

Criteria for Issue of a Regulatory License to an Electrical Contracting Licensed Regulatory Body – Draft

Foreword

EN 45011: 1998 is generally recognised as the international document that specifies the general "Criteria for conformity assessment bodies".

This document uses the requirements of EN 45011 as a basis for determining the general criteria applicable to applicants seeking a Regulatory License as an Electrical Contracting Licensed Regulatory Body from the Commission for Energy Regulation (CER).

These general criteria have been amplified to address the specific electrical contracting industry requirements and particularly to try to ensure that the industry is operated in a manner, which meets the highest possible standards of public safety.

These latter requirements derive from the draft criteria prepared by the DSO for the CER and subsequent comments received from AECl, the CER, ECSSA, ETCI & RECI.

Any queries on interpretation of the general criteria should be referred to ETCI/ NSAI.

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1 Scope

- 1.1 When electrical installation work is carried out in any premises responsibility for that installation resides with the contractor who carries out the work. It is of importance, from a public safety viewpoint, that such a contractor is technically competent and that either
- he or she is a member of a Licensed Regulatory Body which has set Registration requirements to ensure competence or
 - the Licensed Regulatory Body has itself inspected the installation.
- 1.2 This document sets out recommended criteria to be met for a body to receive a licence from the CER to regulate registered members in the industry.

2 References

- 2.1 EN 45011: 1998
- 2.2 Report to the Minister to Public Enterprise on a Role for the CER in the Regulation of the Electrical Contracting Industry – March 2002
- 2.3 Draft DSO Criteria - January 2002
- 2.4 CER Comments on DSO Draft Criteria June 2002.

3 Definitions and Abbreviations

- 3.1 For the purposes of this document following definitions apply:
- 3.1.1 *Competent Person*: - a person possessing the necessary technical knowledge, skills and experience relevant to the nature of the electrical work undertaken and who has the necessary electrical qualifications that are recognised by FAS.
- 3.1.2 *Principle Duty Holder*: - the person appointed by the enterprise to have responsibility for the maintenance of the overall standard and quality of the electrical installation work.
- 3.1.3 *Qualified Supervisor*: - a competent person with specific responsibility on a day to day basis for the safety, technical standard and quality of electrical installation work.
- 3.1.4 *Registered Electrical Installation Enterprise (Registered Electrical Contractor)*: - an Electro-technical enterprise undertaking electrical installation work in one or more of the categories listed in Appendix 1. An Electrical Installation Enterprise may be a competent:
- a) sole trader,
 - b) partnership,
 - c) limited liability company,
 - d) public limited company,
 - e) public authority,
 - f) or other enterprise carrying out electrical installation work

3.1.5 *Electrical Installation Work*:- the design, construction, verification and/or certification of one or more of the categories detailed in Appendix 1.

3.2 For the purposes of this document following abbreviations apply:

CER	Commission for Energy Regulation
DSO	Distribution System Operator
ETCI	Electrotechnical Council of Ireland
IEC	International Electrotechnical Commission
ISO	International Standards Organisation
MPRN	Meter Point Reference Number
NSAI	National Standards Authority of Ireland

4 Licensed Regulatory Body

4.1 General provisions

- 4.1.1 The policies and procedures under which the Licensed Regulatory Body operates and their administration shall be non-discriminatory and shall be administered in a non-discriminatory manner. Procedures shall not be used to impede or inhibit access by registered members for Registration or certification of installations, other than as provided for in the criteria for registration or in ETCI Wiring Rules or other such Rules as approved by ETCI.
- 4.1.2 The Licensed Regulatory Body shall make its services accessible to all registered members whose activities fall within its declared field of operation. There shall not be undue financial or other conditions other than as provided for in the criteria for registration. Access shall not be conditional upon the size of the contractor.
- 4.1.3 The criteria against which Registration is evaluated shall be those outlined in the Rules for Registration. It shall be formulated by relevant and impartial committees or persons possessing the necessary technical competence, and published by the Regulatory Body.
- 4.1.4 The criteria against which installations are evaluated for certification shall be those outlined in ETCI Wiring Rules or other such Rules as approved by ETCI. If explanation is required as to the application of these Rules for a specific certification system, it shall be formulated by relevant ETCI committees and published by the Licensed Regulatory Body.
- 4.1.5 The Licensed Regulatory Body shall confine its requirements, evaluation and decision on Registration or certification to those matters specifically related to the scope of the Registration or certification being considered.

4.2 Organisation

- 4.2.1 The constitution or memorandum of association of the Licensed Regulatory Body must include a commitment 'to promote and ensure an acceptable standard of workmanship and technical competence within the electrical contracting industry'

4.2.2 The structure of the Licensed Regulatory Body shall be such as to foster confidence in certifications issued by its members or itself. In particular, the Licensed Regulatory Body shall:

- a) be impartial;
- b) be responsible for decisions relating to granting, maintaining, extending, suspending and withdrawing of Registration;
- c) be responsible for decisions relating to its' granting of certification;
- d) identify the management (committee, group or person) which shall have overall responsibility for all of the following:
 - 1) performance of testing, inspection, evaluation and certification as defined in these criteria,
 - 2) formulation of policy matters relating to the operation of the Licensed Regulatory Body,
 - 3) decisions on Registration,
 - 4) decisions on certification
 - 5) supervision of the implementation of its policies,
 - 6) supervision of the finances of the body,
 - 7) delegation of authority to committees or individuals as required to undertake defined activities on its behalf,
 - 8) technical basis for granting certification;
- e) have documents which demonstrate it is a properly constituted legal entity, i.e. documents to show it is a company established under the relevant Company's Act [or a body established under the relevant Friendly Societies Act];
- f) have a documented structure which safeguards impartiality including provisions to ensure the impartiality of the operations of the Licensed Regulatory Body; this structure shall enable the participation of all parties significantly concerned in the development of policies and principles regarding the content and functioning of the Registration and certification systems; In particular the CER, the DSO and the Electro-Technical Council of Ireland shall be entitled to nominate directors to the board of the Licensed Regulatory Body. However serving Board members shall not be involved in any auditing activities by bodies associated with the electrical contracting industry.
- g) have rights and responsibilities relevant to its Registration and certification activities;
- h) have adequate arrangements to cover liabilities arising from its operations and/or activities;
- i) have the financial stability and resources required for the operation of a Registration and certification system;
- j) employ a sufficient number of personnel having the necessary education, training, technical knowledge and experience for performing registration and certification functions relating to the type, range and volume of work performed, under a responsible senior executive; There must be at least one technically competent person employed. This person must be conversant with the ETCI Wiring Rules or other such Rules as approved by ETCI and must be able to demonstrate competence in their interpretation and application.

- a) have a quality system giving confidence in its ability to operate a registration and certification system.
- l) have policies and procedures that distinguish between certification and any other activities in which the Licensed Regulatory Body is engaged;
- m) together with its senior executive and staff, be free from any commercial, financial and other pressures that might influence the results of the certification process;
- n) have formal rules and structures for the appointment and operation of any committees which are involved in the registration and certification process; such committees shall be free from any commercial, financial and other pressures that might influence decisions; a structure where members are chosen to provide a balance of interests where no single interest predominates will be deemed to satisfy this provision;
- o) ensure that activities of related bodies do not affect the confidentiality, objectivity and impartiality of its registrations and certifications, and it shall not:
 - 1) engage in electrical contracting work,
 - 2) operate as a trade association and must be solely involved in the regulation of electrical contracting.
 - 3) give advice or provide consultancy services to the applicant as to methods of dealing with matters which are barriers to the Registration or certification processes.
 - 4) provide any other products or services which could compromise the confidentiality, objectivity or impartiality of its Registration or certification process and decisions;
- p) have policies and procedures for the resolution of complaints, appeals and disputes received from registered members or other parties about the handling of Registration, certification or any other related matters.

4.3 Operations.

- 4.3.1 The Licensed Regulatory Body shall take all steps necessary to ensure its members or itself (where applicable) evaluate conformance of installations with ETCI Wiring Rules or other such Rules as approved by ETCI according to the requirements of the certification system (see section 15). The Licensed Regulatory Body shall specify the relevant documents or parts thereof and any other requirements such as sampling, testing and inspection requirements which form the basis for the Registration and certification system.
- 4.3.2 In conducting its Registration and certification operations, the Licensed Regulatory Body shall observe, as appropriate, the requirements for the suitability and competence of body (ies) or person(s) carrying out testing, inspection and certification/registration as specified in the guides issued by ETCI.

4.4 Subcontracting

- 4.4.1 The Licensed Regulatory Body shall not subcontract work related to Registration or certification (e.g. testing or inspection) to an external body or person.

4.5 Quality system

- 4.5.1 The management of the Licensed Regulatory Body having executive responsibility for quality shall define and document its policy for quality and its objectives for, and commitment to, quality.
- 4.5.2 The management shall ensure that this policy is understood, implemented and maintained at all levels of the organisation.
- 4.5.3 The Licensed Regulatory Body shall operate an effective quality system in accordance with the relevant elements of this document and appropriate for the type, range and volume of work performed. This quality system shall be documented and the documentation shall be available for use by the Licensed Regulatory Body. The Licensed Regulatory Body shall ensure effective implementation of the documented quality system, procedures and instructions.
- 4.5.4 The Licensed Regulatory Body shall designate a person having direct access to its highest executive level who, irrespective of other responsibilities, shall have defined authority for
- ensuring that a quality system is established, implemented and maintained in accordance with this document, and
 - reporting on the performance of the quality system to the body's management for review and as a basis for improvement of the quality system.
- 4.5.5 The quality system shall be documented in a quality manual and associated quality procedures, and the manual shall contain or refer to at least the following:
- a quality policy statement;
 - a brief description of the legal status of the Licensed Regulatory Body, including the names of its owners and, if different, names of the persons who control it;
 - the names, qualifications, experience and terms of reference of the senior executive and other Registration and certification personnel, both internal and external;
 - an organisation chart showing lines of authority, responsibility and allocation of functions stemming from the senior executive;
 - a description of the organisation of the Licensed Regulatory Body, including details of the management (committee, group or person) identified in 4.2 c), its constitution, terms of reference and rules of procedure;
 - the policy and procedures for conducting management reviews;
 - administrative procedures including document control;
 - the operational and functional duties and services pertaining to quality, so that the extent and limits of each person's responsibility are known to all concerned;

- i) the procedure for the recruitment, selection and training of Licensed Regulatory Body personnel and monitoring of their performance;
- j) the procedure for the training of registered members and monitoring of their performance;
- k) its procedures for handling non-conformities and for assuring the effectiveness of any corrective and preventive actions taken;
- l) the procedures for evaluating Registration and certification and implementing the Registration and certification processes, including
 - 1) the conditions for issue, retention and withdrawal of Registration and certification documents,
 - 2) controls over the use and application of documents employed in the registration of members and certification of installations;
- m) the policy and procedure for dealing with appeals, complaints and disputes;

(Note: ISO 10011-1 provides guidelines on appropriate procedures for conducting internal audits.)

4.6 Conditions and procedures for granting, maintaining, extending, suspending and withdrawing of Registration and granting certification

- 4.6.1 The Licensed Regulatory Body shall:
 - a) specify the conditions for granting, maintaining and extending Registration, and
 - b) the conditions under which Registration may be suspended or withdrawn, and
 - c) granting certification.
- 4.6.2 The Licensed Regulatory Body shall have procedures to
 - a) grant, maintain, withdraw and, if applicable, suspend Registration and grant certification;
 - b) extend Registration;
 - c) re-evaluate Registration, in the event of changes significantly affecting the requirements for Registration, or changes in the ownership, structure or management of the contractor, if relevant, or in the case of any other information indicating that the contractor may no longer comply with the requirements of the Registration.

4.7 Internal audits and management reviews

- 4.7.1 The Licensed Regulatory Body shall conduct periodic internal audits covering all procedures in a planned and systematic manner, to verify that the quality system is implemented and is effective.

The Licensed Regulatory Body shall ensure that

- a) personnel responsible for the area audited are informed of the outcome of the audit;

- b) corrective action is taken in a timely and appropriate manner; and
 - c) the results of the audit are documented.
- 4.7.2 The body's management with executive responsibility shall review its quality system at defined intervals which are sufficiently short to ensure its continuing suitability and effectiveness in satisfying the requirements of this document and the stated quality policy and objectives. Records of such reviews shall be maintained.

4.8 Documentation

- 4.8.1 The Licensed Regulatory Body shall provide (through publications, electronic media or other means), update at regular intervals, and make available on request, the following:
- a) information about the authority under which the Licensed Regulatory Body operates;
 - b) a documented statement of its Registration system, including its rules and procedures for granting and extending Registration;
 - c) a documented statement of its certification system, including its rules and procedures for granting certification;
 - d) information about the evaluation procedures and registration process related to the Registration system;
 - e) information about the evaluation procedures and certification process related to the certification system;
 - f) a description of the means by which the organisation obtains financial support and general information on the fees charged to registered members for Registration or certification services;
 - g) a description of the rights and duties of registered members including requirements, restrictions or limitations on the use of the Licensed Regulatory Body's logo and on the ways of referring to the Registration granted;
 - h) information about procedures for handling complaints, appeals and disputes;
 - i) a directory of registered members.
- 4.8.2 The Licensed Regulatory Body shall establish and maintain procedures to control all documents and data that relate to its Registration and certification functions. These documents shall be reviewed and approved for adequacy by the CER or the CER's duly appointed agent prior to issuing any documents following initial development or any subsequent amendment or change being made. A listing of all appropriate documents with the respective issue and/or amendment status identified shall be maintained. The distribution of all such documents shall be controlled to ensure that the appropriate documentation is made available to personnel of the Licensed Regulatory Body or registered members when they are required to perform any function relating to the Licensed Regulatory Body's activities.
- 4.8.3 The Licensed Regulatory Body shall publish a list of its members annually and shall publish a newsletter at least quarterly.

4.9 Records

- 4.9.1 The Licensed Regulatory Body shall maintain a record system to suit its particular circumstances and to comply with existing regulations. The records shall demonstrate that the registration and certification procedures have been effectively fulfilled, particularly with respect to application forms, evaluation reports, auditing & inspection activities and other documents relating to granting, maintaining, extending, suspending or withdrawing registration or withdrawing certification. The records shall be identified, managed and disposed of in such a way as to ensure the integrity of the process and the confidentiality of the information. The records shall be kept for minimum of 6 years or more as required by law.
- 4.9.2 The Licensed Regulatory Body shall have a policy and procedures for retaining records for a period consistent with its contractual, legal or other obligations. The Licensed Regulatory Body shall have a policy and procedures concerning access to these records consistent with 4.10.1.

(Note: The question of the length of time for retention of records requires specific attention in the light of legal circumstances and recognition arrangements.)

4.10 Confidentiality

- 4.10.1 The Licensed Regulatory Body shall have adequate arrangements consistent with applicable laws to safeguard confidentiality of the information obtained in the course of its Registration and certification activities at all levels of its organisation, including committees and external bodies or individuals acting on its behalf.
- 4.10.2 Except as required in this document or by law, information gained in the course of Registration and certification activities about a particular contractor shall not be disclosed to a third-party without the written consent of the contractor. Where the law requires information to be disclosed to a third-party, the contractor shall be informed of the information provided as permitted by the law.

5 Licensed Regulatory Body personnel

5.1 General

- 5.1.1 The personnel of the Licensed Regulatory Body shall be competent for the functions they perform, including making required technical judgements, framing policies and implementing them.
- 5.1.2 Clearly documented instructions shall be available to the personnel describing their duties and responsibilities. These instructions shall be maintained up to date.

5.2 Qualification criteria

- 5.2.1 In order to ensure that evaluation and certification are carried out effectively and uniformly, the minimum relevant criteria for the competence of personnel shall be defined by the Licensed Regulatory Body.
- 5.2.2 The Licensed Regulatory Body shall require its personnel involved in the Registration and

certification process to sign a contract or other document by which they commit themselves

- a) to comply with the rules defined by the Licensed Regulatory Body, including those relating to confidentiality and independence from commercial and other interest; and
- b) to declare any prior and/or present association on their own part, or on the part of their employer, with a contractor to the evaluation, registration or certification of which they are to be assigned.

The Licensed Regulatory Body shall ensure that, and document how, any contracted personnel for their own part, and on the part of their employer if any, satisfy all the requirements for personnel outlined in this document.

5.2.3 Information on the relevant qualifications, training and experience of each member of the personnel involved in the Registration and certification process shall be maintained by the Licensed Regulatory Body. Records of training and experience shall be kept up to date, in particular the following:

- a) name and address;
- b) organisation affiliation and position held;
- c) educational qualification and professional status;
- d) experience and training in each field of the Licensed Regulatory Body's competence;
- e) date of most recent updating of records;
- f) performance appraisal.

6 Changes in Registration and certification requirements

- 6.1 The Licensed Regulatory Body shall give due notice of any changes intended to be made in its requirements for Registration or certification. It shall take account of views expressed by interested parties before deciding on the precise form and effective date of the changes. Following decision on, and publication of, the changed requirements, it shall verify that each contractor makes any necessary adjustments within such time as, in the opinion of the Licensed Regulatory Body, is reasonable.
- 6.2 Wiring Rules or other such Rules as approved by ETCI and statutory regulations may change. The Licensed Regulatory Body shall have in place a system for training its members to ensure that they are kept up to date with installation and testing procedures and with changes in the Wiring Rules or other such Rules as approved by ETCI and statutory regulations. Training shall be provided whenever changes are made to requirements affecting electrical installation work (including, inter alia, amendments to wiring regulations and health and safety regulations) but in any event should be no less frequent than every five years. Details of such training systems and a record of attendance of members shall be retained and shall be made available to the CER or its agents on request.

7 Appeals, complaints and disputes

- 7.1 Appeals, complaints and disputes brought before the Licensed Regulatory Body by registered members or other parties shall be subject to the procedures of the Licensed Regulatory Body.
- 7.2 Each Licensed Regulatory Body shall:
- a) keep a record of all appeals, complaints and disputes and remedial actions relative to Registration or certification;
 - b) take appropriate subsequent action;
 - c) document the action taken and its effectiveness.

8 Application for Registration

8.1 Information on the procedure

- 8.1.1 The Licensed Regulatory Body shall provide to applicants an up-to-date detailed description of the evaluation and registration procedures, appropriate to each work category and form of membership, and the documents containing the requirements for registration, the applicants' rights and duties (including fees to be paid by applicants).
- 8.1.2 The Licensed Regulatory Body shall require that an applicant
- a) always complies with the relevant provisions of the registration programme;
 - b) makes all necessary arrangements for the conduct of the evaluation, including provision for examining documentation and access to all areas, records and personnel for the purposes of evaluation (e.g. testing, inspection, assessment, reassessment) and resolution of complaints;
 - c) makes claims regarding registration only in respect of the work category for which registration has been granted;
 - d) does not use registration in such a manner as to bring the Licensed Regulatory Body into disrepute and does not make any statement regarding registration that the Licensed Regulatory Body may consider misleading or unauthorised;
 - e) upon suspension or withdrawal of registration, discontinues its use of all advertising matter that contains any reference thereto and returns any registration documents as required by the Licensed Regulatory Body (see section 15.9).
 - f) uses registration only to indicate that installations are certified as being in conformity with ETCI Wiring Rules and other such rules as approved by ETCI;
 - g) endeavours to ensure that no certificate or report nor any part thereof is used in a misleading manner;
 - h) in making reference to registration in communication media such as documents, brochures or advertising, complies with the requirements of the Licensed Regulatory Body.

- 8.1.3 The Licensed Regulatory Body shall provide any explanation needed to the applicant regarding scope of registration i.e. work category and class of membership.
- 8.1.4 If requested, additional application information shall be provided to the applicant.

8.2 The application

- 8.2.1 The Licensed Regulatory Body shall require completion of an official application form, signed by the applicant or a duly authorised representative of the applicant, in which or attached to which are the following:
- a) the scope of the desired registration i.e. work category and class of membership;
 - b) a statement that the applicant agrees to comply with the requirements for registration and to supply any information needed for evaluation.
- 8.2.2 The applicant, as a minimum, shall provide the following information:
- a) corporate entity, name, address and legal status;
 - b) required registration i.e. Work category and membership class.

9 Rules for Registered Membership of a Licensed Electrical Contracting Regulatory Body

9.1 Requirements relating to Competency

- 9.1.1 *Electrical Installation Work:* The Registered Electrical Contractor shall be directly engaged in carrying out electrical installation work in one or more of the categories detailed in Appendix 1.
- 9.1.2 *Technical Reference Documents:* The Registered Electrical Contractor shall have current editions of Rules [e.g. ETCI's National Rules for Electrical Installations ET 101], Regulations [e.g. SI No. 44 of 1993, Part VIII Electricity] and technical reference documents appropriate to the range, scale and categories of work undertaken.
- 9.1.3 *Test Instruments:* The Registered Electrical Contractor shall have an adequate number of serviceable test instruments and test leads appropriate to the range, scale, geographical spread and category of electrical work undertaken. All test instruments held shall be calibrated in accordance with the manufacturer's recommendations. In the absence of such recommendations, the instruments shall be checked for accuracy annually. Records of all calibrations/annual checks of test instruments shall be maintained. Appendix 2 details the range of instruments to be held at each Contracting Office for each category of work.
- 9.1.4 *Certification of Electrical Installation Work:* The Registered Electrical Contractor shall issue appropriate valid certificates in accordance with the relevant Rules/Regulations, for all electrical installation work carried out. For record and assessment purposes the Registered Electrical Contractor shall, at any time, have available certification issued for a minimum of six years, or as otherwise statutorily required, whichever is the greater.
- 9.1.5 The Registered Electrical Contractor shall not be a member of more than one Licensed Regulatory Body at any point in time

9.1.6 Personnel

- 9.1.6.1 The Registered Electrical Contractor, who is not a sole trader, shall appoint a Principle Duty Holder and nominate at least one Qualified Supervisor at each Contracting Office as appropriate to the range, scale, geographical spread and category of electrical work undertaken from that Contracting Office. A Principle Duty Holder may also be a Qualified Supervisor. The nominated Qualifying Supervisors shall be subject to the acceptance of the Licensed Body and be registered by the Licensed Body
- 9.1.6.2 A Registered Electrical Contractor who is a sole trader, and who has the necessary competencies, shall be regarded as fulfilling the role of the Qualified Supervisor for him/herself.
- 9.1.6.3 The Registered Electrical Contractor shall employ only competent persons to carry out electrical installation work.
- 9.1.6.4 The Principle Duty Holder shall ensure that appropriate information for certification is issued
- 9.1.6.5 The Principle Duty Holder shall have an understanding of, and be responsible for, the health and safety and other statutory requirements relating to the electrical installation work being undertaken by the enterprise.
- 9.1.6.6 The Principle Duty Holder shall ensure that Qualified Supervisors are assigned to electrical installation work.
- 9.1.6.7 The Registered Electrical Contractor shall directly employ a Qualified Supervisor on a full time basis. The Qualified Supervisor shall have responsibility, on a day to day basis, for the safety, quality and technical standard of the electrical work. The Qualified Supervisor shall ensure that the results of the verification process are accurately recorded on the forms of certification.
- 9.1.6.8 A Qualified Supervisor shall satisfy the following knowledge, training and experience requirements for each category of electrical installation work for which supervisory responsibility has been allocated:
- a) To satisfy the training and experience requirements as prescribed in Appendix 3
(Note: - appendix 3 presently only covers Work Category AI [Electrical Installations up to 1kV in building and industrial locations] but it may be expanded to cover other work categories in the future)
 - b) To subsequently have at least two consecutive years managerial or supervisory responsibility for electrical installation work
 - c) To be conversant with the statutory regulations [S.I. No 44 of 1992, Part VIII Electricity]
 - d) To understand the relevant Rules [e.g. ETCI's National Rules for Electrical Installations ET 101] for the range of electrical installation work undertaken.
 - e) To be well versed in the inspection, testing, certification and reporting procedures for the range of electrical installation work undertaken, and has successfully completed a recognised verification and certification course.
- 9.1.7 **Insurance:** The Registered Electrical Contractor shall hold at least €2.5 million of public liability insurance covering each category of work undertaken.

10 Preparation for evaluation

- 10.1 Before proceeding with the evaluation, the Licensed Regulatory Body shall conduct, and maintain records of; a review of the application for registration to ensure that
- a) the requirements for registration are clearly defined, documented and understood;
 - c) any difference in understanding between the Licensed Regulatory Body and the applicant is resolved; and
 - c) the Licensed Regulatory Body has the capability to perform the registration service with respect to the scope of the registration sought and, if applicable, the location of the applicant's operations and any special requirements such as the language used by the applicant.
- 10.2 The Licensed Regulatory Body shall prepare a plan for its evaluation activities to allow for the necessary arrangements to be managed.
- 10.3 The Licensed Regulatory Body shall assign personnel appropriately qualified to perform the tasks for the specific evaluation. Personnel shall not be assigned if they have been involved in, or been employed by a body involved in, the electrical contracting business within a time period (minimum 6 months) which could conflict with impartiality.
- 10.4 To ensure that a comprehensive and correct evaluation is carried out, the personnel involved shall be provided with the appropriate working documents.

11 Evaluation

- 11.1 The Licensed Regulatory Body shall evaluate electrical installation work performed by the applicant against the documents covered by the scope defined in its application against all registration criteria specified in the rules of the scheme.

12 Evaluation report

- 12.1 The Licensed Regulatory Body shall adopt reporting procedures that suit its needs but, as a minimum, these procedures shall ensure that
- a) personnel appointed to evaluate the conformance of the electrical installations shall provide the Licensed Regulatory Body with a report of findings as to the conformity with all the registration requirements;
 - b) a full report on the outcome of the evaluation is promptly brought to the applicant's notice by the Licensed Regulatory Body, identifying any non-conformities that have to be discharged in order to comply with all of the registration requirements and the extent of further evaluation or testing required. If the applicant can show that remedial action has been taken to meet all the requirements within a specified time limit, the Licensed Regulatory Body shall repeat only the necessary parts of the initial procedure.

13 Decision on registration

- 13.1 The decision as to whether or not to grant registration to an applicant shall be taken by the Licensed Regulatory Body on the basis of the information gathered during the evaluation process and any other relevant information.
- 13.2 The Licensed Regulatory Body shall not delegate authority for granting, maintaining, extending, suspending or withdrawing registration to an outside person or body.
- 13.3 The Licensed Regulatory Body shall provide to each application granted registration, formal registration documents such as a letter or a certificate signed by an officer who has been assigned such responsibility. These formal registration documents shall permit identification of the following:
- a) the name and address of the applicant who is the subject of registration;
 - b) the scope of the registration granted, including, as appropriate,
 - 1) Work category,
 - 2) Membership class,
 - c) the effective date of registration, and the term of the registration if applicable.
- 13.4 In response to an application for amendment to the work category or class of membership already granted, the Licensed Regulatory Body shall decide what, if any, evaluation procedure is appropriate in order to determine whether or not the amendment should be made and shall act accordingly.

14 Inspection and Auditing of Registered Members

14.1 General

- 14.1.1 The Licensed Regulatory Body shall have documented procedures to enable inspection and auditing of Registered members to be carried out in accordance with the criteria applicable to the relevant certification system.
- 14.1.2 The Licensed Regulatory Body shall require the registered member to inform it about any of the changes cited in 4.6.2 c). The Licensed Regulatory Body shall determine whether the announced changes require further investigations. If such is the case, the Registered member shall not be allowed to certify electrical installations until the Licensed Regulatory Body has notified him/her accordingly.
- 14.1.3 The Licensed Regulatory Body shall document its inspection and auditing activities.
- 14.1.4 The Licensed Regulatory Body shall formally confirm whether registration is being maintained, suspended, withdrawn or otherwise altered following inspections or audits.
- 14.1.5 All members (e.g. provisional, affiliate, associate, full) of a Licensed Regulatory Body will be subject to audit and inspection by inspectors working for the Licensed Body.
- 14.1.6 Licensed Regulatory Bodies and their members will be subject to audit and inspection by external auditors working on behalf of the CER.

14.2 Inspection Regime [Licensed Regulatory Body]

- 14.2.1 The Licensed Regulatory Body shall have its' own auditing and inspection regime. It shall employ a sufficient number of inspectors to achieve a ratio of one inspector for every 250 contractors. In any event it must employ at least one full time inspector.
- 14.2.2 The Licensed Regulatory Body must provide a nationwide inspection and certification service for non- registered contractors, who are properly qualified, at a cost, which appropriately reflects the cost of providing such a service.
- 14.2.3 The Licensed Regulatory Body shall carry out a minimum of one inspection per annum of the contractor's work. A minimum of two inspections in the first six months must be carried out for new members.
- 14.2.4 The Licensed Regulatory Body shall, as a minimum, carry out inspections of the first three electrical installations completed by provisional members, and such other inspections as are necessary for assessment and transfer to full membership.
- 14.2.5 Inspectors working for the Licensed Regulatory Body cannot themselves be currently engaged in any installation activity as an electrical contractor.
- 14.2.6 The Licensed Regulatory Body must have a system in place for vetting returned completion certificates. Records of problems highlighted and action taken must be kept.
- 14.2.7 The Licensed Regulatory Body must verify that post connection tests are carried out as quickly as possible by both registered and non-registered contractors.
- 14.2.8 The Licensed Regulatory Body shall produce an annual "audits and inspections" report. This shall include the number of inspections, the frequency and an analysis of the problems found and follow up actions taken.

14.3 Inspection of Registered Electrical Contractors.

- 14.3.1 Every electrical contractor shall permit audit and inspection at any reasonable time. Continuity of registration is dependent on successful audit and inspection. All or any of the following may be audited/inspected:
- 14.3.1.1 All Records. [Records for building / construction activities must be kept for six years. Records of accidents / incidents must be kept for ten years or as otherwise required by statutory regulation.]
- 14.3.1.2 Qualifications and Training Records of electricians and managers.
- 14.3.1.3 Tools and equipment including test equipment. [Test equipment must be owned by the contractor]
- 14.3.1.4 Certification records of test equipment
- 14.3.1.5 Insurance certificates.
- 14.3.1.6 Copies of issued certificates.

- 14.3.1.7 Test record sheets.
- 14.3.1.8 Installation works completed.
- 14.3.1.9 Installation works in progress.

14.4 Inspection Regime CER

14.4.1 Licensed Regulatory Bodies.

- 14.4.1.1 Licensed Regulatory Bodies and their members must be open to audit and inspection by external auditors working on behalf of the CER.
- 14.4.1.2 The Licensed Regulatory Body must make all records of audits / inspections carried out by its inspectors available for audit.
- 14.4.1.3 The Licensed Regulatory Body must allow access to all records of audits on returned completion certificates, records of problems found and follow up actions taken.
- 14.4.1.4 The Licensed Regulatory Body must allow access to all records of audits on the carrying out of post connection tests by both registered and non registered contractors, records of problems found and follow up actions taken.
- 14.4.1.5 The Licensed Regulatory Body must allow access to all disciplinary records.

14.4.2 Registered Electrical Contractors.

- 14.4.2.1 Registered Electrical Contractors are subject to the same audit requirements by the CER as those carried out by the Licensed Regulatory Body's own inspectors (See 14.3).
- 14.4.2.2 Inspectors working on behalf of CER may carry out inspections on work in progress

15 The Certification Process for Electrical Installations

15.1 Introduction

- 15.1.1 Certification of an electrical installation is a means of providing assurance to the customer that the certified installation complies with specified standards and other normative documents (e.g. The relevant rules of, or recognised by, the Electro-technical Council of Ireland, and the statutory laws (e.g. SI 44 of 1993 Part VIII)).

15.2 Mandatory Certification

- 15.2.1 It is a requirement of the DSO that a test certificate recognised by ETCI is provided prior to the connection of electrical installations in the following circumstances:
 - a) All new installations/re-wires requiring connection/reconnection to the DSO network
 - b) All alterations to existing installations involving changes to the wiring between the DSO connection point/meter and the customer's main distribution board.

- c) All electrical installations where the DSO has disconnected supply with the customer's consent for a period greater than six months.
- 15.2.2 All new electrical installations and alterations/extensions to existing installations shall be verified and certified as complying with the relevant ETCI Wiring Rules or other such Rules as approved by ETCI. This declaration shall be in the form of a test certificate recognised by the ETCI and issued by an electrical contractor who is a registered member of a Licensed Regulatory Body who constructed and tested the electrical installation in question. Where an electrical installation contains a sub-system provided by another installer/contractor, a sub-system completion certificate shall be issued in accordance with the relevant ETCI Wiring Rules or other such Rules as approved by ETCI.

15.3 Who can issue a certificate?

- 15.3.1 Only those contractors, who are registered members of a Licensed Regulatory Body, can issue a certificate. These certificates may only be used by the contractor to whom they are issued for work carried out by that contractor, except in exceptional circumstances where explicit written approval is given by the Licensed Regulatory Body.
- 15.3.2 In the event that the contractor does not have self-certification rights, the certificate is countersigned by an inspector from a Licensed Regulatory Body.
- 15.3.3 The Licensed Regulatory Body must provide a nation-wide inspection and certification service to non-members at a fee, which appropriately reflects the cost of providing the service.
- 15.3.4 This service shall ensure that both the pre-connection and post connection tests required by ETCI are completed ASAP as a part of this service.

15.4 Competency to certify

- 15.4.1 All persons approved for certification of electrical installations must:
- 15.4.1.1 be registered members of a Licensed Regulatory Body (see also Appendix 3).
 - 15.4.1.2 be competent,
 - 15.4.1.3 be conversant with current wiring rules and statutory regulations,
 - 15.4.1.4 have completed a recognised verification and certification course,

15.5 Certificate Types

- 15.5.1 There are a variety of ETCI certificates (including sub-system completion certificates) available to be used for different purposes by the registered electrical contractor. These are to be used only for the purposes for which they were designed. The various ETCI publications make it clear which certificates apply and where. In addition to the paper based certificates there is also an electronic version, which is available under the same controls, as the paper based version.
- 15.5.2 These certificates shall only be made available to Licensed Regulatory Bodies by ETCI.

15.6 The Valid Test / Completion Certificate Details

- 15.6.1 The registered contractor who constructs the installation and subsequently signs the completion

- certificate is making a formal declaration that the installation as installed by him/her complies with the relevant ETCI Wiring Rules or other such Rules as approved by ETCI and is ready for connection to the electricity supply network.
- 15.6.2 All sections must be filled in either with a tick or a value as instructed on the certificate. The certificate should indicate whether it is in respect of construction and test or test only. Test only is acceptable only where the installation is existing (i.e. previously connected).
- 15.6.3 In a new installation constructing contractors must tick construction and test.
- 15.6.4 The MPRN (meter point reference number) should be inserted in the box provided where appropriate.
- 15.6.5 All sections of the certificate shall be completed otherwise the certificate will be considered invalid.
- 15.6.6 If a comment box is included on the certificate it shall be used only for the purpose of providing additional information. On no account should statements disclaiming responsibility for part/parts of the installation, or any statement rendering the certificate null and void be made.
- 15.6.7 The distribution of paper certificates and copies is shown at the bottom of each certificate and copy.
- 15.6.8 The yellow certificate is deemed to be the "completion certificate", the green and white images are copies. The yellow certificate should be given to the customer after the post-connection tests have been completed and entered on the certificate and the certificate signed to that effect.
- 15.7 Certification Process for connection of new installations to the DSO network**
- 15.7.1 The valid green copy is submitted to the DSO in order that the DSO makes supply available to an isolator which is the boundary point between the customer's installation and the DSO network.
- 15.7.2 The DSO should not accept certificates that are invalid. Any certification considered invalid should be returned to the appropriate licensed regulatory body immediately for appropriate follow up with the contractor concerned. Records of the "returned" green copy shall be kept by DSO and shall be made available for audits by authorised officers of the CER.
- 15.7.3 After supply has been made available the DSO must return all green copies as soon as practicable to the appropriate licensed regulatory body.
- 15.7.4 The contractor responsible for the construction and testing of the electrical installation shall energise the customers installation and at this point in time conduct, verify and certify the post connection tests required by ETCI.
- 15.7.5 The contractor shall supply the customer with the duly completed yellow certificate, which will contain a record of the pre and post connection tests required by ETCI.
- 15.7.6 The white copy of the certificate containing the same results will be held by the contractor and will be made available at any reasonable time to the licensed regulatory body's inspector.
- 15.7.7 Likewise the contractor shall make available all documentation to officers or agent of the CER who will audit a certain percentage of all contractors on a select or random basis.
- 15.7.8 The white certificate copies and test record sheets must be kept in an orderly fashion by the electrical contractor and be available for inspection for at least six years or as otherwise statutorily

required, whichever is the greater.

- 15.7.9 The regulatory body shall keep in an orderly fashion the green certificate copy or a facsimile of it for a period of not less than six years or as otherwise statutorily required, whichever is the greater.
- 15.7.10 All green certificates shall be capable of being easily accessed using either the certificate number and/or the customers name and address. They must be made available for regular audits by authorised officers or agents of the CER.
- 15.7.11 The licensed regulatory body shall audit each green copy and any invalid copies must be set aside for immediate follow up with the contractor concerned. The regulatory body shall keep a record of all incorrect certificates.
- 15.7.12 All copies marked “temporary” or “interim” supply must also be set aside for the appropriate follow up.
- 15.7.13 An appropriate follow up for temporary supplies is a site visit if the permanent certificate is not issued within six months in the case of new installations.
- 15.7.14 Interim certificates shall only be issued in exceptional circumstances. When issued it is the responsibility of the electrical contractor to issue the final green certificate directly to the licensed regulatory body within a three-month period. It is the regulatory body’s responsibility to ensure that this happens and that this process is not abused. All “interim” certificates shall be recorded and be available to the CER Auditors.

15.8 Misuse of Certificates

- 15.8.1 Contractors to whom certificates have been issued by a licensed regulatory body shall not certify electrical work that has not been constructed by themselves, except in the case of previously connected installations, e.g. re-connection of electrical installation by the DSO after disconnection period of more than six months.
- 15.8.2 Contractors shall not under any circumstances sell or give certificates to anyone including registered or non-registered contractors.
- 15.8.3 Any breaches of the above will entail an appropriate penalty as defined in the licensed regulatory body’s rules.

15.9 Withdrawal of self-certification privileges

- 15.9.1 In circumstances where the licensed regulatory body withdraws the privilege of self certification from a contractor, or when a contractor’s registration ceases, it is the responsibility of the licensed regulatory body to:
- 15.9.1.1 Ensure all outstanding unused certificates are recovered immediately from the contractor.
- 15.9.1.2 To ensure that the contractor is fully aware of the fact that he/she cannot self certify an electrical installation. Confirming this instruction by registered letter or equivalent e-mail (with a read receipt). These communications to be filed by the licensed regulatory body and be subject to periodic audit by the authorised officers or agents of the CER.
- 15.9.1.3 To notify without delay the other licensed regulatory bodies and the DSO of the de-registered contractor's name/address/registration number. Similarly it is essential where the privilege of

self-certification has been restored that the DSO and other licensed regulatory bodies are advised without delay.

15.10 Customer/ Electrical Contractor Disputes

- 15.11 The certification process shall not be used as a means of resolving a dispute between the customer and the electrical contractor i.e. the green copy shall not be withheld by the contractor in a dispute situation, thereby depriving the customer of a connection to the network by the DSO. The regulatory body shall ensure, as far, as is practicable, that in such situations it will have sufficient policy/procedures in place to expedite a resolution of the dispute.

16 Use of ETCI Completion Certificates and registration logo

- 16.1 The Licensed Regulatory Body shall exercise proper control over ownership, use of certificates and display of the bodies Registration logo.
- 16.2 The Licensed Regulatory Body must immediately notify other licensed Regulatory Bodies of any of its registered members who are no longer permitted to issue certificates. All unused certificates currently held by such members must be withdrawn by the Licensed Regulatory Body (see 17.8).
- 16.3 Blank ETCI Completion Certificates shall only be issued to members. These certificates may only be used by the contractor to whom they are issued for work carried out by that contractor except in exceptional circumstances where explicit written approval is given by the Licensed Regulatory Body. Quality office procedures shall be in place to ensure that copies of all certificates issued by members are kept on file for later retrieval if necessary. Details of such procedures shall be made available to the CER or its agents on request.
- 16.4 Incorrect references to the Registration or misleading use of certificates or logo, found in advertisements, catalogues, etc., shall be dealt with by suitable action. Such actions can include corrective action, withdrawal of certificate, publication of the transgression and, if necessary, other legal action.

(Note: Guidance on the use of logos permitted by the Licensed Regulatory Body may be obtained from ISO IEC Guide 23.)

(Note: Guidance on corrective action may be obtained from ISO/IEC Guide 27.)

17 Complaints to Registered members

- 17.1 The Licensed Regulatory Body shall require Registered members to:
- 17.1.1 keep a record of all complaints made known to the Registered member relating to the electrical installation compliance with requirements of ETCI Wiring Rules or other such Rules as approved by ETCI and to make these records available to the Licensed Regulatory Body when requested;
- 17.1.2 take appropriate action with respect to such complaints and any deficiencies found in electrical installation or services that affect compliance with the ETCI Wiring Rules or other such Rules as approved by ETCI;
- 17.1.3 document the actions taken.

18 Indemnity

- 18.1 The Licensed Regulatory Body itself, as well as its members, must indemnify (to the value of €m) the CER, or any body acting on its behalf, against any claim arising from the work of its members or its own work.

19 Acceptance of terms before granting of licence

- 19.1 The Licensed Regulatory Body must accept and implement all of the conditions of this document, or any other conditions deemed appropriate by the CER, before being granted a licence.

20 Non Compliance

- 20.1 A Licensed Regulatory Body which is found to be in breach of the criteria outlined in this document shall be served with an enforcement notice by the CER and shall be liable, ultimately, to withdrawal of its licence.

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Appendix 1

Work Categories:

A Electrical Installations up to 1kV

- A1 Electrical Installations in building and industrial locations
 - A1.1 Dwellings
 - A1.2 All Others
- A2 Security and CCTV systems
 - A2.1 Dwellings
 - A2.2 All Other
- A3 Fire Alarm Systems
 - A3.1 Dwellings
 - A3.2 All Other
- A4 Control systems installations for industrial process control
- A5 Underground cable networks for power distribution, public lighting and traffic control (including electrical connections)
- A6 Overhead power lines for power distribution, public lighting and traffic control (including electrical connections)

B Electrical Installations above 1kV and up to 38kV

- B1 Industrial installations
- B2 Overhead power lines (including electrical connections)
- B3 Underground networks for power distribution, (including electrical connections)
- B4 Public lighting installations

C Electrical Installations above 38kV

- C1 Industrial installations
- C2 Installations for power generation, transmission or distribution companies

D Communications Installations

- D1 Communication systems in buildings and industrial installations
- D2 Computer networks and peripheral equipment installation
- D3 Overhead communications infrastructures cabling
- D4 Underground communications infrastructures cabling

Extensions to each of the above categories of work may be granted as follows:

- E1 Installations in hazardous areas
- E2 General contracting

Appendix 2

Test Instruments

A Electrical Installations up to 1kV

For all categories of work under section A, the Registered Electrical Contractor shall hold the following test instruments as a minimum:

- Insulation resistance test instrument
- Continuity test instrument
- Voltage indicating instrument
- Phase/earth loop impedance test instrument
- Residual current device test instrument
- Suitable split test leads for both the phase/earth loop impedance test instrument and the residual current device test instrument

Two or more of the above test instruments may be combined in a single instrument

In addition the Registered Electrical Contractor shall hold additional test instruments particular to the electrical installation work categories undertaken.

Note: - appendix 2 presently only covers Work Category A [Electrical Installations up to 1kV] but it may be expanded to cover other work categories in the future

Note: The following EN Standards detail the requirements for the instruments used to carry out tests:

EN 61557-1	General for tests
EN 61557-2	Insulation tester
EN 61557-3	Loop impedance
EN 61557-4	Continuity
EN 61557-5	Earth resistance
EN 61557-6	Residual Current Devices
EN 61557-7	Phase sequence

Appendix 3

Qualification, Training and Experience requirements for Registered Electrical Contractors:

- 1 **Basic Technical Qualifications:** Every applicant must possess a technical qualification (e.g. National Craft Certificate (NCC) that is recognised by FÁS as appropriate to qualify as an electrician (such a person would have served a recognised apprenticeship). The applicant may then be considered for:
 - 1.1 **Registered Provisional Membership:** For a person with the appropriate qualification, but with no post qualification experience, the first 3 electrical installations completed by such a person shall be inspected by one of the Licensed Regulatory Body's inspectors. Provisional membership shall be for a maximum length of two years. A provisional member shall be eligible for full membership following successful assessment by the Licensed Regulatory Body's inspector.
 - 1.2 **Registered Electrical Contractor (Full member):** A person who has the appropriate qualification and a minimum of two years post qualification experience shall be eligible for full membership, subject to successful assessment by the Licensed Regulatory Body's inspector.
 - 1.3 **Qualifying Supervisor:** A Registered Electrical Contractor (Full member) who has two additional years post qualification experience shall be eligible to be registered as a Qualifying Supervisor, subject to successful assessment by the Licensed Regulatory Body's inspector.
 - 2 **Registered Electrical Contractor (Full member):** A person who has a 3rd level degree in Electrical Engineering shall be eligible for full membership.
- (Note: All registered members shall be well versed in the inspection, testing, certification and reporting procedures for the range of electrical installation work undertaken, and have successfully completed a recognised verification and certification course.)
- 3 **Associate and/or Affiliate Membership:** This membership may be appropriate to large organisations (e.g. Semi-State Bodies, Local Authorities etc.) Such membership may be granted only to those organisations that have competent persons who satisfy the requirements and are registered under 1.2, 1.3 or 2 above.