

INFORMATION FOR APPLICANTS APPLYING FOR A LICENCE UNDER MUTUAL RECOGNITION

THE MUTUAL RECOGNITION ACT

According to Section 17 of the *Mutual Recognition Act 1992*, a person who is registered for an occupation in a state may be entitled to be registered for the equivalent occupation in another state.

Therefore, a person who is registered for an occupation in an Australian State or Territory may apply to Energy Safe Victoria to qualify for recognition in Victoria as an Electrical Worker.

An equivalent occupation is deemed to be an equivalent occupation if the activities authorised to be carried out under each registration are substantially the same, as per the recent Ministerial Declaration under Section 32 of the *Mutual Recognition Act 1992*.

UNDER WHAT CIRCUMSTANCES WOULD I NEED TO BE LICENSED?

As a means of ensuring the safety of both persons and property from the dangers of electric shock and fire, all persons carrying out any electrical wiring work in Victoria are required to be licensed as an Electrical Worker.

Electrical wiring work means generally, the installation, alteration, repair, maintenance, connection or inspection of an electrical installation and any other work on an electrical installation (including supervisory and testing work).

WHAT IS MUTUAL RECOGNITION?

In general terms, mutual recognition means that any person holding a licence or registration in one State/Territory is entitled to a comparable licence or registration in another State/Territory, on lodgement of the correctly completed forms and payment of the required fee. The principles of Mutual Recognition aim to promote the goal of freedom of movement of service providers in a national market in Australia. Reference should also be made to the website www.licencerecognition.gov.au.

HOW IS AN APPLICATION FOR MUTUAL RECOGNITION MADE?

An application is made by: -

- Accurately and completely filling out the Application for Licence under Mutual Recognition form and the appropriate Application form for an Electrical Worker's Licence.
- Lodging the completed forms with the Licensing Section of Energy Safe Victoria (ESV).
- Providing proof of licences and registrations held in other States or Territories. (Clear photocopies or clearly scanned copies of are certified copies are satisfactory).
- Payment of the prescribed fees. The relevant fees are shown later in this brochure, along with a brief description of the available licences.

HOW LONG DOES IT TAKE?

Notification of the outcome of your application under mutual recognition must occur within one month of your lodging of the application. The licence takes effect from the date on which the notice was lodged.

WHO MAY APPLY FOR A LICENCE UNDER THE MUTUAL RECOGNITION ACT?

The *Mutual Recognition Act* applies only to individuals.

Applications cannot be made by an incorporated or unincorporated body or other association of persons. Such associations or bodies should apply for registration as a contractor under the normal provisions of the Regulations made under the *Electricity Safety Act 1998* by completing the application form and paying the fee.

MY APPLICATION INCORPORATES A STATUTORY DECLARATION. WHO CAN I USE AS A WITNESS?

In Victoria, only certain persons are authorised to witness a Statutory Declaration.

Authorised persons include:

Barristers & solicitors; a clerk to a barrister or solicitor; a member of the police force; a member of Parliament; a councillor of a municipality; a minister of religion; a doctor; a pharmacist; a veterinary surgeon; a school principal; a bank manager etc.

ON WHAT GROUNDS MAY AN APPLICATION BE REJECTED OR POSTPONED?

The application for licence may be rejected where:-

- The application is found to contain false or misleading statements; or
- The documents evidencing licence in another State/Territory have not been provided or are found to be false or misleading; or
- The Director of Energy Safe Victoria determines that the occupation for which that licence is sought is not an equivalent occupation.

The granting of an Electrical Worker's Licence may be postponed where:-

- The application is incomplete; or
- The application is found to contain materially false or misleading statements or information; or
- The documents evidencing licence in another State/Territory are not provided or are found to be materially false or misleading; or
- The Director of Energy Safe Victoria decides that the occupation in which licence is sought is not an equivalent occupation; or
- The Director of Energy Safe Victoria determines that the circumstances of the applicant have materially changed since the application was lodged.

Appeal Process

If ESV makes a decision to refuse an application for mutual recognition of a licence, the applicant may seek a review of that decision by applying to the Administrative Appeal Tribunal. Contact details for the Tribunal and information about the review process are available on its website at <http://www.aat.gov.au>.

WHAT TYPES OF LICENCES ARE AVAILABLE?

The following are the different classes of electrical worker's licence:

- **Electrician's Licence**

The Electrician's Licence entitles the holder to carry out all electrical installation work on electrical installations ordinarily operated at low voltage or a voltage exceeding low voltage throughout Victoria without supervision.

- **Supervised Worker's Licence**

The Supervised Worker's licence entitles the holder (in accordance with any further conditions imposed on the licence) to carry out all electrical installation work ordinarily operated at low voltage or exceeding low voltage throughout Victoria under the effective supervision of a licensed electrician for a period not exceeding 3 years.

- **Occupier's Licence**

The Occupier's Licence entitles the holder to carry out electrical wiring work only in premises where the applicant is the genuine occupier. It is only for residential purposes. (It is not available under Mutual Recognition.)

- **Disconnect/Reconnect Licence**

The Disconnect/Reconnect licence entitles the holder to carry out electrical installation work involving the electrical disconnection and reconnection of ONE of the following categories as indicated on the licence:

1. Office Equipment
2. Domestic Equipment
3. Plumbing/Gas fitting Equipment
4. Commercial Equipment
5. Industrial Equipment
6. Refrigeration and Air Conditioning Equipment
7. Instrumentation/Process Control Equipment
8. Communication/Computing Equipment
9. Laboratory/Scientific Equipment

Detailed information in relation to the different classes of electrical worker's licences is available in the form of specialist brochures from the Licensing Section, Energy Safe Victoria, and on the ESV website, www.esv.vic.gov.au under "Licensing & Registration".

ESV PRIVACY STATEMENT

The *Information Privacy Act 2000* requires Energy Safe Victoria (ESV) to tell you why we collect your personal information.

ESV collects information necessary to enable us to fulfil our functions under the *Electricity Safety Act 1998*, including the monitoring of compliance with the *Electricity Safety Act 1998* and the regulations made under that Act. We ask you to provide your name, address and date of birth for identification purposes. Your address is also required so that we know where to send your registration renewal form at the appropriate time.

Also, the *Electricity Safety Act 1998* specifically requires ESV to make available for public inspection a register setting out certain information about every Victorian registered electrical contractor, including name and business address.

ESV may need to disclose your personal information to third parties outside the organisation, such as contracted service providers, mail houses/printers and other government organisations.

You are entitled to ask for access to the personal information that ESV holds about you.

If you have any queries, please contact the ESV Privacy Officer on 03 9203 9700.

THE FEE

Electrical Worker's Licence(s):

- Electrician's Licence \$200.00*
- Supervised Worker's Licence fee TBA
- Occupier's Licence \$200.00*
- Disconnect/Reconnect Licence \$200.00*

These licences can be issued for a period of up to 5 years.

WHAT IF I CARRY OUT WORK NOT PERMITTED BY THE LICENCE ISSUED?

You may be charged with an offence pursuant to the *Electricity Safety Act 1998*, or the Regulations made under this Act. As a result, you may be

- brought before a Committee of Inquiry; and/or
- brought before the Magistrates' Court; or
- issued with an infringement notice.

Infringement notices were introduced under the Electricity Safety (Infringement) Regulations 2000 and came into effect on 1 February 2001.

If brought before a Committee of Inquiry, your licence or registration may be cancelled, suspended or have conditions imposed. Fines can also be imposed.

Infringement Notices carry a maximum penalty of 10% of maximum penalty units for individuals.

Prosecution can result in fines of up to 50 penalty units for individuals and 250 penalty units for corporations.

Despite the fact that your Victorian licence will be based upon your interstate qualifications, it is your responsibility to be aware of and ensure compliance with the *Electricity Safety Act 1998*, Regulations and relevant standards applicable to the electrical industry when you undertake electrical work in Victoria.

It is strongly recommended that upon applying for licence all applicants obtain a copy of the "*Victorian Service & Installation Rules – Code of Practice for the connection of Electrical Installations to Distribution Companies Mains*". These Rules may be purchased from various Electrical Wholesalers and some electricity distribution companies. Contact details can be found on the various websites, namely:

- SP Ausnet: www.sp-ausnet.com.au
- CitiPower: www.citipower.com.au
- Powercor: www.powercor.com.au
- United Energy Distribution: www.ue.com.au
- Alinta: www.alinta.net.au

Wiring Rules website is:

- www.wiringrules.com.au

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