

**ORDERS IN COUNCIL****Electricity Safety Act 1998****ELECTRICITY SAFETY EXEMPTIONS ORDER 2020**

## Order in Council

The Governor in Council, under section 4 of the **Electricity Safety Act 1998** (the Act), makes the following Order to declare that certain provisions of the Act do not have effect to the extent specified.

**1. Citation**

This Order may be cited as the Electricity Safety Exemptions Order 2020.

**2. Commencement**

This Order comes into operation on 1 January 2021.

**3. Revocation of existing orders**

The Orders in Council and amendments listed in Schedule 1 are revoked.

**4. Definitions**

**appliance** means a consuming device, other than a luminaire, in which electricity is converted into heat, motion or any other form of energy or is substantially changed in its electrical character;

**AS/NZS 60320** means any in the series of Australian and New Zealand standards relating to appliance couplers for household and similar general purposes, as published or amended from time to time;

**Australian regulatory authority** means a person or body that, under a law of another State or a Territory administers the licensing of electrical workers in that State or Territory;

**building work** has the meaning it has in the **Building Act 1993**;

**carrier** has the same meaning as it has in the **Telecommunications Act 1997** of the Commonwealth;

**certificate of electrical safety** means the certificate of electrical safety required to be completed and given under section 45A of the Act;

**class C linework** means linework that is prescribed in the Licensing Regulations as being class C;

**class C lineworker** means a licensed lineworker holding a licence to carry out class C linework;

**class D linework** means linework that is prescribed in the Licensing Regulations as being class D;

**class D lineworker** means a licensed lineworker holding a licence to carry out class D linework;

**class R lineworker** means a licensed lineworker holding a licence to carry out class R linework;

**class R linework** means linework that is prescribed in the Licensing Regulations as being class R;

**competent person** means a person who is competent to perform a specified task because that person has acquired, whether through training, qualifications or experience (or a combination of these), the skills necessary to perform that task correctly and safely;

**connecting**, in relation to an electrical cable, means the mechanical and electrical connection of electrical cables to each other or to another conductor or electrical equipment in a manner capable of receiving an electric current but does not include jointing;

**consumer mains** means the conductors between the point of supply and the main switchboard;

**disconnect** means physically remove from electricity supply;

**distribution supply network** means a supply network ordinarily operated at a nominal voltage exceeding extra low voltage but not exceeding 66 000 volts;

**effective supervision**, in relation to electrical work means being present at the site of the electrical work to the extent necessary to ensure that the work is being correctly performed and carried out in accordance with the Act and the regulations relating to the work and the operation of electrical installations and supply networks, and being aware of the details of the electrical work being performed and giving detailed instructions and directions with respect to the electrical work;

**electrician's licence** means an electrician's licence issued under the Licensing Regulations;

**electric line clearance management plan** means the management plan required under the regulations relating to electric line clearance or tree clearance;

**ESV** means Energy Safe Victoria;

**extra-low voltage** means voltage not exceeding 50 volts alternating current or 120 volts ripple-free direct current;

**heritage tramway supply network** means a tramway supply network operated by –

- (a) The Bendigo Trust; or
- (b) the Ballarat Tramway Museum Inc.; or
- (c) the Melbourne Tramcar Preservation Association;

**high voltage** means voltage exceeding low voltage;

**interstate qualified lineworker** means a person that –

- (a) is not ordinarily resident in Victoria; and
- (b) holds a licence issued by an Australian Regulatory Authority for electric linework that is substantially equivalent to the licence required to do that work in Victoria; or
- (c) holds qualifications that are substantially the same as the qualifications required to obtain a licence under the Licensing Regulations for the type of linework they will carry out in Victoria;

**jointing**, in relation to an electrical cable, means joining together of two or more insulated underground electric cables in a manner that meets the specification and construction of the cables being joined;

**licensed electrician** means a person holding an electrician's licence issued under the Licensing Regulations;

**licensed lineworker** means a person holding a lineworker's licence issued under the Licensing Regulations;

**Licensing Regulations** means the regulations made under the Act relating to the licensing of electrical workers and registration of electrical contractors;

**low voltage** means voltage exceeding extra-low voltage but not exceeding 1,000 volts alternating current or 1,500 volts direct current;

**luminaire** means a complete lighting assembly intended to distribute, filter or transform the light from one or more lamps including ancillary and auxiliary equipment, shades, diffusers, reflectors and accessories;

**MEC** means a major electricity company as defined in section 3 of the Act;

**main switchboard** means a switchboard from which the supply to the whole electrical installation can be controlled;

**meter mechanic** means a person who holds a Certificate of Proficiency in the trade of meter mechanic or an equivalent qualification or proficiency;

**meter technician** means a person (other than a licensed electrician) who holds the qualification Certificate III Electrotechnology (Electrician) or an equivalent qualification or proficiency;

**network infrastructure company** means a contractor who is engaged by a major electricity company to carry out electrical linework on the supply network of the major electricity company;

**public lighting** means electrical equipment which is dedicated to the provision of illumination of a public area, including electric light sources, luminaires, mounting brackets and poles on which the fixtures are mounted, supply cables and control equipment (for example, photoelectric cells and control circuitry) and protection equipment (for example fuses and circuit breakers);

**prescribed electrical installation work** means electrical installation work that is prescribed for the purposes of section 45(1) of the Act;

**PV** means photovoltaic;

**qualified electrical fitter** means a person who –

- (a) has completed a 4 year contract of training as an electrical fitter; and
- (b) holds a Certificate III in Electrical Fitting; or
- (c) has a standard of qualifications, proficiency and experience in electrical fitting work is at least of an equivalent standard to that required under paragraphs (a) and (b).

**railway company** means a person who owns or operates a railway supply network or tramway supply network;

**railway supply network** means the supply network of a railway that is used by electric trains;

**registered electrical contractor** means an electrical contractor who is registered under Division 1 of Part 3 of the Act;

**registered training organisation** means an organisation registered by the Victorian Registration and Qualifications Authority or the Australian Skills Quality Authority;

**restricted electrical worker's licence** means a licence issued under the Licensing Regulations that enables the holder of the licence to carry out electrical installation work of a class or classes prescribed by those Regulations relating to the disconnection and reconnection of low voltage fixed electrical equipment;

**second-hand dealer** has the meaning it has in the **Second-Hand Dealers and Pawnbrokers Act 1989**;

**second-hand equipment** means electrical equipment that has previously been supplied or sold, other than by wholesale, but does not include electrical equipment –

- (a) acquired by a person for the purpose of using the equipment for a process of production or manufacture; or
- (b) acquired by a person (other than a second-hand dealer) for the purpose of re-supply; or
- (c) returned to a supplier for refund or exchange;

**significant outage event** means a loss of electricity supply to a significant number of Victorian electricity customers caused by bushfires, storms, high winds, earthquakes, floods, riots, war, terrorism or any other natural disaster or emergency;

**submains** means the conductors originating at a switchboard that supply electricity to another switchboard;

**switchgear and controlgear assembly** means electrical equipment that is –

- (a) a combination of one or more switching devices together with associated control, measuring, signalling, protective and regulating equipment including internal electrical and mechanical interconnections and structural parts; and
- (b) completely assembled under the responsibility of a manufacturer;

**telecommunications facility** has the same meaning as it has in the **Telecommunications Act 1997** of the Commonwealth;

**telecommunications network** has the same meaning as it has in the **Telecommunications Act 1997** of the Commonwealth;

**the Act** means the **Electricity Safety Act 1998**;

**the Orange Book** means the Victorian Traction Industry Electrical Safety Rules, as published or amended from time to time by Energy Safe Victoria;

**tramway supply network** means the supply network of a tramway;

**terminating** in relation to an electrical cable, means making ready the end of an insulated underground electric cable in a manner suitable for connection to electrical equipment;

**transition jointing** means the joining of two or more cables of differing specification or construction in a manner that maintains, as far as practicable, the characteristics of both cable types;

**underground electric cable** means a conductor placed under the ground and includes any part of the conductor that is at or above the surface of the ground;

**VESI** means Victorian Electricity Supply Industry;

**VESI Connection Manual** means the VESI Installation Supply Connection Tests and Procedures, as jointly published or amended by the distribution companies from time to time.

## 5. Interpretation

In this Order –

- (a) unless a contrary intention appears, expressions that are defined in the Act have the same meaning as in the Act;
- (b) unless expressed to the contrary, words denoting the singular include the plural and vice versa.

## 6. Exemptions relating to electrical contractor registration – Schedule 2

A person specified in Column 1 of Schedule 2 is exempt from the section of the Act specified opposite in Column 2 of Schedule 2 in respect of each activity, and subject to the conditions and limitations (if any), specified in Column 2.

## 7. Exemptions relating to electrical licensing – Schedule 3

A person specified in Column 1 of Schedule 3 is exempt from the section of the Act specified opposite in Column 2 of Schedule 3 in respect of each activity, and subject to the conditions and limitations (if any), specified in Column 2.

## 8. Exemptions relating to electrical equipment – Schedule 4

Electrical equipment specified in Column 1 of Schedule 4 is exempt from the section of the Act specified opposite in Column 2 of Schedule 4 subject to the conditions and limitations (if any) specified in Column 2.

## 9. Exemptions relating to tree clearing – Schedule 5

A person specified in Column 1 of Schedule 5 is exempt from the section of the Act specified opposite in Column 2 of Schedule 5 in respect of each activity, and subject to the conditions and limitations (if any), specified in Column 2.

## 10. Exemptions relating to electrical work – Schedule 6

A person specified in Column 1 of Schedule 6 is exempt from the section of the Act specified opposite in Column 2 of Schedule 6 in respect of each activity, and subject to the conditions and limitations (if any), specified in Column 2.

**SCHEDULE 1****Revoked Orders in Council and Amendments**

- (a) Order in Council dated 28 April 1999 published in the Victoria Government Gazette on 29 April 1999 (G17) at pages 999 to 1003;
- (b) Order in Council and Amendment of Order in Council dated 14 December 1999 published in the Victoria Government Gazette on 16 December 1999 (G50) at pages 2728 to 2729;
- (c) Order in Council and Amendment of Order in Council dated 14 December 1999 published in the Victoria Government Gazette on 27 January 2000 (G4) at pages 156 to 157;
- (d) Order in Council and Amendment of Order in Council dated 5 September 2000 published in the Victoria Government Gazette on 7 September 2000 (G36) at pages 2294 to 2295;
- (e) Amendment of Order in Council dated 22 October 2002 published in the Victoria Government Gazette on 24 October 2002 (G43) at page 2890;
- (f) Amendment of Order in Council dated 14 December 2004 published in the Victoria Government Gazette on 16 December 2004 (G51) at pages 3412 to 3415;
- (g) Amendment of Order in Council dated 17 October 2006 published in the Victoria Government Gazette on 19 October 2006 (G42) at page 2273;
- (h) Amendment of Order in Council dated 11 August 2009 published in the Victoria Government Gazette on 13 August 2009 (G33) at page 2207;
- (i) Amendment of Order in Council dated 5 February 2013 published in the Victoria Government Gazette on 6 February 2013 (S34).

**SCHEDULE 2****Exemptions relating to electrical contractor registration**

| Column 1 – Exempt Person  | Column 2 – Exemption  |
|---|---|
| <b>SUPPLY OF GOODS AND SERVICES</b>   |   |
| <p>1. Person entering into a contract to sell or supply goods and services that involves carrying out electrical installation work.</p> | <p>Sections 30 and 36 of the Act do not have effect in relation to any electrical contracting by the exempt person under a contract entered into by the exempt person to sell or supply goods and services to another person (<i>the customer</i>) that involves or requires carrying out electrical installation work.</p> <p><b>Conditions</b></p> <p>This exemption is subject to the following conditions:</p> <ul style="list-style-type: none"> <li>(a) the exempt person must sub-contract the electrical installation work to a registered electrical contractor;</li> <li>(b) the exempt person must not cause or permit a person who is not a registered electrical contractor to carry out any electrical installation work on behalf of the exempt person; and</li> <li>(c) the exempt person must provide a copy of any certificate of electrical safety in their possession to the customer within 35 days of receiving a request from the customer for a copy of the certificate.</li> </ul> <p><i>Example 1: a building practitioner enters into a building contract that includes carrying out electrical installation work is exempt from having to be registered as an electrical contractor under the Act, provided that the builder engages a registered electrical contractor to carry out the electrical work.</i></p> |

| Column 1 – Exempt Person  | Column 2 – Exemption  |
|---|---|
|   | <i>Example 2: a solar company that sells solar panels includes installation as part of the price. The company is exempt from being a registered electrical contractor as long as it arranges for a registered electrical contractor to install the solar panels.</i>  |
| <b>MAINTENANCE SERVICE PROVIDERS</b>                                    |   |
| 2. Person entering into a contract in relation to maintenance services. | <p>Sections 30 and 36 of the Act do not have effect in relation to electrical contracting carried on by the exempt person under a contract entered into by the exempt person to carry out maintenance of a building or premises.</p> <p><b>Conditions</b></p> <p>This exemption is subject to the following conditions:</p> <ul style="list-style-type: none"> <li>(a) the exempt person must sub-contract the electrical installation work to a registered electrical contractor;</li> <li>(b) the exempt person must not cause or permit a person who is not a registered electrical contractor to carry out any electrical installation work on behalf of the exempt person; and</li> <li>(c) the exempt person must provide a copy of any certificate of electrical safety in their possession to the owner or occupier of the premises to which the certificate relates within 35 days of receiving a request from the owner or occupier for a copy of the certificate.</li> </ul> |
| <b>GRATUITOUS WORK</b>  |   |
| 3. Licensed electrician.  | <p>Section 30 of the Act does not have effect in relation to any electrical contracting in respect of electrical installation work carried out by a licensed electrician for no gain or reward.</p> <p><b>Condition</b></p> <p>This exemption is subject to the condition that, prior to commencing the electrical installation work, the licensed electrician advises the person for whom the work is to be carried out that he or she is not a registered electrical contractor and does not hold the prescribed insurance.</p> <p><i>Note: in accordance with section 45A of the Act a certificate of electrical safety must be completed and given for electrical installation work subject to this exemption.</i></p>  |

| Column 1 – Exempt Person  | Column 2 – Exemption   |
|---|--|
| <b>PERSONAL RESIDENCE</b>   |  |
| 4. Licensed electrician.  | <p>Section 30 of the Act does not have effect in relation to any electrical contracting in respect of electrical installation work carried out by a licensed electrician at premises occupied by the electrician as his or her personal residence.</p> <p><b>Condition</b></p> <p>If the licensed electrician is not the owner of the residence, this exemption is subject to the condition that, prior to commencing the electrical installation work, the licensed electrician advises the person for whom the work is to be carried out that he or she is not a registered electrical contractor and does not hold the prescribed insurance.</p> <p><i>Note: in accordance with section 45A of the Act a certificate of electrical safety must be completed and given for electrical installation work subject to this exemption.</i></p> |
| <b>RESTRICTED ELECTRICAL WORK</b>   |  |
| 5. Person who holds a restricted electrical worker's licence.                                       | <p>Section 30 of the Act does not have effect in relation to any electrical contracting in respect of electrical installation work that is permitted under a restricted electrical worker's licence held by the exempt person.</p> <p><i>Note: in accordance with section 45A of the Act a certificate of electrical safety must be completed and given for electrical installation work subject to this exemption.</i></p>  |
| 6. Person who employs a restricted electrical worker's licence holder.                              | <p>Sections 30 and 36 of the Act do not have effect in relation to any electrical contracting in respect of electrical installation work that is permitted under a restricted electrical worker's licence.</p> <p><b>Conditions</b></p> <p>This exemption is subject to the following conditions:</p> <p>(a) the person carrying out the electrical installation work for the exempt person, must hold a restricted electrical worker's licence that is limited to the occupational area specified in the Licensing Regulations applying to the work;</p> <p>(b) the exempt person must ensure that the licence holder completes and gives a certificate of electrical safety for the electrical installation work in accordance with section 45A of the Act.</p>  |
| <b>NEUTRAL INTEGRITY AND POLARITY TESTING</b>   |  |
| 7. Person disconnecting and reconnecting consumer mains for neutral integrity and polarity testing. | <p>Sections 30 and 36 of the Act do not have effect in relation to any electrical contracting in respect of the disconnection or reconnection of a consumer mains or submains neutral conductor for the purpose of conducting neutral integrity and polarity testing in accordance with the requirements of the VESI Connection Manual.</p>  |

### SCHEDULE 3

#### Exemptions relating to electrical licensing

| Column 1 – Exempt Person   | Column 2 – Exemption   |
|--|--|
| <b>TRANSITION TO LICENCE (APPRENTICES)</b>   |  |
| 8. Person who has completed a training contract as an apprentice in a trade that involves carrying out electrical installation work.                                     | <p>Sections 36 and 38(a) of the Act do not have effect in relation to any electrical installation work that is carried out by the exempt person within 3 months of the person's completion of a training contract as an apprentice in a trade that involves carrying out electrical installation work.</p> <p><b>Condition</b></p> <p>The electrical installation work carried out by the exempt person must be effectively supervised by a licensed electrician.</p> <p><i>Note: in accordance with sections 41B(1) and 45A of the Act, the supervising electrician is deemed to be the person carrying out the electrical installation work and is required to complete and give a certificate of electrical safety for the work.</i></p>  |
| <b>TRANSITION TO LICENCE (APPRENTICE LINEWORKER)</b>   |  |
| 9. Person who has completed a training contract as an apprentice in a trade that involves carrying out electrical linework.  | <p>Section 38(da) of the Act does not have effect in relation to any electrical linework that is carried out by the exempt person within 3 months of the person's completion of a training contract as an apprentice in a trade that involves carrying out electrical linework.</p> <p><b>Condition</b></p> <p>The electrical linework carried out by the exempt person must be effectively supervised by a licensed lineworker who is licensed to carry out the class of electrical linework they are supervising.</p>  |
| <b>LICENSED PERSON UNDERTAKING LINEWORKER TRAINING</b>   |  |
| 10. Licensed electrician or a qualified electrical fitter or a licensed lineworker training to qualify for an additional class of linework to be added to their licence. | <p>Section 38(da) of the Act does not have effect in relation to any electrical linework carried out by the exempt person on a MEC or railway company supply network as part of a training program that, upon completion, will enable the exempt person to obtain the qualifications required for a licence under the Licensing Regulations for the class of electrical linework they are carrying out.</p> <p><b>Conditions</b></p> <p>This exemption is subject to the following conditions:</p> <p>(a) the exempt person must be authorised by a MEC or railway company to carry out the class of electrical linework the person is carrying out on their supply network; and</p> <p>(b) the exempt person must be effectively supervised by a licensed electrical lineworker who is licensed to carry out the class of electrical linework they are supervising.</p> |

| Column 1 – Exempt Person   | Column 2 – Exemption  |
|--|---|
|  | <p><b>Transition to licence</b></p> <p>Subject to complying with the conditions of this exemption, the exemption continues to apply for a period of up to 3 months after the exempt person has successfully completed the training program and is eligible to be issued with a lineworker licence under the Licensing Regulations.</p> <p><b>Expiry</b></p> <p>This exemption ceases to have effect in relation to the exempt person 3 years after the exempt person has commenced a training program in relation to a class of electrical linework.</p>  |
| <b>OVERSEAS QUALIFIED LINEWORKERS</b>  |   |
| <p>11. Person under training who holds an overseas lineworker qualification.</p> | <p>Section 38(da) of the Act does not have effect in relation to any electrical linework carried out by the exempt person on a MEC or railway company supply network as part of a training program that, upon completion, will enable the exempt person to obtain the qualifications required for a licence under the Licensing Regulations for the class of electrical linework they are carrying out.</p> <p><b>Conditions</b></p> <p>This exemption is subject to the following conditions:</p> <p>(a) before carrying out any electrical linework under effective supervision, the exempt person must be independently assessed by a registered training organisation (that has the relevant linework qualification within the scope of their registration) as having an overseas qualification which, upon successful completion of a training program, will be assessed as being equivalent to the qualifications required under the Licensing Regulations to obtain a licence for the class of electrical linework they are proposing to carry out under effective supervision;</p> <p>(b) the exempt person must be authorised by a MEC or railway company to carry out the class of electrical linework the person is carrying out on their supply network; and</p> <p>(c) the exempt person must be effectively supervised by a licensed electrical lineworker who is licensed to carry out the class of electrical linework they are supervising.</p> <p><b>Transition to licence</b></p> <p>Subject to complying with the conditions of this exemption, the exemption continues to apply for a period of up to 3 months after the exempt person has successfully completed the training program and is eligible to be issued with a lineworker licence under the Licensing Regulations.</p> |

| Column 1 – Exempt Person   | Column 2 – Exemption  |
|--|---|
| <b>WORK ON FIXED LOW VOLTAGE ELECTRICAL EQUIPMENT</b>  |   |
| <p>12. Person installing, altering, repairing or maintaining low voltage electrical equipment that is not connected to electricity supply.</p> | <p>Sections 36 and 38(a) of the Act do not have effect in relation to any electrical installation work on low voltage electrical equipment that –</p> <ul style="list-style-type: none"> <li>(a) is or will be connected to electricity supply by permanent installation wiring; and</li> <li>(b) involves the installation, alteration, repair or maintenance of the electrical equipment or a component of the equipment while it is disconnected from electricity supply.</li> </ul> <p><b>Condition</b></p> <p>This exemption is subject to the condition that the connection, disconnection or reconnection of the electrical equipment to or from electricity supply is carried out by:</p> <ul style="list-style-type: none"> <li>(a) a licensed electrician; or</li> <li>(b) a person holding a restricted electrical worker’s licence for the occupational area specified in the Licensing Regulations relating to the electrical equipment or equipment of that class.</li> </ul> <p><b>Exclusion</b></p> <p>This exemption does not apply to:</p> <ul style="list-style-type: none"> <li>(a) the installation of electrical equipment that is designed or intended to generate, convey or control electricity;</li> <li>(b) the assembly, alteration, repair or maintenance of a switchgear and controlgear assembly.</li> </ul> <p><i>Example: a mechanic is exempt from having to be licensed under the Act if he or she repairs a motor running a conveyor belt after the motor has been disconnected from electricity supply by a licensed electrician or the holder of an appropriate restricted electrical worker’s licence.</i></p> <p><i>Note: in accordance with section 45A of the Act a certificate of electrical safety must be completed and given for the connection, disconnection or reconnection of the electrical equipment.</i></p> |
| <b>WORK ON HERITAGE TRAMWAY SUPPLY NETWORKS</b>  |   |
| <p>13. Person carrying out electrical linework on a heritage tramway supply network.</p>   | <p>Section 38(da) of the Act does not have effect in relation to any electrical linework carried out by the exempt person on a heritage tramway supply network.</p> <p><b>Conditions</b></p> <p>This exemption is subject to the following conditions:</p> <ul style="list-style-type: none"> <li>(a) the exempt person must be authorised by the operator of the heritage tramway supply network to carry out the electrical linework on its supply network;</li> <li>(b) the exempt person must carry out the electrical linework under the effective supervision of a licensed electrician or a class D lineworker or a class R lineworker;</li> </ul>   |

| Column 1 – Exempt Person  | Column 2 – Exemption   |
|---|--|
|   | <p>(c) the part of the heritage tramway supply network that the exempt person is working on must be isolated and earthed;</p> <p>(d) the exempt person must comply with the requirements of the Orange Book when carrying out the work.</p>  |
| <b>ELECTRICAL INSTALLATION WORK BY D CLASS LICENSED LINEWORKERS</b> |  |
| <p>14. Person who is a class D lineworker.</p>                      | <p>Sections 36 and 38(a) of the Act do not have effect in relation to a class D lineworker that carries out the following work on electrical installations –</p> <p>A. the repair or replacement, for the purpose of restoring electricity supply to a consumer, of apparatus installed at the junction between a MEC’s conductors and the consumer’s conductors or on a panel provided solely for a MEC’s metering and control equipment;</p> <p>B. work on high voltage aerial electric lines in an electrical installation and associated pole mounted and pad mounted substations and equipment;</p> <p>C. work on low voltage aerial electric lines in an electrical installation and associated equipment installed for the control or protection of those lines;</p> <p>D. the jointing, transition jointing, terminating or connecting of underground consumer mains.</p> <p><b>Conditions</b></p> <p>This exemption is subject to:</p> <p>(a) in the case of the exempt person carrying out the work referred to in paragraph (A), being authorised by a MEC or network infrastructure company to carry out electrical installation work of that type; and</p> <p>(b) the exempt person carrying out the electrical installation work under the effective supervision of a licensed electrician.</p> <p><i>Note: in accordance with sections 41B(1) and 45A of the Act, the supervising electrician is deemed to be the person carrying out the electrical installation work and is required to complete and give a certificate of electrical safety for the work.</i></p> <p><b>Extended application</b></p> <p>This exemption also applies to an apprentice lineworker or person permitted to carry out class D linework under the effective supervision of a class D lineworker.</p> |

| Column 1 – Exempt Person  | Column 2 – Exemption  |
|---|---|
|   | <p><b>Conditions of extended application</b></p> <p>The extended application of this exemption is subject to:</p> <ul style="list-style-type: none"> <li>(i) the exempt person complying with conditions (a) and (b) set out above; and</li> <li>(ii) the exempt person carrying out the electrical installation work under the effective supervision of a licensed lineworker who also complies with the conditions (a) and (b) set out above.</li> </ul>  |
| <b>ELECTRICAL INSTALLATION WORK BY C CLASS LICENSED LINEWORKERS</b> |   |
| <p>15. Person who is a class C lineworker.</p>                      | <p>Sections 36 and 38(a) of the Act do not have effect in relation to a class C lineworker who carries out the following work on electrical installations –</p> <ul style="list-style-type: none"> <li>A. the repair or replacement, for the purpose of restoring electricity supply to a consumer, of apparatus installed at the junction between a MEC’s conductors and the consumer’s conductors;</li> <li>B. the jointing, transition jointing, terminating and connecting or underground cables.</li> </ul> <p><b>Conditions</b></p> <p>This exemption is subject to:</p> <ul style="list-style-type: none"> <li>(a) in the case of the exempt person carrying out the work referred to in paragraph (A), the exempt person being authorised by a MEC or network infrastructure company to carry out electrical installation work of that type; and</li> <li>(b) the exempt person carrying out the electrical installation work under the effective supervision of a licensed electrician.</li> </ul> <p><i>Note: in accordance with sections 41B(1) and 45A of the Act, the supervising electrician is deemed to be the person carrying out the electrical installation work and is required to complete and give a certificate of electrical safety for the work.</i></p> <p><b>Extended application</b></p> <p>This exemption also applies to an apprentice lineworker or person permitted to carry out class C linework under the effective supervision of a class C lineworker.</p> <p><b>Conditions of extended application</b></p> <p>The extended application of this exemption is subject to:</p> <ul style="list-style-type: none"> <li>(i) the exempt person complying with conditions (a) and (b) set out above; and</li> <li>(ii) the exempt person carrying out the electrical installation work under the effective supervision of a licensed lineworker who also complies with the conditions (a) and (b) set out above.</li> </ul> |

| Column 1 – Exempt Person  | Column 2 – Exemption  |
|---|---|
| <b>WORK ON WIRING SUPPORTS AND CONDUITS</b>   |   |
| 16. Person carrying out work on wiring supports or conduits.  | <p>Sections 36 and 38(a) of the Act do not have effect in relation to a worker if he or she carries out work on wiring supports or conduits under the effective supervision of a licensed electrician.</p> <p><i>Note: in accordance with sections 41B(1) and 45A of the Act, the supervising electrician is deemed to be the person carrying out the electrical installation work and is required to complete and give a certificate of electrical safety for the work.</i></p>  |
| <b>INSTALLATION OF PV PANELS</b>  |   |
| 17. Person affixing or removing extra low voltage PV panels.  | <p>Sections 36 and 38(a) of the Act do not have effect in relation to the exempt person if the exempt person carries out the affixing or removal of extra low voltage PV panels to or from rooftops, structures or PV panel supports under the effective supervision of a licensed electrician.</p> <p><b>Exclusion</b></p> <p>This exemption does not permit the exempt person to carry out any other types of electrical installation work including electrical wiring work.</p> <p><i>Note: in accordance with sections 41B(1) and 45A of the Act, the supervising electrician is deemed to be the person carrying out the electrical installation work and is required to complete and give a certificate of electrical safety for the work.</i></p>  |
| <b>NEUTRAL INTEGRITY AND POLARITY TESTING</b>   |   |
| 18. Person who is a class D lineworker or class C lineworker or meter mechanic or meter technician. | <p>Sections 36 and 38(a) of the Act do not have effect in relation to an exempt person who disconnects or reconnects a consumer mains or submains neutral conductor for the purpose of conducting neutral integrity and polarity testing in accordance with the VESI Connection Manual.</p> <p><b>Conditions</b></p> <p>This exemption is subject to the worker –</p> <p>A. being authorised by the MEC that supplies or is to supply electricity to the electrical installation to carry out the testing or its network infrastructure company; and</p> <p>B. holding a certificate from the MEC or its network infrastructure company stating that it is satisfied the exempt person is competent in the VESI Connection Manual requirements and has satisfactorily completed –</p> <p>(a) training in the current nationally recognised competency standard unit for the performance of testing of connections to low voltage electricity networks; and</p> <p>(b) training and a practical assessment in the safe disconnection and reconnection of consumer mains and submains neutral conductors.</p> |

| Column 1 – Exempt Person   | Column 2 – Exemption   |
|--|--|
| <b>ELECTRICAL INSPECTION WORK</b>  |  |
| 19. Person carrying out electrical inspection work.  | Section 38(b) of the Act does not have effect in relation to an exempt person if he or she carries out electrical inspection work, during or for the purpose of training, under the direct supervision of a licensed electrical inspector who is immediately available in the area of the work.  |
| 20. Person carrying out testing or inspection of electrical equipment.   | Section 38(b) of the Act does not have effect in relation to an exempt person who carries out testing or inspection of electrical equipment that is not related to the carrying out or completion of electrical installation work.   |
| <b>INSPECTION OF PRESCRIBED ELECTRICAL INSTALLATION WORK</b>   |  |
| 21. Licensed electrical inspector.   | Section 38(a) of the Act does not have effect in relation to a licensed electrical inspector who disconnects and reconnects an electrical installation for testing purposes as part of an inspection of prescribed electrical installation work.   |
| <b>NON-RESIDENT ELECTRICIANS</b>   |  |
| 22. A person who –<br>(a) is the holder of a licence or authority issued by an Australian regulatory authority (other than Energy Safe Victoria), which is the equivalent of an electrician’s licence; and<br>(b) is not ordinarily resident in the State of Victoria. | Sections 36 and 38(a) of the Act do not have effect in relation to the exempt person.<br><b>Conditions</b><br>(a) The exempt person must register with Energy Safe Victoria before carrying out electrical installation work in Victoria;<br>(b) The exempt person must comply with all requirements of Division 3 of Part 3 of the Act that apply to a licensed electrical installation worker as if they were licensed under the Act;<br>(c) the exempt person must notify Energy Safe Victoria within 10 business days after any change in that person’s name, address or status of the licence or authority they hold. |
| <b>SIGNIFICANT OUTAGE RESPONSE</b>   |  |
| 23. An interstate qualified lineworker.  | Section 38(da) of the Act does not have effect in relation to any electrical linework carried out by the exempt person in order to assist a MEC to urgently restore power to Victorian electricity customers after a significant outage event.<br><b>Condition</b><br>The exempt person must be effectively supervised by a licensed electrical lineworker who is licensed to carry out the class of electrical linework they are supervising.   |

**SCHEDULE 4**  
**Exemptions relating to electrical equipment**

| Column 1 – Exempt Equipment  | Column 2 – Exemption  |
|--|---|
| <b>ELECTRICAL EQUIPMENT OFFERED FOR HIRE</b>                           |   |
| 24. Electrical equipment offered for hire.                             | <p>Sections 54 and 55(3) of the Act do not have effect in relation to a person offering electrical equipment for hire.</p> <p><b>Condition</b></p> <p>This exemption is subject to the condition that the person, before offering the equipment for hire, complies with the requirements of section 67J of the Act in relation to that equipment.</p>   |
| <b>SUPPLY OF SECOND-HAND ELECTRICAL EQUIPMENT</b>                      |   |
| 25. Second-hand electrical equipment.                                  | <p>Sections 54 and 55(3) of the Act do not have effect in relation to the supply of second-hand equipment.</p> <p><b>Condition</b></p> <p>This exemption is subject to the condition that, before supplying the second-hand equipment, the supplier –</p> <p>(a) tests the equipment for safety in accordance with the requirements of AS/NZS 5761 ‘In-service safety inspection and testing – Second-hand equipment prior to sale’ as published or amended from time to time; or</p> <p>(b) if the equipment is not tested for safety, the equipment is labelled or tagged as second-hand equipment or with the word ‘used’, and is accompanied by information stating that the equipment has not been tested for safety.</p> <p><b>Exclusion</b></p> <p>This exemption does not apply to any second-hand equipment that is the subject of –</p> <p>(a) a prohibition notice under section 63(1) of the Act that is in force; or</p> <p>(b) a product safety recall.</p> |
| <b>RAILWAYS IN MINES</b>   |   |
| 26. Electrical equipment used in a railway in conjunction with mining. | <p>Section 76(2) and section 76(3) of the Act do not have effect in relation to electrical equipment used in a railway in conjunction with the operation of mining under licence within the meaning of the <b>Mineral Resources (Sustainable Development) Act 1990</b>.</p> <p><b>Condition</b></p> <p>This exemption is subject to the condition that entry to the railway is restricted to persons authorised by the licensee or an inspector employed under the <b>Mineral Resources (Sustainable Development) Act 1990</b>.</p>   |

| Column 1 – Exempt Equipment                       | Column 2 – Exemption   |
|---|--|
| <b>EXTRA-LOW VOLTAGE ELECTRIC LINES</b>           |  |
| 27. Electric lines operated at extra-low voltage. | Sections 76, 77, 84, 84A, 84B, 84C and 84D of the Act do not have effect in relation to an electric line ordinarily operated at a voltage not exceeding extra-low voltage. |

### SCHEDULE 5

#### Exemptions relating to tree clearing

| Column 1 – Exempt Person   | Column 2 – Exemption   |
|--|--|
| <b>KEEPING TREES CLEAR OF TELECOMMUNICATIONS LINES</b>   |  |
| 28. Person who is responsible for keeping trees clear of an electric line used for telecommunications. | Sections 84 and 84D of the Act do not have effect in relation to an electric line used to transmit or distribute telecommunications signals or data.   |
| <b>KEEPING TREES CLEAR OF ELECTRIC LINES</b>   |  |
| 29. Person who is responsible for keeping trees clear of an electric line.                             | <p>Sections 84C and 84D of the Act do not have effect in relation to a responsible person who is responsible for keeping the whole or any part of a tree clear of an electric line if the relevant distribution company undertakes to keep the tree or part of the tree clear of the electric line under a written agreement with the responsible person.</p> <p><b>Conditions</b></p> <p>This exemption is subject to:</p> <p>(a) the responsible person notifying ESV within 7 days of entering into the agreement or the cessation of the agreement; and</p> <p>(b) the relevant distribution company complying with its electric line clearance management plan in keeping the tree or part of the tree clear of the electric line.</p> <p>In this clause, <i>relevant distribution company</i> means the distribution company in whose distribution area the tree is located.</p> |

### SCHEDULE 6

#### Exemptions relating to electrical work

| Column 1 – Exempt Person  | Column 2 – Exemption  |
|---|---|
| <b>TRAINING AND ASSESSMENT</b>  |   |
| 30. Person carrying out electrical installation work or electrical linework during training or for an assessment. | Divisions 1, 2 and 3 of Part 3 of the Act (with the exception of section 43) do not have effect in relation to any electrical installation work or electrical linework that is carried out during a course of training provided by, or for the purpose of an assessment conducted by, a registered training organisation or an assessment body approved by ESV. |

| Column 1 – Exempt Person                         | Column 2 – Exemption   |
|--|--|
|  | <p><b>Conditions</b></p> <p>(a) This exemption is subject to the condition that the electrical equipment associated with the work is used solely for training or assessment purposes;</p> <p>(b) If the exempt person is carrying out electrical work (other than electrical linework), the work must be carried out under the effective supervision of a licensed electrician;</p> <p>(c) If the exempt person is carrying out electrical linework, the work must be carried out under the effective supervision of a competent person.</p>   |
| <b>METERING WORK</b>                             |  |
| <p>31. Person installing metering equipment.</p> | <p>Divisions 1, 2 and 3 of Part 3 of the Act (with the exception of section 43) do not have effect in relation to electrical installation work (<b>the metering work</b>) that is limited to the installation, alteration or repair of:</p> <p>A. equipment owned by a MEC that is used for metering or the control or protection of metering circuits, or</p> <p>B. equipment connected or to be connected to metering owned by a MEC.</p> <p><b>Conditions</b></p> <p>This exemption is subject to the metering work being carried out by a person who:</p> <p>(a) is a class D or class C lineworker; or</p> <p>(b) is a meter mechanic or meter technician; and</p> <p>(c) has been authorised by the MEC that owns the equipment; and</p> <p>(d) has been trained to do the work safely; and</p> <p>(e) has satisfactorily completed a course and practical assessment in accordance with the Certificate III Electricity Supply Industry Distribution (Power Line) Energy Meters Install and Replace Unit, or demonstrated equivalent competence; and</p> <p>(f) undertakes testing in accordance with the VESI Connection Manual; and</p> <p>(g) prior to enabling the electrical installation to be used by the customer, verifies as far as practicable that the installation is safe to energise; or</p> <p>(h) is an apprentice within the meaning of the <b>Education and Training Reform Act 2006</b> in a trade that involves carrying out electrical work and who is working under the effective supervision of a person who satisfies (a) or (b) and (c), (d), (e), (f) and (g).</p> |

| Column 1 – Exempt Person   | Column 2 – Exemption   |
|--|--|
| <b>INSTALLATION OF LOW VOLTAGE APPLIANCES AND LUMINAIRES</b>               |  |
| <p>32. Person installing a low voltage plug-in appliance or luminaire.</p> | <p>Divisions 1, 2 and 3 of Part 3 of the Act (with the exception of section 43) do not have effect in relation to installing a low voltage appliance or luminaire that is –</p> <p>(a) fitted with a plug and cord by the manufacturer of the equipment; or</p> <p>(b) designed to be connected to electricity supply by the use of an appliance connector as defined in AS/NZS 60320; or</p> <p>(c) manufactured with integral pins for insertion into a socket outlet.</p> <p><i>Example 1: a person who installs a kitchen rangehood by fastening it with screws to a wall or cabinetry is exempt under this clause if the rangehood is manufactured with a cord and plug.</i></p> <p><i>Example 2: a person is exempt under this clause if they install a television on a wall using a mounting bracket and connect the TV to electricity supply with a suitable appliance connector.</i></p> <p><i>Example 3: a person who installs a downlight that includes a cord and plug as part of the manufactured assembly is exempt under this clause.</i></p> |
| <b>LIGHT GLOBES AND FUSES</b>  |  |
| <p>33. Person inserting or removing light globe or fuse element.</p>       | <p>Divisions 1, 2 and 3 of Part 3 of the Act (with the exception of section 43) do not have effect in relation to work involving –</p> <p>(a) the insertion or removal of a light source with one or more lamp caps or a starter for a fluorescent tube; or</p> <p>(b) the insertion or removal of a fuse element.</p> <p><b>Exclusion</b></p> <p>This exemption does not apply to work carried out on public lighting affixed or to be affixed to the supply network of a MEC or railway company.</p>   |
| <b>INSTALLATION OF SURVEILLANCE DEVICES</b>                                |  |
| <p>34. Person installing surveillance device or enhancement equipment.</p> | <p>Divisions 1, 2 and 3 of Part 3 of the Act (with the exception of section 43) do not have effect in relation to work involving –</p> <p>A. installation, maintenance or removal of a surveillance device or enhancement equipment within the meaning of the <b>Surveillance Devices Act 1999</b> by a serving member of Victoria Police who has satisfactorily completed a training course approved by ESV and in conjunction with a warrant granted under the <b>Surveillance Devices Act 1999</b>;</p>   |

| Column 1 – Exempt Person   | Column 2 – Exemption  |
|--|---|
|  | <p>B. installation, maintenance or removal of a surveillance device or enhancement equipment within the meaning of the <b>Surveillance Devices Act 1999</b> if the installation, maintenance or removal is carried out –</p> <p>(i) by a person who is authorised in writing by the Commissioner within the meaning of section 3 of the <b>Independent Broad-based Anti-corruption Commission Act 2011</b> and who has satisfactorily completed a training course approved by ESV; and</p> <p>(ii) in conjunction with a warrant granted under the <b>Surveillance Devices Act 1999</b>;</p> <p>C. installation, maintenance or removal of surveillance devices or enhancement equipment within the meaning of the <b>Surveillance Devices Act 2004</b> (Commonwealth) if the installation, maintenance or removal is carried out –</p> <p>(i) by a person who is a serving member of the Australian Federal Police or the Australian Criminal Intelligence Commission and who has satisfactorily completed a training course approved by ESV; and</p> <p>(ii) in conjunction with a warrant granted under the <b>Surveillance Devices Act 2004</b> (Commonwealth).</p> |
| <b>MANUFACTURE AND REPAIR OF ELECTRICAL EQUIPMENT OR INSTALLATIONS</b>   |   |
| <p>35. Person manufacturing or repairing or maintaining electrical equipment or an electrical installation at a place other than where it is fixed or to be fixed.</p> | <p>Divisions 1, 2 and 3 of Part 3 of the Act (with the exception of section 43) do not have effect in relation to work on any electrical equipment or electrical installation that is –</p> <p>A. in the process of manufacture at a place other than the location where the equipment or installation is to be fixed;</p> <p>B. in the course of repair or maintenance at a place other than the location where the equipment or installation is fixed or to be fixed.</p>   |
| <b>CATHODIC PROTECTION AND MITIGATION SYSTEMS</b>  |   |
| <p>36. Person working on cathodic protection or mitigation system.</p>   | <p>Divisions 1, 2 and 3 of Part 3 of the Act (with the exception of section 43) do not have effect in relation to alteration, repair or maintenance of a cathodic protection system or a mitigation system.</p>   |

| Column 1 – Exempt Person  | Column 2 – Exemption   |
|---|--|
| <b>WORK ON RAILWAY OR TRAMWAY SYSTEMS</b>   |  |
| <p>37. Person carrying out electrical installation work on the signalling, control or communications systems of a railway or tramway.</p> | <p>Divisions 1, 2 and 3 of Part 3 of the Act (with the exception of section 43) do not have effect in relation to a person if the person installs, alters, repairs or maintains electrical equipment that is used as part of the signalling, control or communications system of a railway or tramway.</p> <p><b>Conditions</b></p> <p>This exemption is subject to the following conditions:</p> <p>(a) the exempt person holds a Certificate IV in Electrical – Rail Signalling; or</p> <p>(b) the exempt person’s employer certifies in writing that it is satisfied that the exempt person’s standard of qualifications, proficiency and experience in electrical work is at least of an equivalent standard to that required under paragraph (a); and</p> <p>(c) prior to commencing the electrical installation work, the exempt person’s employer certifies in writing that the person is competent to perform the work and has been trained to do the work safely, and</p> <p>(d) the exempt person complies with the requirements of the Orange Book.</p> <p><i>Note: electrical safety regulations place general safety duties on the owners and operators of railway and tramway supply networks.</i></p> |
| <b>PUBLIC LIGHTING EQUIPMENT AFFIXED TO MEC OR RAILWAY COMPANY ASSETS</b>   |  |
| <p>38. Class D or Class C lineworker.</p>   | <p>Divisions 1, 2 and 3 of Part 3 of the Act (with the exception of section 43) do not have effect in relation to an exempt person who is authorised by a MEC or railway company to install, repair or replace public lighting that is affixed or to be affixed to the supply network of the MEC or railway company.</p>   |
| <b>PUBLIC LIGHTING EQUIPMENT NOT AFFIXED TO MEC OR RAILWAY COMPANY ASSETS</b>   |  |
| <p>39. Class D or Class C lineworker.</p>   | <p>Divisions 1, 2 and 3 of Part 3 of the Act (with the exception of section 43) do not have effect in relation to an exempt person installing, repairing or replacing public lighting that is not attached to the supply network of a MEC or railway company.</p> <p><b>Conditions</b></p> <p>This exemption is subject to the exempt person carrying out the electrical installation work under the effective supervision of a licensed electrician.</p>  |

| Column 1 – Exempt Person                          | Column 2 – Exemption  |
|---|---|
| <b>TELECOMMUNICATIONS NETWORKS AND FACILITIES</b> |   |
| 40. Person employed or engaged by a carrier.      | Divisions 1, 2 and 3 of Part 3 of the Act (with the exception of section 43) do not have effect in relation to an exempt person carrying out electrical installation work on electrical equipment that –<br>(a) is owned or operated by a carrier; and<br>(b) is used or to be used in connection with a telecommunications network or telecommunications facility. |

Dated 22 December 2020

Responsible Minister:

THE HON LILY D'AMBROSIO MP

Minister for Energy, Environment and Climate Change

CLAIRE CHISHOLM  
Clerk of the Executive Council

**Health Services Act 1988**

AMENDMENT OF SCHEDULE 1

Order in Council

The Governor in Council under section 8(1) of the **Health Services Act 1988** (the Act) amends Schedule 1 to the Act by amending the name of The Kilmore and District Hospital to Kilmore District Health. This Order comes into effect on the date it is published in the Government Gazette.

Dated 22 December 2020

Responsible Minister:

MARTIN FOLEY MP

Minister for Health

CLAIRE CHISHOLM  
Clerk of the Executive Council