevin Harkins



Allan Kenny



Mac Russell



Sonia Weidenbach



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Electrical Licensing Board of Tasmania Annual Report 2003-04



1. Introduction

I am pleased to present the Board's ninth annual report of its activities, covering the period from July 2003 to June 2004.

This year has seen a range of matters cross the Board's agenda. It was gratifying to bed down the colour confusion issue, with a statement (now on the website) clarifying our position for those who are affected. It will be interesting to see whether this gets picked up in other jurisdictions.

Skills maintenance has been on the edge of our radar for a few years, and along with the present skills shortage and possibilities of trade re-entry, it's time we addressed it seriously. This began through the year and will be further developed in the time ahead, taking account of developments in New Zealand where the trail has already been blazed.

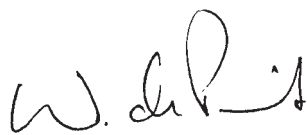
Electrical contractor audits continued in a small way this year, and it's pleasing to report that the audits were positively received - although the level of compliance reported is lower than last year.

The level of supervision to be provided for apprentices at various stages of training has been dealt with, accommodating the wide variety of tasks, competencies and skills that may present in any particular circumstance. A new brochure was developed to better explain this matter to the trade.

There were some successful prosecutions this year, as detailed in the following pages, but no matters were brought before a Disciplinary Panel. There were no fatalities attributed to electrical incidents.

The Board has had a great deal of interaction with TAFE over the years through David Smith, a teacher of stand-out passion for his subject and empathy for his students. His death late in the year marks the end of an era, which has seen the development of the Electrical Contractors course and the Installation Testing course, in which David has left a lasting impression. We will miss his enthusiasm and energy for electrical training, and the throngs at his funeral indicate that we are far from alone.

The electricity industry is a key part of Tasmania's infrastructure, and the training, development and accreditation of those who work in it will always provide challenges. It remains my pleasure to be involved with this Board, and to serve with my fellow members in the interests of electrical safety in Tasmania.



Wim de Puit
Chairman
September 2004.

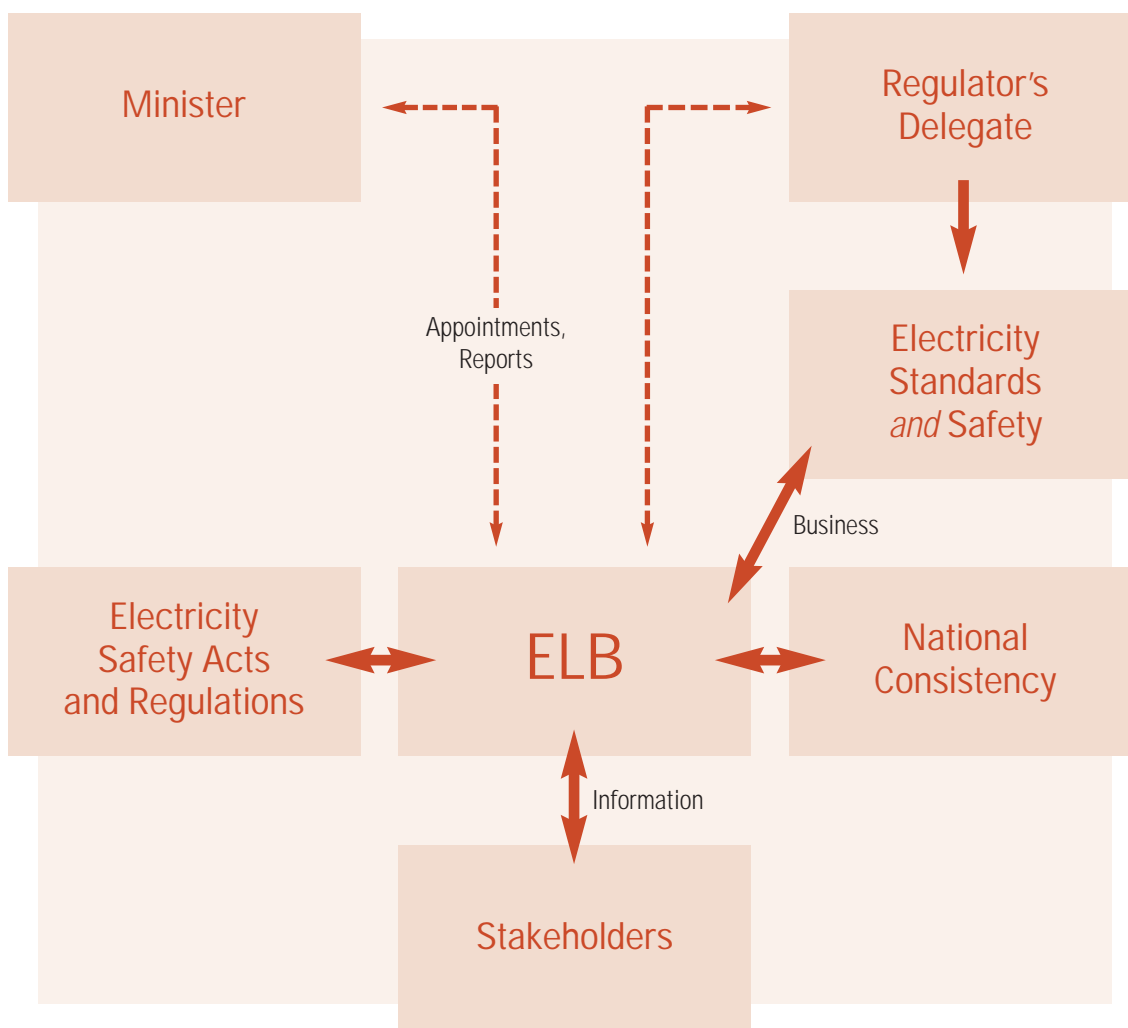
2. The Electrical Licensing Board

The Electrical Licensing Board (The Board) has now been in existence for twelve years, providing advice on matters relating to electrical licensing. The Board initially was restricted to an advisory role, the only powers available to it being through the then Hydro-Electric Commission representatives, via the Licensing of Electrical Contractors and Mechanics Regulations 1934.

Following the commencement of the *Electricity Industry Safety and Administration Act 1997* (the EIS&A Act) in 1998 the Board was constituted as a legal body, established with the objective of assisting the Regulator in the administration of the vocational licensing system. Since then it has also operated as a source of advice to the Electricity Standards and Safety group, which administers the electrical licensing system on behalf of the Delegate of the Regulator. The Board has continued to be an effective form of communication between the licensees and the licensers on matters such as safety, training and competency requirements.

2.1 Context

The following diagram shows the Board's context and the environment in which it operates:



2.2 Vision and Mission

The Board developed its Vision and Mission during the year 2000, and scheduled a review for late in 2001. Minor modifications were agreed to at that review. A further review at the December meeting confirmed that the statements continue to be appropriate. The Board acknowledges that a significant change to the Board's circumstances, such as changes to our foundation legislation, would immediately trigger a review.

Vision:

A safe electrical industry for workers, contractors and the public in Tasmania.

Mission:

To assist the Regulator in the safe delivery of electrical energy by:

- Promoting best practice;
- Ensuring that work is carried out by persons who are appropriately trained and competent to perform the work;
- Ensuring that workers and contractors working in Tasmania are properly licensed;
- Developing a licensing system that is nationally recognised;
- Monitoring the safety performance of the industry;
- Promoting the development of efficient and effective legislation; and
- Raising the profile of the electrical industry in government, business and the community.

2.3 Membership

There were no changes to the membership of the Board during the year. Mr Hammersley attends (ex officio) as the representative of the Regulator - a critical role. Mr Steedman continues to provide sterling service as the Board's secretary, for which we are most grateful.

The Board is also regularly assisted by other members of the Electricity Standards *and* Safety (ESS) staff in their various areas of expertise. In particular Mr Woodhouse, Mr Crichton and Mr Millhouse have provided key advice, and their assistance is acknowledged.



3. Record of Meetings

The Board met ten times in the period 1 July 2003 to 30 June 2004. The following table shows the Board members, their background, and the number of meetings attended. It is notable that the 119th meeting of the Board was held on 16 June 2004.

Table 1 - Meetings

Members Name	Background	Meetings Attended
Brian Aherne	Insurance industry	9
Kim Backhouse	Customer advocacy, social justice	9
Wim de Puit	Electricity supply, regulations, safety	8
Bill Eldridge	Electrical contracting, business	6
Kevin Harkins	Industrial relations, training	8
Allan Kenny	Industrial relations, training, skills	9
Mac Russell	Electrical contracting, business, employment	6
Sonia Weidenbach	Consumer Affairs and Fair Trading	7
Non Members	Background	Meetings Attended
John Hammersley	Electricity regulation, safety	7
Warren Crichton		1
Charles Woodhouse		1
Tony Millhouse		1
Secretary Robert Steedman	Electricity Standards and Safety	10

Since Board members have been formally appointed under the *Electricity Industry Safety and Administration Act 1997*, sitting fees, appropriate travel costs and allowances are payable to eligible members. Board costs for the year totalled \$8,370.77. Mrs Weidenbach chose not to receive remuneration for her services.

4. Licensing and Regulatory Activities

Table 2 below shows the number of new licences and renewals issued during the year (Electrical Technician Licences are issued on a tri-annual basis) and Table 3 provides an overview comparison with previous years of all licences on the register.

4.1 Statistics

Table 2 - Licences & Permits Issued

Month	Electrical Technician		Electrical Contractor		Restricted & Provisional	
	New	Renewal	New	Renewal	New	Renewal
July 03	6	13	3	33	10	0
August 03	9	85	3	98	9	4
September 03	10	84	2	77	2	5
October 03	10	116	3	47	9	4
November 03	18	137	4	60	8	7
December 03	9	47	3	37	7	1
January 04	13	62	4	26	13	5
February 04	17	51	3	59	6	1
March 04	15	48	8	31	3	3
April 04	10	59	3	57	5	3
May 04	11	79	2	39	3	5
June 04	4	16	2	105	3	5
Total	132	797	40	669	78	43

Table 3 - Licences on Register

Type	30 June 2004	30 June 2003	30 June 2002	30 June 2001
Electrical Technicians	2962	2885	2807	3731
Electrical Contractors	676	663	635	678
Miscellaneous Licences	209	182	126	165

Table 3 shows that the number of Electrical Technician licences on the register is increasing, however it is not known how many of these are issued to people who are working full-time in the trade. The Board is taking steps to assess the age profile and level of industry participation of licence holders in order to determine whether there are problems with skill retention or skills shortages. Along with other issues, such shortages would almost inevitably result in a lack of attention to the safety aspects of the electrical workplace.

The number of Contractor licences continues to remain constant at around 670.

The increase in miscellaneous licences continues. Seventy five percent of these licences are restricted to disconnection and reconnection work only (Restricted Electrical Licences). Provisional licences to perform gratuitous work and provisional licences to complete training make up the remainder of miscellaneous licences issued.

Total income from licensing fees for the year was \$310,671. This is a slight decrease from receipts of 2003, due to the nature of the triennial cycle of renewals for electrical technicians.

Table 4 - Receipts

Receipts for Licensing	30 June 2004	30 June 2003	30 June 2002	30 June 2001
	\$310,671	\$326,546	\$284,316	\$274,662

4.2 Licence Fees

During the year the fee unit, the building block for all government fees and charges, increased in line with inflation as required by the *Fee Units Act 1997*.

The following table summarises the revised fees as at 1 July 2003.

All electrical licensing fees are exempt from GST.



Table 5 - Fees

Category	Fee \$ at:			Base Fee
	30/6/04	30/6/03	30/6/02	
Technician's Licence (3 yrs)	99.90	97.20	94.50	90
Contractor's Licence (pa)	222	216	210	200
Provisional Licence (pa)	33.30	32.40	31.50	30
Licence Application	33.30	32.40	31.50	30
Late Application (Contractor)	111	108	105	100
Late Application (Technician)	55.50	54	52.50	50
Duplicate Licence	16.65	16.20	15.75	15
Register Extract	5.55	5.40	5.25	5
Register Inspection	11.10	10.80	10.50	10
Appeal	250	250	250	250

4.3 Prosecutions

During the year three prosecutions were reported:

Hearnden:

- Unlawfully interfering with electrical infrastructure
- Taking electricity without proper authority
- Theft of electricity

Van der Molen:

- Unlawfully carrying out electrical work
- Stealing electricity
- Diverting electricity without proper authority
- Interfering with electrical infrastructure

Cook:

- Carrying out electrical work when not authorised by an appropriate licence or licence holder
- Taking electricity without proper authority
- Unlawfully attaching an object to a transmission
- Unlawfully interfering with an electricity supply from a distribution network

There were no matters referred to the Disciplinary Panel.

4.4 Proposal for an Occupational Licensing Act

Early in 2003 the Board participated in a consultation process aimed at producing a consistent occupational licensing regime across the electrical, plumbing and gas-fitting industries. The original plan was to have the scheme implemented by late 2003, but that was always an optimistic target.

Considerable work has been done during the year to meld the requirements for licensing the electrical, gas and plumbing occupations into a draft bill that could be released for public comment towards the end of 2004. The Board looks forward to commenting on the bill in the near future.

4.5 Notification of Electrical Work

Due to the development of the new Occupational Licensing Bill, no progress has been made, since the last Annual Report, on the new Notification Regulations. These new regulations are required to supplant By-laws of the former Hydro-Electric commission, to modernise the way electrical work is notified to the Regulator, including the provision of a completion and compliance certificate for the customer. These are important provisions and the Board will continue to comment on and to assist their progress.

4.6 Grace Period for Apprentices

Persons carrying out electrical work must either be undergoing an approved course of training or hold the appropriate electrical licence. An apprentice on satisfactory completion of training must apply for a licence if he/she intends to continue working as an electrician. The time to process new licences is somewhere between one and three weeks - this means that for this time, a person who has completed training is unable to carry out electrical work.

A meeting with stakeholders resulted in the view that this is best managed by altering the regulations, so a letter was sent to Workplace Standards Tasmania requesting that this issue be covered in the development of the new Occupational Licensing Act (OLA). A response from the Director Policy, Planning and Services indicated support for our proposal.

It is expected this will be included in new regulations that will support the proposed OLA.

4.7 Colour Confusion

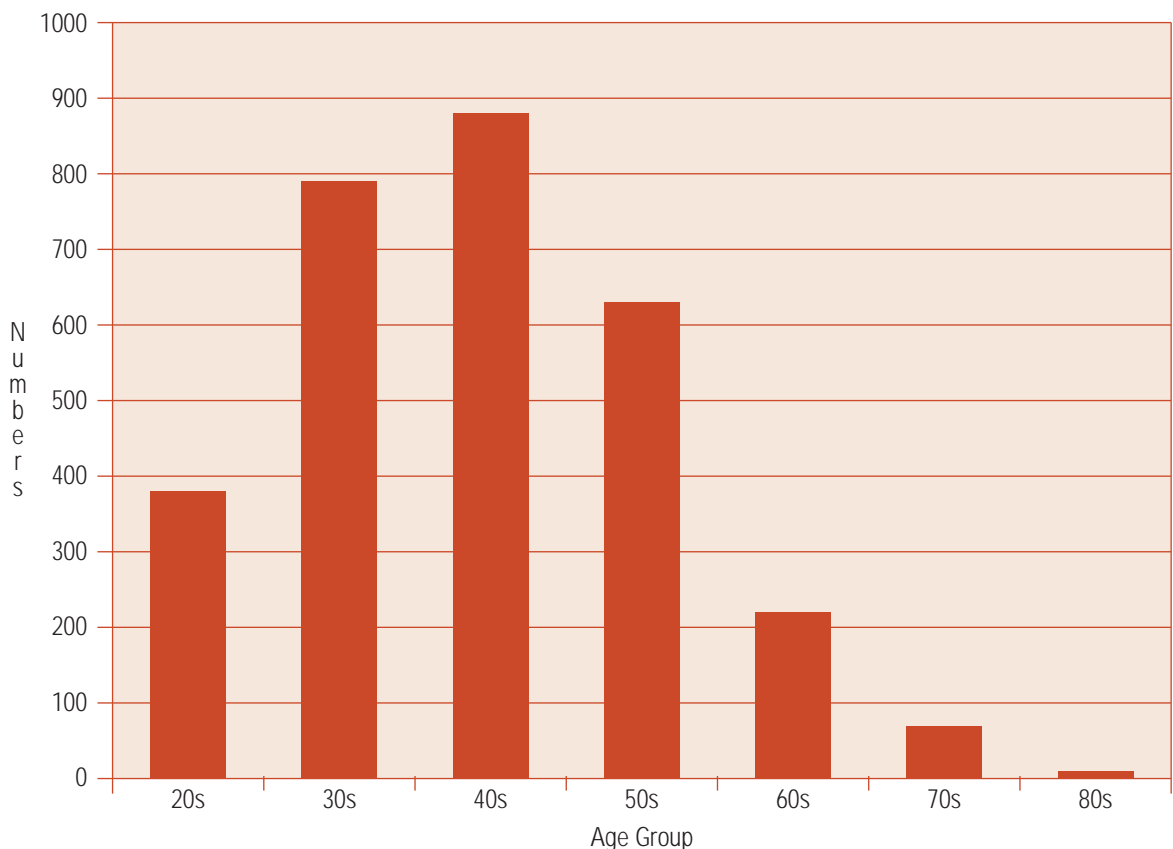
Development of guidelines for Colour Confusion (colour blindness) has been on the Board's agenda for some time pending the agreement of a process that would be fair, equitable and without discrimination. Building on the work last year, the Board with assistance from TAFE Tasmania, completed a guideline on colour confusion, which was acceptable to the Anti-Discrimination Commissioner. Copies were sent to electrical contractors and to other stakeholders via the ESS Bulletin and posted on the ESS website.

4.8 Risk Assessment

One of the items that crops up in Board discussions from time to time is that of risk assessment. It has become apparent that although large corporations frequently have thorough and effective risk assessment procedures in place, this is far from the norm in the case of the average electrical contracting business. It appears that there is scope for an increased emphasis on identifying, assessing and ameliorating risks in the training of contractors, and the Board will keep this matter on its agenda.

4.9 Skill Shortage and Skills Maintenance

- An issue for the State - "Return to Tasmania Program". Survey of age profiles and industry activity. Connected with skills maintenance.
- Skills don't change much after a short period out of the industry. Workplace Health and Safety obligations also have a role. Also consistency with interstate obligations. NZ course noted.
- Risk of skills shortage leading to unskilled persons doing electrical work - with safety implications.
- Also includes Restricted Electrical Licence workers, who perform few jobs and at present are not covered by audit inspections - will be addressed in the new licensing regime.



Graph 1 above shows the demographic break up of currently licensed electricians in Tasmania. The "Return to Tasmania Program" would help in shoring up numbers to fill any void left by electricians exiting the industry.

4.10 Wiring Rules and Regulations

Regulation 16 of the *Electricity Industry Safety and Administration Regulations 1999* is intended to provide that the Wiring Rules apply as law in Tasmania. Unfortunately the clause as implemented was found to be ultra vires, and required re-drafting during the year to correct the problem. This was completed promptly.

5. Electrical Contractor Audits

Electrical contractor audits continued this year to assist businesses to comply with *the Electricity Industry Safety and Administration Act 1997* and Regulations and to identify areas of non-compliance.

A target of 15 was set. However, only 14 were completed as one contractor passed away prior to the audit scheduled date. Auditees were randomly selected ensuring a cross section from sole traders to medium /large businesses.

Generally there was less compliance compared with 2002/03, particularly regarding the lodgement of Electrical Installation Notices (EIN's). It is proposed to take appropriate action against a number of blatant breaches in this regard.

6. Restricted Electrical Licences (REL)

The numbers of new licences issued this year was approximately 20% down on the previous year despite an increase in those requiring to work on natural gas installations. As anticipated, due to the close trade relationship, the 'Refrigeration and Air-conditioning' category continues to dominate this classification of licence.

Determining whether an applicant meets the 'Demonstrated Need' component of the licence criteria continues to create difficulties at times, as does the most appropriate category for a particular vocation.

In an attempt to simplify the categories and the demonstrated need process, Electricity Standards *and* Safety has provided input to the Electrical Regulatory Authorities Council (ERAC), Electrical Licensing Managers Working Group who are chartered with recreating a nationally consistent approach to REL.

Following the advent of natural gas distribution in Tasmania, there is an increasing need to separate the 'Plumbing and Gas' category into two separate categories so that the permissible work aligns more appropriately with the declared vocation. In this regard the Board will endeavour to remain consistent with the national guidelines for REL licensing where possible.

A letter to the Board from TAFE Tasmania raised two areas of concern for REL holders:

- The retention of skills and knowledge
- The fact that work performed by REL holders is not inspected or audited.

These issues will be considered by the Board as part of the development of amended Regulations over the coming year.

7. Installation Safety

7.1 Aurora Energy and ESS Alliance Service Level Agreement

The work performed by Aurora Energy on behalf of Electricity Standards *and* Safety is covered by a Memorandum of Alliance and Service Level Agreement (SLA). These documents specify the scope of the work provided and address issues including the quality and timeliness of responses to activities covering inspections, investigations, and reports for shock and fire events.

Following the Government Prices Oversight Committee's 2003 investigation of prices for electricity distribution services and retail tariffs the Regulator has accepted Aurora's revised estimates for an annual allowance for the services provided in accordance with the SLA.

The renewal of the alliance and service level agreement between Electricity Standards *and* Safety (ESS) and Aurora Energy furthers the commitment of these two organisations to work together in the interests of electrical safety. The revised agreement was signed on 8 April 2004 by the Delegate of the Regulator Steve Hyam and the Manager of Contract Services, Aurora Energy, Russell Scott.

The agreement builds on the existing arrangement between Aurora and ESS that has operated since the safety regulatory requirements were moved from the then Hydro Electric Commission to the State Government some time ago.

A framework for co-operation between the two parties is achieved on two levels:

1. The Memorandum of Alliance establishes the way in which ESS, Aurora Energy and Aurora Services work together to promote and further electrical safety through joint effort and promote electrical installation standards to minimise public risk
2. The Service Level Agreement identifies the roles and responsibilities for electrical inspection staff and spells out specific functions and associated levels of performance. The revised agreement covers inspections of private poles, better defines responsibilities for investigations involving Aurora infrastructure and includes performance reporting requirements. ESS in conjunction with Authorised Aurora staff conduct electrical contractor audits.



7.2 Inspections and Defects

One of the measures of the success of the Board's work is identifying the level of defective work performed. The data in Table 6 has been received from Aurora Energy inspection staff, in accordance with the Memorandum of Alliance and the Service Level Agreement, and allows comparison with the performance for the previous year.

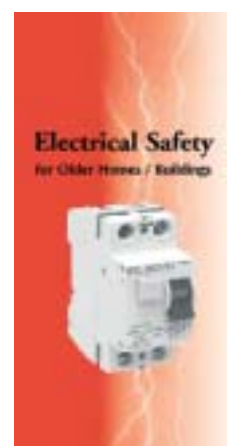
Table 6 - Installation Inspection Statistics

Month	Installation Notices Received		Full Inspections Performed		Defect Notices Issued	
	02/03	03/04	02/03	03/04	02/03	03/04
July	2174	2124	455	243	95	39
August	1816	1946	348	391	65	42
September	1583	2069	310	292	40	40
October	1774	1836	440	345	21	19
November	1733	1772	368	263	48	40
December	1239	1602	246	292	25	34
January	1418	1429	219	134	18	12
February	1432	1715	376	255	43	31
March	1775	2157	348	293	40	38
April	1960	2104	269	263	38	66
May	2436	2216	422	251	39	28
June	2165	2384	328	149	27	45
Total	21505	23354	4129	3171	499	434

The table shows that the number of installation notices received has increased. Although the number of full inspections has decreased the number of defects found per 100 full inspections performed has risen slightly from 12 to 13.7.

8. Safety Promotions

8.1 Electrical Safety Brochures



Guide to Best Practice

The board has been concerned for sometime over the number of electrical worker incidents where issues such as supervision of trainees, installation testing and safe isolation were repeatedly raised.

To assist workers in these areas, Electricity Standards *and* Safety has produced a brochure titled Guide to Best Practice. The brochure covers three important topics:

- testing installations in accordance with AS/NZS 3000 *Wiring Rules*
- isolation, tag and lockout procedures
- supervision of electrical workers.

The guidelines have been supported by the Board, NECA and the Electrical Trades Union and Aurora Energy. Copies have been mailed to all electrical contractors. The Board hopes that contractors will ensure all their electricians know of it.

Other new brochures produced by ESS to spread safety messages are:

Electrical Safety For Plumbers

This brochure provides plumbers with a step-by step process that will help reduce the risk of electric shock when they disconnect main water supplies.

ESS provided 100 copies to the Master Plumbers Association for distribution to their members.

Electrical Safety For Older Homes/Buildings

Electrical contractors who work on old buildings were advised to distribute this brochure when providing advice to customers with older electrical installations. Sometimes an independent view to back their opinion will be sufficient to convince the customer to upgrade.

9. Fatalities and Incidents

During the year there were no fatalities attributing the cause as electricity.

There were 67 incidents of non-compliance, one serious electrical accident and 22 safety related incidents investigated by Electricity Standards *and* Safety during this year.

The majority of the non-compliant incidents could be categorised into three main areas:

- Failure to renew licence having continued to work (oversight) or failure to hold the appropriate licence (S17 & S19, the Act)
- Failure to display licence number on written advertising (S45, the Act). Many of these incidents were found to be telephone directory entries over which contractors had little or no control.
- Failure to notify Aurora on the appropriate form for electrical works completed.

There has been no evidence of a common thread linking the safety related incidents. However, the Board is concerned that three incidents occurred where customers received electric shocks due to incorrect polarities created by electrical workers. Action has resulted or is pending on these incidents.

The Board is also concerned about the number of incidents where mobile plant has made contact with overhead and underground cables. This is despite Aurora Energy's 'Look Up Look Out' campaign in 2002/03.

10. Industry Training

One thing seems certain, training courses and related processes within the electrical industry will continue to change and evolve year after year.

This year Electricity Standards *and* Safety was represented on a steering group to assist the Office of Post-Compulsory Education and Training (OPCET) develop two courses known as Certificate IV in Electrotechnology (Industrial Technician) and Diploma of Electrotechnology (Industrial Technician). Embedded in the courses are the competencies required to meet the training component of the electrician's licence criteria. These new qualifications will fill a current gap in the training identified by industry at a higher technical level, falling somewhere between an electrician and an engineer.

Electricity Standards *and* Safety continue to provide information sessions to the Tasmanian Fire Service to assist in their Fire Investigation Course regarding fire scene examination.

The stakeholder relationship with TAFE Tasmania continues to prove beneficial to both organisations. Throughout the year in excess of 100 students were addressed and provided with information packs regarding licensing and other regulatory issues.

Initial discussions that have taken place and that are likely to progress into the 2004/05 year are:

- Skills Maintenance (the skills required to be maintained by an applicant so that they are considered suitable to be re-licensed)
- Continuous Professional Development (raising the skills and knowledge necessary to meet the future needs of industry)
- Current Competence (in relation to those issued with a relevant qualification in past years and seeking to be relicensed after a gap where they did not work within the electrical trade)

Valediction

It is with sadness that we lament the recent passing of one of TAFE's finest electrical teachers, David Smith. David worked tirelessly to develop new learning material throughout the almost thirty years he spent at Hobart Campus. He was instrumental in the development of many courses and learning resource material for competencies that relate directly to electrical licensing. The most notably being Installation Testing, the Electrical Contractor's Course and more recently with Electrical Systems Safety. On behalf of the electrical industry, the Board thanks David for the passion, dedication and hard work for which he was so well known.



11. Disciplinary Panel

This is the sixth report on the operation of the Electrical Licensing Disciplinary Panel since establishment under the *Electricity Industry Safety and Administration Act 1997*.

The Disciplinary Panel determines matters concerning individual licence holders pursuant to section 43 of the Act. After consideration by the Panel, a recommendation is then referred to the Regulator as to whether disciplinary action should be taken and, if so, what that action should be. Any recommendations must be based on the powers given to the Regulator under the Act to take disciplinary action. The Regulator is required to consider the Panel's recommendation and make a determination.

The members of the current Disciplinary Panel include:

Chair:	Kim Backhouse		
Members:	Wim de Puit	Bill Eldridge	Allan Kenny
	Arnold Sierink	Brian Aherne	Greg Luck

The Disciplinary Panel was not required to meet during the year under review.

12. Future Issues

The following issues remain on the Board's forward agenda:

- electrical worker safety
- restoration of worker licences (a part of skills maintenance)
- infrastructure worker safety
- customer electrical installation safety
- a national licensing database
- a licence to work on infrastructure
- awards for excellence in training
- the development of photo licences.

Many of these initiatives are dependent on action at a national level, or must wait their turn in the queue for resources. Progress on some of the important areas has been encouraging in the last year, although the Occupational Licensing proposal has naturally been afforded the highest priority.



Install Safety Switches

*They may
save your life!*





*Always use a licensed
electrical contractor*

It's a fine line between

'Do it Yourself'

and **'Dead on Arrival'**





Always use a licensed electrical contractor

A safe electrical
industry for workers,
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