



Safe Electric Change of Contractor

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1. Definitions

Applicant	means the electrical contractor applying to become a REC;
Commission	means the Commission for Energy Regulation as established further to the 1999 Act;
Criteria Document	means the Criteria Document which is specified and published by the Commission pursuant to the Act and as may be amended from time to time;
CRU	Commission for Regulation of Utilities
DSO or Distribution System Operator	means any person holding the licence granted under Section 14(1)(g) of the 1999 Act;
Registered Electrical Contractor or REC	means any party who is registered by the Body pursuant to the Act and who has not had their Registration suspended or revoked by the Body;
Safe Electric Scheme	The Electric Safety Supervisory Body Registered Electric scheme.

2. Introduction

Only electrical contractors who are registered with the Safe Electric Scheme (i.e. RECs) have the right to issue a Certificate. Furthermore, a REC may only issue a Certificate for Controlled Works they have carried out and /or for which they have been responsible.

This procedure is to facilitate the situation where a Customer requires a change of contractor to complete and/or certify Controlled Works, which was partially or totally carried out by a different contractor.

The situation can arise for various reasons:

- Workload pressure on the first contractor, business difficulties, loss of staff, illness, etc.
- A dispute where the REC refuses to complete the work or issue a Certificate thereby frustrating a connection to the network or the use of the installation;
- a qualified Non-REC does a certain amount of work and a REC is employed to take over and complete the installation. A qualified Non-REC is, in this context, a contractor who is or who employs electrically qualified and competent persons conversant with the National Rules for Electrical Installations applicable to the installation.

The objective of this procedure is to enable a REC to be authorised to carry out Controlled Works, where the original contractor is unable to do so, thus ensuring that the Customer will receive a Certificate and can be connected/reconnected to the electricity distribution system if required.

3. Procedure

- (a) The Customer should submit the Application for a Change of Contractor form on the Safe Electric Scheme website or alternatively the form can be downloaded, and the completed document sent to the ESSB PO Box 13560 Galway
- (b) On receipt of the form the ESSB will check that:
 - The nominated contractor is a Safe Electric Scheme REC
 - The Form is fully completed with details of the applicant, original contractor, nominated contractor and reason for a Change of Contractor.

If the name and address of the original contractor are not available, the ESSB will ask the customer or its representatives to make every effort to identify the original contractor. If this is not possible, the customer or its representative shall confirm in writing to the ESSB that particulars with regard to the original contractor are unknown (E.g. if the property has been newly purchased and so the previous electrical installation contractor is not known, a proof is required that confirms the purchase.)

Controversial cases may be forwarded to CRU for further investigation.

- (c) The ESSB shall write to, or try to contact, the original contractor to confirm his/her reasons(s) for not completing the Electrical Work in question.
- (d) The ESSB may at its discretion or if requested by the Customer or the nominated contractor and for a fee, as detailed in the schedule of fees and charges published on the Safe Electric Scheme website carry out an inspection and report on the work carried out on the installation to date. The inspection shall be carried out as soon as reasonably possible.
- (e) If the original contractor cannot or will not complete the installation and/or issue a completion Certificate then the ESSB, having considered all the circumstances and on the basis that the eligibility criteria have been met, shall authorise the nominated contractor to complete the Electrical Work, test and certify the installation.
- (f) The following eligibility criteria will be used for approving a Change of Contractor request:
 - the ESSB is satisfied with the reason given by the Customer in their application
 - the ESSB has been in contact with the original contractor, where possible
 - An inspection has been carried out, if required, by the ESSB or if requested by the Customer or by the nominated contractor and the results communicated to the requester.
 - the nominated contractor is willing to complete/certify the installation
 - the ESSB is satisfied with the results of whatever further enquiries it deems appropriate

Note: For the avoidance of doubt, the ESSB, when approving a Change of Contractor request(s), shall not take into consideration when assessing the eligibility criteria of the REC, any alleged commercial dispute(s) (which may include, by way of example, a dispute regarding payment for services rendered) between the customer and a REC as a basis for not approving a Change of Contractor request.

- (g) The ESSB shall, on the basis that the eligibility criteria have been met, provide a Change of Contractor Approval within 14 days of the date of receipt of the Change of Contractor Application. A confirmation letter or email will be sent to the Customer and a copy to the nominated contractor.
- (h) The nominated contractor shall not commence Controlled Works until the ESSB approves the Change of Contractor Application and the Customer receives the Change of Contractor Approval.
- (i) The process of change of contractor shall apply as soon as any work has been initiated by the nominated contractor e.g. by submitting a Certificate via the ESSB to the DSO.

The evidence of “physical” work is not necessarily required in order to apply this procedure. This is to deal with the situation where a contractor submits a “test only” certificate.

- (j) The ESSB Inspector will inspect the Controlled Works before it is certified by the nominated contractor. A fee will be charged to the Customer by the ESSB for this inspection.

If the request for a change of contractor involves a large number of premises e.g. a block of apartments, the ESSB will inspect a sample of these premises. The size of the sample of premises to be inspected will be based on a risk assessment where factors such as the type of premise, the type of work undertaken, the REC involved and any other factor that may be identified at the time of the request, will be taken into account. If the initial inspections deem it necessary that further inspections are required, the risk assessment process will take this into account.

The total inspection fee will then be calculated pro rata to the number of premises inspected.

- (k) The nominated contractor will be responsible for issuing a Certificate for the Controlled Works and will ensure that the Controlled Works meet the requirements for Certification.

4. Maintenance of Records

The ESSB shall maintain records of all Change of Contractor Applications received and change of contractor approvals granted and copies of associated documentation generated.

5. Force Majeure

- (a) The above procedure is intended to cover the majority of cases likely to arise where a change of contractor is necessary to complete the Controlled Works.
- (b) However, there are likely to be a number of cases arising where, for genuine reasons it will not be possible to comply fully with the above procedure, resulting in failure to have the Controlled Works completed and certified. If there are extenuating circumstances likely to cause hardship, the Customer (or the ESSB where the necessity for a change of contractor arises from the failure of a contractor to complete Controlled Works or rectify unsafe Controlled Works) can appoint a nominated contractor to carry out and certify the Controlled Works at all times keeping the safety needs of the Customer as a priority. Any costs associated with the change of contractor procedure should be fully explained to the Customer, who has requested the change of contractor.

- (c) The application of a force majeure clause must be specifically authorised by the ESSB, it having considered all the circumstances and made whatever investigations it deems appropriate. The installation should in such cases be inspected by the ESSB and if the Inspector is satisfied that the installation complies with the National Rules for Electrical Installations, then the nominated contractor can issue a Certificate.

A special record of such instances will be kept by the ESSB and reported to the Commission on a quarterly basis.

6. Associated Documentation

- CRU Criteria Document CER/16/001 (Version 3)
- Safe Electric Scheme Rules of Registration
- Form F002: Application for a Change of Contractor (see Appendix A below)
- I.S. 10101 National Rules for Electrical Installations - current edition
- Schedule of fees

Appendix A – F002 Application for a Change of Contractor Form – Page 2



Form F002 V6

DETAILS OF ORIGINAL INSTALLING ELECTRICIAN/CONTRACTOR

NAME: _____

ADDRESS: _____

_____ PHONE: _____

REASON WHY INSTALLING CONTRACTOR IS NOT COMPLETING/CERTIFYING THIS INSTALLATION

ANY OTHER RELEVANT INFORMATION: _____

DETAILS OF NEW CONTRACTOR NOMINATED TO COMPLETE/TEST AND CERTIFY INSTALLATION

NAME: _____

ADDRESS: _____

SAFE ELECTRIC
REG. NO. :

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SIGNED: _____ DATE: _____
(By Consumer)

NAME (Block Letters): _____