Regulation of Electrical Contractors with respect to Safety:

Definition for the Scope of Controlled Works

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<th>DOCUMENT TYPE:</th>
<th>Consultation Paper</th>
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<tbody>
<tr>
<td>REFERENCE:</td>
<td>CER/08/212</td>
</tr>
<tr>
<td>DATE PUBLISHED:</td>
<td>4th November 2008</td>
</tr>
<tr>
<td>CLOSING DATE:</td>
<td>3rd December 2008</td>
</tr>
<tr>
<td>RESPONSES TO:</td>
<td>Maurice Stack (<a href="mailto:mstack@cer.ie">mstack@cer.ie</a>)</td>
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Abstract:
On the 24th December 2006, the Energy (Miscellaneous Provisions) Act 2006 (“the Act”) was signed into law. Section 4 of the Act assigns to the Commission the function to “regulate the activities of electrical contractors with respect to safety”

Further, Section 9D (27) of the Act provides that the Commission may determine a class or classes of electrical works to be specified electrical works.

Further to the requirements of the legislation, the Commission has set about defining “specified electrical works” also known as “controlled works.”

Target Audience:
This Consultation Paper is aimed at the electrical contracting industry, other parties involved in or associated with the electrical contracting industry and the general public.

Related Documents/Reference Documents:
- Energy (Miscellaneous Provisions) Act, 2006;
- “Vision for the Regulation of Electrical Contractors with Respect to Safety” (CER/07/203) (and related Commission Response Paper - CER/07/204);

Note: All of the above documentation is published on the Commission’s website.
Executive Summary

Under section 4 of the Energy (Miscellaneous Provisions) Act 2006 (the ‘2006 Act’), the Commission for Energy Regulation (“the Commission”) has the responsibility to regulate the activities of electrical contractors with respect to safety. In November 2007, the Commission published the decision paper “Vision for the Regulation of Electrical Contractors with respect to Safety” (ref. CER/07/203) which sets out the Commission’s high-level approach to the regulation of electrical contractors with respect to safety.

The Regulatory Objective was stated as:

“To protect the safety interests of customers with respect to electrical installation activities through creating a suitable regulatory system which provides for electrical works to be carried out, tested and certified in compliance with the appropriate technical rules/standards.”

On the 28th April 2008 the Commission’s Decision on the Electrical Safety Supervisory Criteria Document (Version 1.0) was published following a consultation process. The definition of Controlled Works is a key element in the implementation of these Criteria.

The 2006 Act provides in Section 9D(27) that the Commission, having consulted with such persons as it considers appropriate, may determine that a class or classes of electrical works be “specified works” (now called “Controlled Works”), which will require the issue of a valid completion certificate.

The 2006 Act also provides in section 9E that the Commission “having consulted with such persons as it considers appropriate, and with the consent of the Minister may by regulations designate a class or classes of electrical work to be designated electrical works.” Designated electrical works (now called “Restricted Works”) can only be completed by a registered electrical contractor. Once designated electrical works are defined it will be illegal for any person who is not a registered electrical contractor to undertake these classes of work. The Commission will set the scope of the system for the regulation of electrical contractors with respect to safety by defining Controlled Works and, subsequently, a subset of Controlled Works as Restricted Works.

In this consultation paper, the Commission presents proposals on the definition of Controlled Works (see subsection 5.2) and will issue its Decision following completion of this consultation process.
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1.0 Introduction

1.1 The Commission for Energy Regulation

The Commission for Energy Regulation (“the Commission”) is the independent body responsible for overseeing the regulation of Ireland’s electricity and gas sectors. The Commission was initially established and granted regulatory powers over the electricity market under the Electricity Regulation Act, 1999.

The enactment of the Gas (Interim) (Regulation) Act, 2002 expanded the Commission’s jurisdiction to include regulation of the natural gas market, while the Energy (Miscellaneous Provisions) Act 2006 granted the Commission additional powers in relation to gas and electricity safety.

The Electricity Regulation Amendment (SEM) Act 2007 outlined the Commission’s functions in relation to the Single Electricity Market (SEM) for the island of Ireland. This market is regulated by the Commission and the Northern Ireland Authority for Utility Regulation (NIAUR).

The Commission is working to ensure that consumers benefit from regulation and the introduction of competition in the energy sector.

With regard to electrical safety, the Commission’s function further to the Energy (Miscellaneous Provisions) Act 2006 is to regulate the activities of electrical contractors with respect to safety. As part of the implementation of the provisions of the Act, the Commission has discharged this new responsibility primarily through the appointment of bodies to act as regulatory bodies for electrical contractors. The Commission has also set criteria for the appointed bodies and their members including conditions relating to safety standards to be achieved and maintained in electrical work and the procedures for the inspection of such work.

The Commission is currently in the process of finalising the development and implementation of a new regulatory system\(^1\) and in that regard this consultation is a critical input in that work.

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\(^1\) Following a Public Procurement Process, the Commission has appointed both Electrical Contractors Safety & Standards Association Ltd (ECSSA) and Registered Electrical Contractors of Ireland Ltd (RECI) to operate the new regulatory system on behalf of the Commission.
1.2 Purpose of this Paper
The purpose of this paper is to seek the views of the electrical contracting industry, other stakeholders and the general public with regard to the proposed definition of the scope of Controlled Works (where Controlled Works are those works which shall be required to be certified through the issuance of a “Completion Certificate” as provided under the 2006 Act).

In order to make an informed and impartial decision on this topic, the Commission wishes to obtain comments from the electrical contracting industry, members of the public and all other interested parties, particularly those involved in and/or associated with any aspect of the electrical contracting industry and electrical installation works and/or standards.

The Commission commits to considering all views equally and affording each respondent the opportunity to clarify any issue raised in this paper.

1.3 Background Information
This Consultation Paper is further to the Commission’s work with regard to the design, development and implementation of its new functions, and the new regulatory system in that regard, concerning the regulation of the activities of electrical contractors with respect to safety.

The definition of the scope of Controlled Works, further to this consultation process, will form a critical input into this work as it will determine the scope of the new regulatory system – i.e. in regulating the activities of electrical contractors, the scope of Controlled Works shall determine what electrical works (i.e. activities) are to be regulated.

1.4 Structure of this paper
This paper is structured as follows:

- **Section 2** outlines the background to the new regulatory system for electrical contractors. It sets out the requirements and purpose of regulating certain electrical works and the concept of Controlled Works within that context;

- **Section 3** outlines the considerations in the Commission’s approach to the development of the scope of Controlled Works;

- **Section 4** outlines the Commission’s proposal with regard to definition of the scope of Controlled Works;
• Section 5 presents the Commission’s conclusion to its proposals relating to Controlled Works.

1.5 Responding to this paper

Comments should be addressed to Maurice Stack, Analyst – Regulation of Electrical Safety (mstack@cer.ie) no later than 3rd December, 2008. Comments in electronic format are preferable. However, comments may also be posted to the Commission at the following address:

Maurice Stack,
Analyst – Regulation of Electrical Safety,
Commission for Energy Regulation,
The Exchange,
Belgard Square North,
Tallaght,
Dublin 24.

The Commission intends to publish all submissions received. Respondents who do not wish part of their submission to be published should mark this area clearly and separately or enclose it in an Appendix, stating the rationale for not publishing this part of their submission.
2.0 Background and Context to the Regulation of Electrical Works

2.1 Background to the Regulation of Electrical Contractors

On the 24th December 2006, the Energy (Miscellaneous Provisions) Act 2006 ("the 2006 Act") was signed into law. Section 4 of the 2006 Act assigns to the Commission the function to "regulate the activities of electrical contractors with respect to safety".

Sections 4(9)C to 4(9)D of the 2006 Act set out that the Commission shall publish criteria relating to:

- electrical safety supervision;
- the safety standards to be achieved and maintained by electrical contractors; and,
- the procedures to be operated by a person appointed as a designated body.

These criteria will be a fundamental element of establishing and implementing the new regulatory system in accordance with the requirements of the 2006 Act.

In the implementation of its function under the 2006 Act, the Commission will be putting in place a system for the regulation of electrical contractors with respect to safety. This will be in accordance with the requirements of the 2006 Act. This system ("the new regulatory system") will replace the voluntary, self-regulatory system which has been subject to the Commission’s oversight since June 2004. This voluntary system has been operated by two self-regulatory bodies, namely Electrical Contractors Safety & Standards Association (ECSSA) and Registered Electrical Contractors of Ireland (RECI).

Following consultation, the Commission published its decision on the design of the new regulatory system on 8th November 2007. The decision document, entitled “Vision for the Regulation of Electrical Contractors with respect to Safety” ("the Vision Document", reference: CER/07/203) sets out the Commission’s high-level design of the new regulatory model.

In that Vision Document, the Commission stated that its Regulatory Objective in the implementation and operation of its function with respect to electrical contractors is:

To protect the safety interests of customers with respect to electrical installation activities through creating a suitable regulatory system which provides for electrical works to be carried out, tested and certified in compliance with the appropriate technical rules/standards.
Furthermore, the Commission has determined that one of the most critical inputs into the development of the new regulatory system is the scope of those electrical works which are to be regulated – this will, in effect, determine the scope of regulation to apply to electrical works and electrical contractors. By specifying the electrical works which are to be regulated with respect to safety (and within the context of the new regulatory system), this will determine the obligations to be placed on any the parties carrying out such works (which shall be either a registered electrical contractor (“the REC”) or a Non-Registered Party).

### 2.2 Scope of Regulation

Within the context of the regulation of electrical safety, the two key areas which determine the scope of the regulatory system are:

- the meaning of electrical contractors, which is not defined in the Act; and,
- the activities which are to be regulated with respect to safety.

The Commission’s interpretation of the term “Electrical Contractor” is stated in section 3.4.4 of the “Vision for the Regulation of Electrical Contractors with respect to Safety – A Decision Document (REF: CER/07/203)”

“Any party meeting specified requirements, carrying on those activities which are within the scope of the regulatory model.”

“Activities” in this instance relate to electrical works as referred to in the 2006 Act but which are not defined. It is noteworthy that the 2006 Act provides for the Commission to prescribe the works which are to be regulated and, therefore, arising from prescribing such works, the activities of electrical contractors which are to be regulated.

The legislation does, however, introduce the concept of Specified Works and Designated Electrical Works:

- **Specified Work**, further to the provisions of Sections 9(D)(13), (18), (27) and (28) of the 2006 Act, are works which require the issuance of a Completion Certificate confirming certain requirements with respect to safety associated with those works. A certificate may issue under the following circumstances:

  - where the works were carried out by an REC (that contractor, following the successful completion of tests specified in the National Wiring Rules, self-certifies the work they have carried out in accordance with the National Wiring Rules);

  - where the works were carried out by a Non-REC, and further to passing an inspection by an Inspector of a Designated Body (carried out in
accordance with the specified Agreed Procedure), the electrical contractor completes a certificate which is counter-signed by the Inspector;

• Designated Electrical Works are electrical works, further to the provisions of Section 9(E) of the 2006 Act which may only be carried out by an REC.

For ease of distinction between the two classes of works above in the minds of the industry and the public, the Commission decided (in its Vision Document) that these should henceforth be referred to as follows:

• Specified Works are to be termed “Controlled Works” (insofar as they will be controlled through the requirements surrounding the Certification Process);
• Designated Electrical Works are to be termed “Restricted Works” (insofar as these works are restricted to RECs only and cannot be undertaken by an unregistered party);

Controlled and Restricted Works are together the works/activities to be regulated by the Commission (“Regulated Works”).

Therefore, defining these will determine the scope of works which will be regulated under the regulatory model.

**Figure 1- Regulated Electrical Works**

The Commission will determine which works, out of all electrical works, are to be Regulated Works.

- **Controlled** (all works Controlled as a result of requiring a Completion Certificate);
- **Restricted** (any Controlled Works which may only be carried out by an REC and are therefore Restricted to RECs)
From the above, the Commission will therefore be prescribing on what basis works can be certified and who is entitled to certify them. Hence, the definition of Controlled Works and Restricted Works shall be a key determinant in the scope, the operation, the adoption and the success of the new regulatory system.

By doing so, the Commission will regulate electrical contractors with respect to safety in so far as their activities are those which are deemed to be Regulated Works, and any party carrying out regulated works will be deemed an electrical contractor for the purposes of the new regulatory system pursuant to the act. This is summarised in Figure 1 above.

The Commission stated in its Vision Document that whilst it would specify the scope of Controlled Works at the outset of the new regulatory system, it would not develop the scope of Restricted Works until after the initial period of operation of the new regulatory system.

This was in the interests of ensuring that the new regulatory system will be bedded down, operating well and being fully understood, prior to implementing the requirements surrounding Restricted Works (which would include making it an offence for parties other than RECs to undertake any works falling within the scope of Restricted Works as shall be prescribed by the Commission in due course).

In order for the Commission to designate these works as Restricted Works, it is obliged to consult with such persons as it considers appropriate, to make draft regulations and to get the approval of the Minister for Communications, Energy and Natural Resources for these, and for the Minister to then lay the draft regulations before each House of the Oireachtas. The regulations would not come into effect until approved by both Houses.

Hence, the focus of this consultation is solely on the development of the scope for Controlled Works which shall apply from the outset of the new regulatory system.

However, the determination on the scope of Controlled Works shall ultimately influence the scope of Restricted Works which is to apply as it would be the Commission’s intention that the scope of Restricted Works shall be a sub-set of the scope of Controlled Works (and as presented in Figure 1 above).
3.0 Introduction to Role and Purpose of Controlled Works

3.1 Introduction

As set out in Section 9D(13) of the 2006 Act, a Controlled Work shall be any electrical work which the Commission specifies as requiring a Completion Certificate (further to the completion of the electrical work in question).

This section sets out an understanding of the Commission's approach to Completion Certificates, Controlled Works and the current and envisaged general requirements concerning Certification through setting out a response to the following questions:

- What is a Completion Certificate?
- What are Controlled Works?
- What are the current requirements relating to certifying electrical works under the National Wiring Rules?
- What will the requirements be concerning Certification under the new regulatory system?

3.2 What is a Completion Certificate?

A Completion Certificate relates to the Certificate to be prescribed by the Commission further to Section 9D(13 & 14) of the 2006 Act.

In essence, this shall be a numbered certificate produced by the Electro-Technical Council of Ireland (ETCI) and sold to, and controlled by, an Electrical Safety Supervisory Body which certifies that the electrical installation works are fit for purpose and are in accordance with the Technical Rules. Back up documentation (electrical diagrams, test record sheets, etc.) will be kept by the Electrical Contractor to support the Certification.

The Periodic Inspection Report Form\(^2\) will, also, be deemed to be a completion certificate as it is proposed that this work will be included in the definition of controlled works.

A Completion Certificate shall be a legal document and shall be subject to full control by any Electrical Safety Supervisory Body designated by the Commission.

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\(^2\) Periodic Inspection Reports are required when inspecting, testing and certifying existing electrical installations. In the event that an electrical contractor carries out controlled works or a non-registered electrical contractor carries out controlled works, then the person on whose behalf that the controlled works are carried out shall be required to arrange for an inspection of the works by an inspector of an appointed body and a completion certificate will issue.
It shall differ from other types of certificate, such as a certificate relating to minor works or specialist subsystems which will not be controlled in the same way.

At the outset of the new regulatory system, the Commission shall prescribe the existing set of Completion Certificates as developed by ETCI and in place for the current, self-regulatory scheme (and as specified under the Technical Rules/National Wiring Rules) until the new Certificates come into operation.

The Commission intends to convene an industry working group to review the Completion Certificates with a view to revising these to suit the context and operation of the new regulatory system. The Commission shall then engage with the ETCI in the development of the revised Completion Certificates and it is intended that the ETCI shall remain responsible for the production and sale of same.

It is currently anticipated that the work of this industry working group shall commence in early 2009 and shall not be concluded for several months. Hence, it is anticipated that any new/revised Completion Certificates shall not be implemented until the latter half of the first year of the new regulatory system (which is anticipated to commence operation from January 2009).

3.3 What are Controlled Works?

Controlled Works are the electrical installation works, specified by the Commission further to Section 9D (13) of the 2006 Act, for which a Completion Certificate is required to be issued in accordance with the requirements of the regulatory system (including the Technical Rules3 and the Criteria Document).

The scope of Controlled Works shall constitute those works which are considered significant enough in the context of electrical safety to be “controlled” through the issuance of a Completion Certificate. In doing so, such works shall be:

1. Certified as being in compliance with the Technical Rules;
2. In compliance with the certification procedure for electrical installations prescribed in the Wiring Rules;
3. Subject to oversight, compliance validation and regulation by an Electrical Safety Supervisory Body (as part of its role in the oversight and monitoring of the activities of Registered Electrical Contractors and/or further to its role in inspecting works carried out by Non-Registered Parties who

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3 Technical Rules as defined in the Criteria Document as being “…the ETCI “National Wiring Rules”, including any current edition of ET101 National Rules for Electrical Installations, ET105 National Rules for Electrical Installations in Potentially Explosive Atmospheres and other applicable standards currently in force for the electrical works being undertaken and any other technical rules or standards as may otherwise be specified by the Commission in consultation with the ETCI and any such other parties as may be determined by the Commission”
undertake Controlled Works and in arranging for a Completion Certificate for same to issue).

The Commission is to prescribe the scope of these works (i.e. what type of electrical works shall require a Completion Certificate) further to this consultation process and this Consultation Paper (which sets out the Commission’s proposals in this regard). Certification and the associated Procedure will be finalised in consultation with the designated Electrical Safety Supervisory Bodies ECSSA and RECI and with ETCI and the Distribution System Operator (DSO).

In prescribing Controlled Works, the aim of the Commission is to ensure that specified electrical installation work is carried out, inspected and tested to verify that the relevant equipment, materials used and installation standards have been met, that the safety standards required by the Technical Rules have been achieved and that the installation was designed and installed to afford appropriate protection against mechanical and thermal damage. Furthermore, it provides for such works to be subject to full oversight, monitoring and scrutiny by an Electrical Safety Supervisory Body or other relevant party (an Authorised Officer, the Commission, etc.).

### 3.4 What are the current requirements relating to certifying electrical works under the National Wiring Rules?

The National Wiring Rules cover a wide range of electrical installation work with certification categorised into two classes:

1. Work requiring a Completion Certificate (and/or sub-system certificate); or,
2. Works requiring a Declaration of Compliance (for what are defined as “minor works”).

In addition, there is provision for a “Periodic Inspection Report Form,” which is not currently classified as a Completion Certificate.

### 3.5 What will the requirements be concerning Certification under the new regulatory system?

As presented in its Vision Document and Criteria Document, the Commission has specified the following general requirements in relation to the certification of electrical works under the new regulatory system which shall require that electrical works which fall within the scope/definition of Controlled Works must be issued with a Completion Certificate.

A Completion Certificate shall issue through one of two means:

1. Where the Controlled Works have been carried out by a Registered Electrical Contractor who has been granted the right to self-certify by
the Electrical Safety Supervisory Body, that Registered Electrical Contractor can issue a Completion Certificate (further to the requirements of the Criteria Document and the National Wiring Rules);

2. Where the Controlled Works have been carried out by a **non-Registered Party** (or by a Registered Electrical Contractor who does not have the right to self-certify), a Completion Certificate may issue further to an inspection carried out by an Inspector of an Electrical Safety Supervisory Body (such inspection is to be known as a “Third Party Inspection” as prescribed under the Criteria Document).

Notwithstanding the above, all electrical works carried out by Registered Electrical Contractors must be certified by them. However, in certifying works, works falling outside the scope of Controlled Works may require certification through other forms of certificate other than Completion Certificates (for example, specialist sub-system certificates and/or Declaration of Compliance for minor works).
4.0 Proposed Approach to Developing the Scope of Controlled Works

4.1 Broad Scope of Controlled Works

In its Vision Document, the Commission stated that it has the following views:

- the development of the 2006 Act by the Government was in essence driven by the desire to put the previous self-regulatory system on a statutory basis;
- there are accepted industry technical rules and standards in place;
- the majority of electrical contractors are engaged in the low voltage area;
- there are currently regulations in place with respect to medium and high voltage electrical works through, among other things, the requirements of Health and Safety Legislation; and,
- it is widely accepted that the higher risks to public safety from activities in the electrical contracting industry arise in low voltage installations in new and existing domestic dwellings, apartments, offices, etc..

In light of the above, the Commission stated that it considered it reasonable, in the first instance, to limit the broad scope of Controlled Works, and therefore, the Commission’s role to the regulation of electrical works, at the point of commencement of the regulatory system, to be primarily focussed on electrical installation work on Low Voltage installations (Low Voltage as defined in the National Wiring Rules).

The rationale for this focus is that the Commission is of the view that Low Voltage (“LV”) work presents the highest risk to public safety. The current regulation of the activities of electrical contractors in this regard has limited statutory backing from Health and Safety legislation.

However, the Commission, in applying the scope of the new system, will seek to address aspects of Medium Voltage and High Voltage installation works under the new regulatory system. This will be achieved through the following:

- Firstly, the definition of Controlled Works will include all new connections and reconnections to customer installations, irrespective of voltage level;

- Secondly, the ETCI is involved with CENELEC in harmonising the rules to cover MV and HV installations. The Commission is monitoring the progress in these areas and will reflect in the definition of Controlled Works any relevant developments with regard to including certain MV and HV installation works. In order to
give effect to any such requirements within the regulatory system, the Commission will consult on the technical requirements for such electrical works to be specified through Controlled Works;

- Thirdly, the process of defining an initial list of Restricted Works will target critical LV installations including work in potentially explosive atmospheres, microgeneration and relevant MV and HV installation works. Restricted Works will be a work item to follow the commencement of the system and the Commission plans to put same in place over the twelve-month period following the implementation of the new regulatory model.

The Commission will confirm the specific aspects of the above scope, further to this consultation process on the definition of the scope of Controlled Works and then, subsequently, through its specification of Restricted Works.

The supporting elements for the regulation of MV and HV installation works will be given further consideration with the development by ETCI of the National Wiring Rules and the certification system for MV and HV works.

It is the intention that only electrical works which are of significance, in the context of safety of the public, shall be prescribed as Controlled Works. It is envisaged that the scope of these may change over time as the new regulatory system is bedded down and experience builds up.

4.2 Considerations in developing a Detailed Scope for Controlled Works

The Commission has identified the following key considerations in developing an approach to the scope of Controlled Works:

1. The scope of Controlled Works should be clearly established and it is critical that it should be simply and easily communicated in the interests of ensuring it is understood by the industry and public and, therefore, complied with;

2. Controlled Works should be confined to those works which are covered by the National Wiring Rules (and other relevant technical rules/standards as appropriate);

3. Within the context of (2) above, all major electrical works, particularly those requiring a new connection or reconnection to the Electricity Networks, should be automatically Controlled Works in order to ensure that the critical electrical installation associated with a new connection is certified and "controlled";
While decisions on a number of the types of installations considered above are relatively straightforward, others are more complex.

For example an amount of Do-It-Yourself (or “DIY”) electrical installation work is a feature of electrical installations in domestic premises in this country and generally involves “like for like” replacements of switches, sockets, lighting fittings and/or additions to an existing circuit. This work must also be in compliance with the Technical Rules.

This type of work may be impossible to police, particularly in the introductory phase of the new system. In the UK for example, provision is made to inspect this type of work if the customer requests it, while electrical safety regulations in Australian States and Territories prohibit electrical installation work being carried out by any party other than licensed electrical contractors. So, in Australia, although it is legal to buy products like electrical cable, switches and power points, it is illegal for unlicensed persons to install the items.

In developing a definition of the scope for Controlled Works, the Commission has determined that the approach to be taken should be based, in as far as possible, on the risk (of fire and injury) and on what is practicable and enforceable.

The Commission stated in its Vision Document that, in determining what works should be classified as Controlled Works, it will employ a risk-based and consultative approach to assess the safety risks associated with each class of electrical works. Subsequently, determining the scope of Controlled Works will be informed by:

- an analysis of the options of managing the specific safety risk posed by that work and whether classifying that work as “Controlled Works” is the most appropriate approach to manage the risk;
- the practicalities of enforcing such a system; and,
- the need to counter against over-regulation for limited benefit.

### 4.3 Broad Approach to the Definition of the Scope of Controlled Works

In approaching the definition of the scope of Controlled Works, the Commission has identified two broad approaches/options which may be utilised:

- **All Inclusive Scope:**
This would entail specifying that the scope of Controlled Works shall be all electrical installation works. These would be all electrical installation works falling within the scope of the Technical Rules.

This approach would be extremely simple as it would mean any electrical works completed would require a Completion Certificate to issue. However, in doing so, this would mean in practice that any works – no matter how minor – would need to be either carried out by an REC or would need to be subject to a Third Party Inspection by an Electrical Safety Supervisory Body.

This Commission is of the view that the consequences of this simple approach would be to impose a scope of Controlled Works which:

- was not risk-based (as any and all electrical works would be included, regardless of the level of risk associated with the work involved);
- would not be enforceable – the Commission would be specifying that all electrical works would require a Completion Certificate but would have no means of enforcing this requirement and this approach would, in effect, mean that the requirements in that regard for Controlled Works (which are considered necessary to be “controlled” in the interests of safety through the issuance of a Completion Certificate) could not be adequately or comprehensively enforced; and
- would achieve very limited public safety benefits for ‘minor’ electrical works yet would impose a grossly disproportionate cost on customers and the regulatory system as a whole.

**Defined Scope:**

This approach would entail specifying a defined range of electrical installation works which are prescribed as “Controlled Works”.

This range will be less than the scope of works covered in the All Inclusive Scope above and would specifically exclude any “minor works” and like-for-like replacements which can be carried out by competent persons (including DIY workers with appropriate skills).

Within this context, in prescribing what works are Controlled Works, the key determinant as to what works are considered within the scope and those outside of the scope shall be the safety risk presented to the public by the electrical works in question.

The Commission considers that the “Defined Scope” approach is more suitable as it is risk based and therefore easier to communicate to both industry and the
general public and is enforceable in that regard. The Commission sets out in the next section, the proposed drafting of that defined scope of Controlled Works.
5.0 Proposal for the Defined Scope of Controlled Works

5.1 Introduction
Further to Section 4, this section sets out the Commission’s proposed “Defined Scope” of Controlled Works. This has been developed further to the work of the Commission in conjunction with the ETCI.

5.2 Proposed Defined Scope:

CONTROLLED WORKS

Controlled Works are major electrical installation works (including additions, alterations and/or extensions) which are covered by the National Wiring Rules and which involve:

1. the installation, commissioning, inspection, and testing of a new fixed electrical installation requiring connection or reconnection to the electricity network;

2. the installation or replacement of a Distribution Board or Consumer Unit, or new installation in special locations as defined in Part 7 of the National Wiring Rules ET101 and ET105;

3. the installation or replacement of one or more extra circuits in an existing installation, including the installation of one or more additional protective devices for such circuits on a distribution board;

4. Subsystems installed in Commercial, Industrial, and Domestic installations where the installation falls within the remit of the National Wiring Rules;

5. the inspection, testing and certification of existing electrical installations (in accordance with Chapter 62 of the Wiring Rules (ET 101 –Fourth Edition- 2008 and to conform with Regulation 89 of SI No 732 of 2007).

Any works which do not fall within the above scope are not Controlled Works and shall not necessarily require a Completion Certificate to issue.

Furthermore, it is a requirement that Registered Electrical Contractors certify all electrical works carried out by them, regardless of whether it is a Controlled Work (as per the above) or a Minor Work.
Appendix A – List of Substantive Questions

The aim of this section is to allow for a “short-cut” option for respondents to submit their comments to the CER. Respondents are invited to complete the table to indicate their position on the questions being asked. Respondents should outline YES or NO answers to each of the questions listed. If they have a further comment which will clarify their answer, this should be included in the Comments box.

Appendix A will be published alongside the consultation paper in Word format.

Please note: Respondents are in no way obliged to respond to the questionnaire provided and are welcome to submit comments in their preferred format. When preparing responses respondents should indicate which question or proposal their text refers to.

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<th>Question/Proposal</th>
<th>Yes</th>
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<td>Q1. Do you agree with the proposed approach to the definition of the scope for Controlled Works as set out in Section 5.2 above?</td>
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<tr>
<td>Q2. Do you agree with the CER’s analysis of policy considerations as set out in this document?</td>
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</table>
Appendix B – Glossary of Terms

- **Electrical installation**: An assembly of associated electrical equipment to fulfil a specific purpose or purposes and having co-ordinated characteristics.

- **Sub-system**: A completed section or part of an electrical installation e.g. a lift, fire alarm, refrigeration, air conditioning system installed by an electrical or specialist contractor. This sub-system will have as its origin the electrical installation certified by the Main Electrical Contractor. The subsystem may include ancillary electrical installation work (Lighting and circuits to facilitate the connection to the electrical installation). The Machinery Directive covers the supplied lift. Items such as refrigeration and other plant are covered by other directives. An emerging issue in this area that must be addressed is certification of the electrical installation in factory assembled pods, pre-assembled modules etc.

- **Circuit**: Part of an electrical installation supplied from the same origin and protected against over-currents by a single protective device.

- **Extension** (to an electrical installation): Electrical installation work involving one or more extra circuits in an existing installation.

- **Addition**: An addition to an existing circuit.

- **Alteration**: Replacement of part of an installation for the purposes of maintenance or repair.